

REZONING APPLICATION

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

| APPLICANT INFORMATION | PROPERTY OWNER INFORMATION* |
|---|------------------------------------|
| NAME: <u>Gordon Lawrence</u> | NAME: <u>Mirza Osmanovic</u> |
| ADDRESS: <u>265 W. Pike St.</u> | ADDRESS: <u>Leola Athens Hwy</u> |
| CITY: <u>Lawrenceville</u> | CITY: <u>Loganville</u> |
| STATE: <u>GA</u> ZIP: <u>30040</u> | STATE: <u>GA</u> ZIP: <u>30052</u> |
| PHONE: <u>770-682-8855</u> | PHONE: <u>470-422-6771</u> |
| CONTACT PERSON: <u>Gordon Lawrence</u> PHONE: <u>770-682-8855</u> | |
| CONTACT'S E-MAIL: <u>mail@lawrencedesigngroup.com</u> | |

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): 5th REQUESTED ZONING DISTRICT: C-2

PARCEL NUMBER(S): 5126 001A ACREAGE: 2.03

ADDRESS OF PROPERTY: Leola Athens Hwy Loganville GA 30052

PROPOSED DEVELOPMENT: Funathon

| RESIDENTIAL DEVELOPMENT | NON-RESIDENTIAL DEVELOPMENT |
|-------------------------------------|--------------------------------------|
| No. of Lots/Dwelling Units _____ | No. of Buildings/Lots: <u>1</u> |
| Dwelling Unit Size (Sq. Ft.): _____ | Total Building Sq. Ft. <u>26,528</u> |
| Gross Density: _____ | Density: _____ |
| Net Density: _____ | |

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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SURVEY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 126, DISTRICT 5, GWINNETT COUNTY, GEORGIA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF PALMER ROAD (30' R/W) WITH THE SOUTH RIGHT OF WAY OF ATHENS HIGHWAY (US HIGHWAY 78, R/W VARIES); THENCE TRAVELING EASTERLY ALONG THE SOUTH RIGHT OF WAY OF ATHENS HIGHWAY FOR A DISTANCE OF 538.98 FEET TO AN IRON PIN SET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY OF ATHENS HIGHWAY SOUTH 70 DEGREES 03 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 300.22 FEET TO A CONCRETE MONUMENT FOUND; THENCE LEAVING SAID RIGHT OF WAY SOUTH 13 DEGREES 11 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 296.62 FEET TO A 2" OPEN-TOP PIPE FOUND; THENCE NORTH 70 DEGREES 03 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 300.22 FEET TO A 2" OPEN-TOP PIPE FOUND; THENCE NORTH 13 DEGREES 11 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 296.62 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 2.030 ACRES AND IS DEPICTED ON THAT CERTAIN TOPOGRAPHIC SURVEY FOR OSMANOVIC PREPARED BY LANDPRO SURVEYING AND MAPPING, INC., SEALED AND CERTIFIED BY JAMES H. RADER, GRLS NO. 3033, DATED MARCH 12, 2019.

