

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Timothy L. Montgomery</u> c/o Alliance Engineering and Planning	NAME: <u>Timothy L. Montgomery</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).

APPLICANT IS THE:	
<input type="checkbox"/> OWNERS AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>M-1 with buffer reduction and SUP</u>	
LAND DISTRICT (S): <u>5</u> LAND LOT: <u>334</u> ACREAGE: <u>5.71</u>	
ADDRESS OF PROPERTY: <u>3044 Lawrenceville Highway</u>	
PROPOSED DEVELOPMENT: <u>Truck Maintenance Facility</u>	
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: _____ DWELLING UNIT SIZE (SQ. FT.): _____ GROSS DENSITY: _____ NET DENSITY: _____	NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: <u>1</u> TOTAL GROSS SQUARE FEET: <u>15,282</u> DENSITY: <u>2,676 sq. ft. per acre</u> <div style="text-align: right; color: red; font-weight: bold;">RECEIVED BY</div>

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 Land Lot 334 of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the True Point of Beginning, begin at Point formed by the intersection of Centerline of Givens road and State Route 8; THENCE leaving said Point, North 66 degrees 54 minutes 32 seconds West for a distance of 54.32 feet to a ½" Rebar Found along the Northwesterly Right-of-Way of State Route 8 (Apparent Right-of-Way Varies), said Point being The True Point of Beginning.

THENCE from said Point as thus established and continuing along said Right-of-Way, South 46 degrees 51 minutes 39 seconds West for a distance of 586.28 feet to a ½" Rebar Found Disturbed; THENCE leaving Said Right-of-Way, North 29 degrees 24 minutes 25 seconds West for a distance of 515.34 feet to a ½" Rebar Found along the Southerly Right-of-Way of CSX Railroad (Apparent 100' Right-of-Way); THENCE along said Right-of-Way for the next four(4) calls and distances, North 60 degrees 59 minutes 13 seconds East for a distance of 124.76 feet to a Point; THENCE North 62 degrees 06 minutes 47 seconds East for a distance of 106.51 feet to a Point; THENCE North 63 degrees 20 minutes 22 seconds East for a distance of 118.67 feet to a Point; THENCE North 63 degrees 47 minutes 52 seconds East for a distance of 217.00 feet to a Point; THENCE leaving said Right-of-Way, South 29 degrees 54 minutes 25 seconds East for a distance of 354.68 feet to a point, said Point being The True Point of Beginning.

Said property contains 5.71 acres
Including easements within

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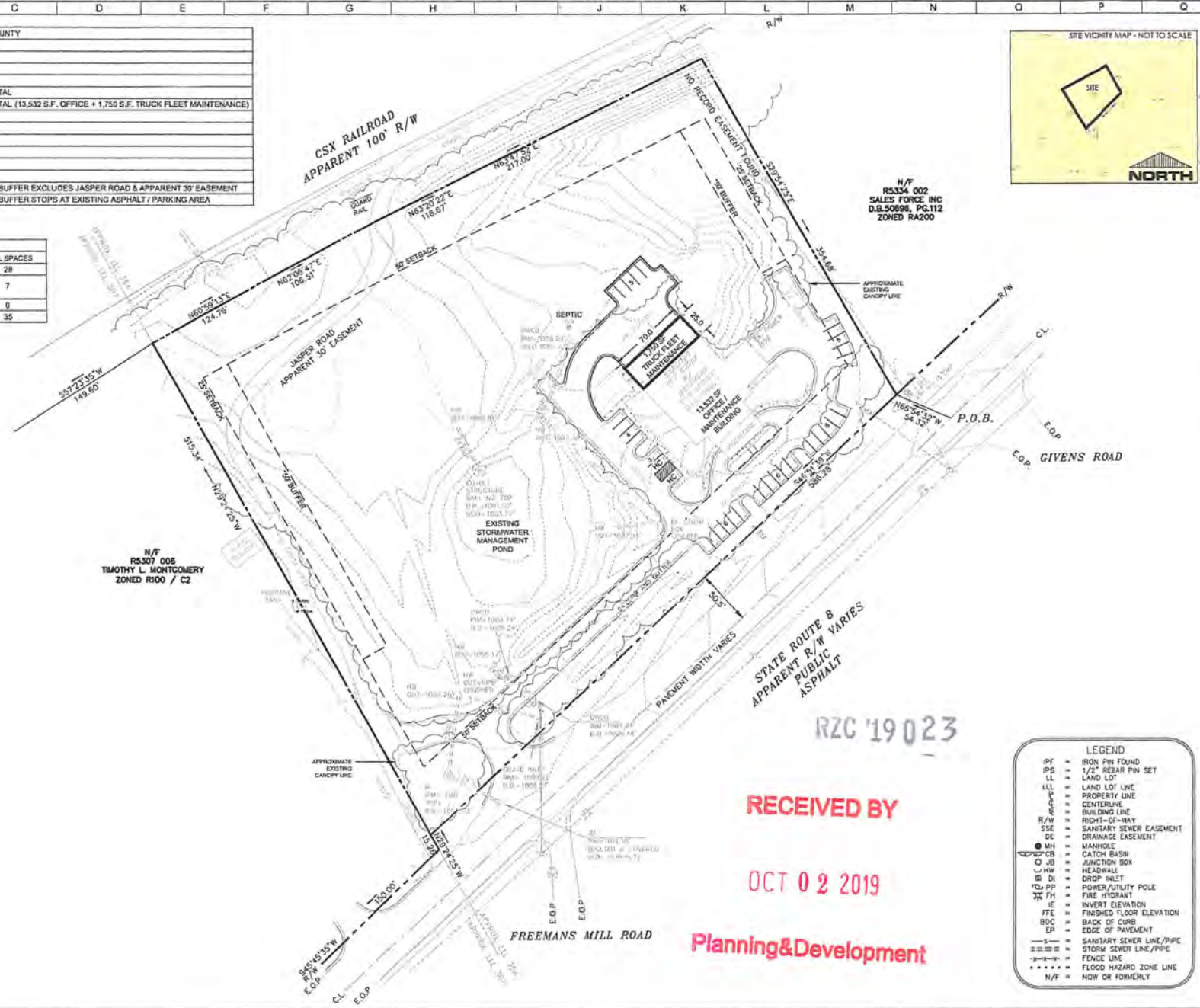
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SITE DATA SUMMARY:	
GWINNETT COUNTY	
GROSS / NET ACRES:	5.71 ACRES
EXISTING ZONING:	RA-200
PROPOSED ZONING:	M-1
EXISTING BLDG. FLOOR AREA: 13,532 S.F., TOTAL	
PROPOSED BLDG. FLOOR AREA: 15,282 S.F., TOTAL (13,532 S.F. OFFICE + 1,750 S.F. TRUCK FLEET MAINTENANCE)	
MAX BUILDING HEIGHT:	45'
SETBACKS	
FRONT YARD:	50'
SIDE YARD:	25'
REAR YARD:	50'
BUFFERS	
ADJACENT TO R-100	50' BUFFER: * BUFFER EXCLUDES JASPER ROAD & APPARENT 30' EASEMENT
ADJACENT TO RA-200	50' BUFFER: * BUFFER STOPS AT EXISTING ASPHALT / PARKING AREA