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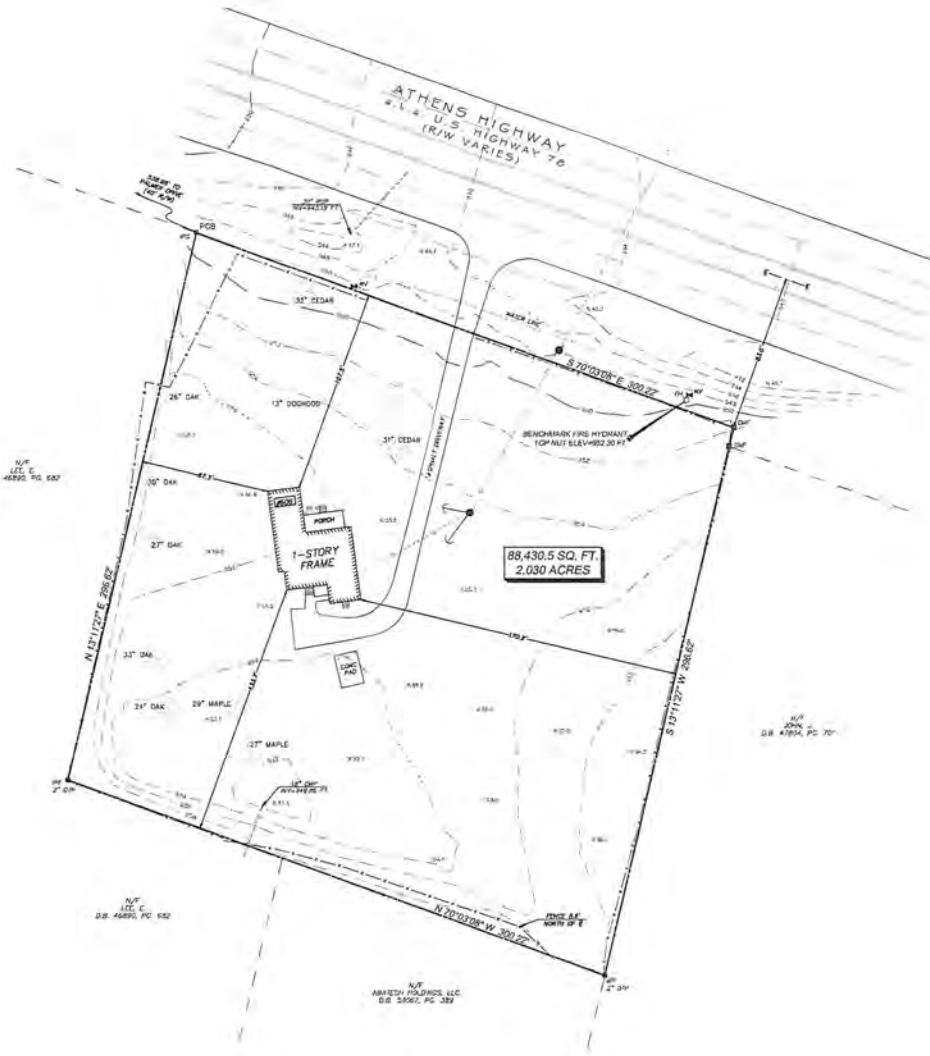
GRID ON WEST SIDE

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SURVEY NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT FIEL INSPECTORS REPORT, EASEMENTS, ENCUMBRANCES OR ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.
2. THIS SURVEY HAS BEEN PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 160-3 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. 15-8-67.
3. THIS PLAT WAS PREPARED FROM A FIELD SURVEY USING A ONE SECOND TRIANGLE ROBOTIC TOTAL STATION.
4. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAYS, PUBLIC OR PRIVATE.
5. ALL IRR & IFS ARE 3\"/>

SURVEY DATA

1. FIELD SURVEY COMPLETED ON 03-07-2019.
2. THE PRECISION OF THE FIELD DATA UPON WHICH THIS SURVEY IS BASED WAS VERIFIED WITH REDUNDANT LINEAR MEASUREMENTS. THE CALCULATED PROPORTIONAL TOLERANCE IS LESS THAN 0.10\"/>

SURVEYOR'S CERTIFICATION

I CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION THAT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.



JAMES H. RADER GEORGIA RLS# 3023

SURVEY LEGAL DESCRIPTION
 ALL THAT TRACT OR PARCELS OF LAND LYING AND BEING IN LAND LOT 126 DISTRICT 5, WINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 TO FIND THE POINT OF BEGINNING COMMENCED AT THE INTERSECTION OF THE EAST RIGHT OF WAY OF PALMER ROAD 126 FEET WITH THE SOUTH RIGHT OF WAY OF ATHENS HIGHWAY (U.S. HIGHWAY 70) 876 FEET, THENCE TRAVELING EASTWARD ALONG THE SOUTH RIGHT OF WAY OF ATHENS HIGHWAY FOR A DISTANCE OF 538.86 FEET TO AN IRON PIN SET, SAID POINT BEING THE POINT OF BEGINNING.
 THENCE CONTINUING ALONG THE SOUTH RIGHT OF WAY OF ATHENS HIGHWAY SOUTH TO DISTRICT 51 MARKERS OR DISTANCE EAST FOR A DISTANCE OF 50.00 FEET TO A CONCRETE MONUMENT FOUND, THENCE LEAVING SAID RIGHT OF WAY SOUTH TO DISTRICT 51 MARKERS BY DISTANCE WEST FOR A DISTANCE OF 20.62 FEET TO A 2\"/>

LEGEND

| | | | | | |
|-------------------|-----|-------|-----|-------|-----|
| PROPERTY LINE | RV | WATER | W | WATER | W |
| ADJACENT PROPERTY | RV | WATER | W | WATER | W |
| ... | ... | ... | ... | ... | ... |

Scale: 0' 30' 60' 90'

| REVISION | DATE | PURPOSE |
|----------|---------|-----------------------|
| 1 | 5-21-19 | ADD LEGAL DESCRIPTION |

LANDPRO
 SURVEYING AND MAPPING
 305 CREEKSTONE RIDGE
 WOODSTOCK, GA 30188
 TELE: 404-386-2170
 AUTHORIZATION NO. LSFD00038
 WWW.LANDPROSURVEYING.COM
 INFO@LANDPROSURVEYING.COM
 COPYRIGHT 2019

OSMANOVIC
 CURRENT OWNER: PALMER, R.
 LAND LOT 126
 DISTRICT 5
 WINNETT COUNTY, GA

DATE: 03/12/19
 SHEET: 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:

KID'S RECREATION SUITABLE FOR REZONING

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

WE SEE NO REASON FOR ADVERSE AFFECT.

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

GREAT ECONOMIC BOOST FOR THIS AREA

- (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:

HOURS 10-9 — NO ADVERSE AFFECTS
TO STREETS OR TRANSPORTATION

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

YES, THIS REZONING IS IN CONFORMITY WITH
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:

NO ADVERSE CONDITIONS — THANKS



Lawrence Design Group

Architectural Construction Planning

May 20, 2019

From: Gordon Lawrence, Mirza Osmanovich
To: Gwinnett County Planning & Development
RE: Rezoning & Buffer Reduction applications
606 Athens Hwy, Loganville GA 30052

Greetings:

I am representing the owner of 606 Athens Hwy (Mirza Osmanovich) residential property.

606 Athens Hwy is intended to become a Funathon for Kids recreation & entertainment.

Please review attached documents to show acreage, parking, elevations, floor plan, site plan & survey.

The attached documents will also show the property at 606 Athens Hwy, to allow a buffer reduction per civil engineering site plans.

The proposed building for property 606 Athens Hwy will be 22,864 sf building with an additional 3,844 sf of retail space totaling 26,528 sf. The height will be 37'. The materials will comply with all Gwinnett County Building Plan Review standards.

Our request is to change zoning from R100 to C2 for this property.

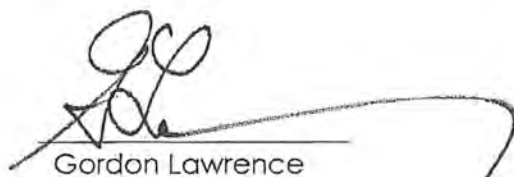
606 Athens Hwy, Loganville GA 30052 – To be developed – Funathon

Our request is for a buffer reduction

606 Athens Hwy, Loganville GA 30052 – To be developed – Funathon

As indicated in the application, we feel that this commercial project is a good fit for Loganville and offers no negative aspects for the community.

Thank you for your consideration



Gordon Lawrence

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.

[Handwritten Signature] 04.30.19
Signature of Applicant Date

Mirza Osmanovic owner
Type or Print Name and Title

**CANDICE HILLIARD
NOTARY PUBLIC
GWINNETT COUNTY
STATE OF GEORGIA
My Comm. Expires July 15, 2022**

Candice Hilliard 4/30/19
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.



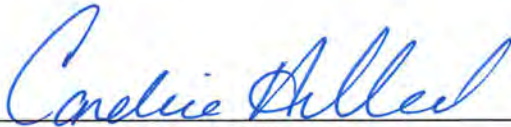
Signature of Property Owner

04.30.19.

Date

Mirza Osmanovic owner

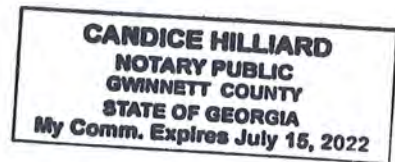
Type or Print Name and Title



Signature of Notary Public

4/30/19

Date



Notary Seal

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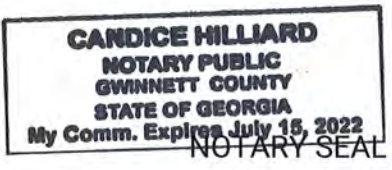
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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.

Mirza Osmanovic 04.30.19 OSMANOVIC MIRZA
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE *OWNER.*

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

Candice Hilliard
 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 Mirza Osmanovic
 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 - 126 - 001A
(Map Reference Number) District Land Lot Parcel

[Signature] 04.10.19
Signature of Applicant Date

OSMANOVIC MIRBA 04.10.19
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

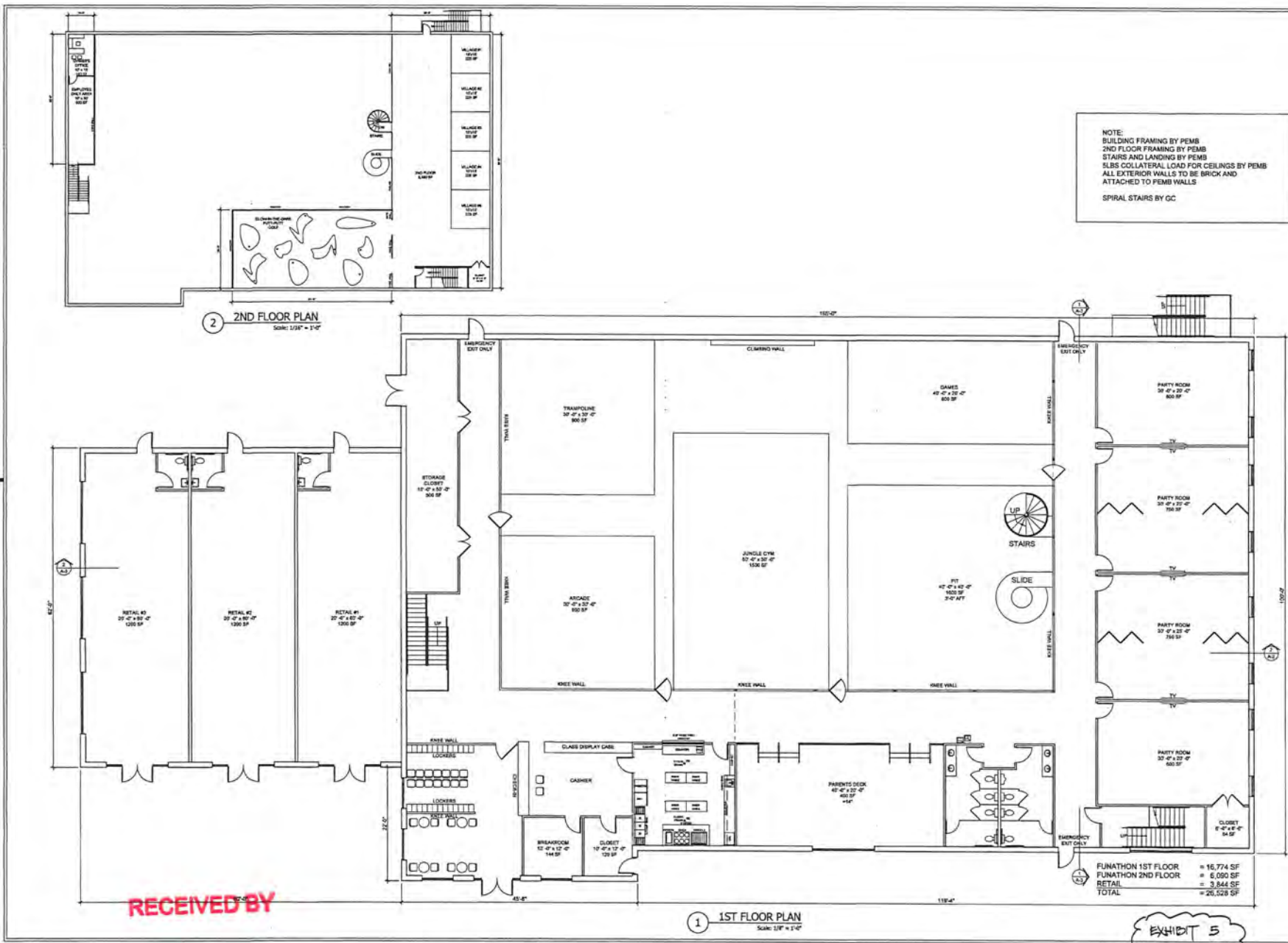
April 10, 2019
DATE

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APR 11 2019

7

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**LAWRENCE
DESIGN GROUP**
265 West Pike St, Suite 1
Lawrenceville, GA 30046
www.lawrencedesigngroup.com
770-952-8553

FUNATHON
606 ATHENS HIGHWAY
LOGANVILLE, GA 30052
Gwinnett County

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| Issue | Date | Drawn By |
|-------|----------|----------|
| 1 | 02-20-19 | EWT |
| 2 | 02-27-19 | EWT |
| 3 | 02-28-19 | EWT |
| 4 | 03-04-19 | EWT |
| 5 | 03-27-19 | EWT |
| 6 | | |
| 7 | | |
| 8 | | |

LOG Job#

CONCEPT PLANS

A-1

EXHIBIT 5

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