PARKING ANALYSIS		
TYPE PROVIDED	MIN. REQUIRED	TOTAL SPACES
OFFICE	1 PER 500 SF: (28)	28
TRUCK FLEET MAINTENANCE	1 PER BAY: (7 SERVICE BAYS)	7
LOADING	0	0
TOTAL		35



N/F
RS334.002
SALES FORCE INC
D.B.50696, Pg.112
ZONED RA200

N/F
RS307.006
TIMOTHY L. MONTGOMERY
ZONED R100 / C2

STATE ROUTE 8
APPARENT R/W VARIES
PUBLIC ASPHALT

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LEGEND	
IPF	IRON PIN FOUND
IPS	1/2" REBAR PIN SET
LL	LAND LOT
LLL	LAND LOT LINE
P	PROPERTY LINE
C	CENTERLINE
B	BUILDING LINE
R/W	RIGHT-OF-WAY
SSE	SANITARY SEWER EASEMENT
DE	DRAINAGE EASEMENT
MH	MANHOLE
CB	CATCH BASIN
JB	JUNCTION BOX
HW	HEADWALL
DI	DROP INLET
PP	POWER UTILITY POLE
FH	FIRE HYDRANT
IE	INVERT ELEVATION
FTE	FINISHED FLOOR ELEVATION
BDC	BACK OF CURB
EP	EDGE OF PAVEMENT
S	SANITARY SEWER LINE/PIPE
SS	STORM SEWER LINE/PIPE
F	FENCE LINE
FZL	FLOOD HAZARD ZONE LINE
N/F	NOW OR FORMERLY

PROPERTY OWNER:
FCO 10024 001
DR TIMOTHY L. MONTGOMERY ET AL

STORMWATER NOTE:
THE PROPERTY WILL UTILIZE AN EXISTING STORMWATER MANAGEMENT POND.

SEWER NOTE:
ON EXISTING SEPTIC SYSTEM WILL BE USED.

WATER NOTE:
WATER PROVIDED BY GWINNETT COUNTY, AVAILABLE WITHIN WINDER HWY PROXIMITY.

FLOOD HAZARD NOTE:
BY OROGRAPHICAL PLOTTING ONLY, NO PORTION OF THE SURVEYED AREA LIES WITHIN A 100 YEAR FLOOD HAZARD AREA PER FIRMS PANEL 1313X0003F, SEPTEMBER 28, 2008.

THIS DRAWING IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OF ELEVATIONS OF FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY ON LIABILITY FOR THE ACCURACY OF THE ABOVE REFERENCED MAP OR PUBLIC DATA.

ALLIANCE
ENGINEERING & PLANNING
LANDSCAPE ARCHITECTURE

3011 LAWRENCEVILLE HWY
SUITE 301 - DISTRICT 5TH
GWINNETT COUNTY, GEORGIA
770.233.4200 | www.alliance.com

Site Rezoning Plans For

Scale: 1" = 50'

ZONING SITE PLAN

09 - 18 - 2019

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:

YES, THE SUBJECT PROPERTY IS PROPOSED TO BE THE SAME USE AS AN ADJACENT PROPERTY

(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 and Owner, Timothy Montgomery, requests a rezoning from RA-200 to M-1 with a Special Use Permit to allow a Truck Maintenance Facility on 5.71 acres he owns at 3044 Lawrenceville Highway. The proposal is to add an additional 1,750 square feet to an existing veterinary clinic building that he never occupied on the property. The addition to the building will have the roll up doors facing away from the highway so that there will be no visibility into the building when the doors are open. There will be no storage of trailers on the property but just the repair and maintenance to the truck cabs. The property requires a buffer reduction next to the adjacent property zoned RA-200 located to the eastern side of the property. There is an existing driveway and parking area that will intrude into the 50-foot buffer along that side. No additional intrusions are planned along that side of the property, but the request is to let the existing pavement remain. Additional screening or plantings can be installed along that buffer area where sparsely vegetated. Also, along the western property line that adjoins additional property owned by the applicant there is a 30-foot easement for Jasper Road. This is a gravel road that goes back to the CSX Railroad tracts and is in the buffer area for that side of the property. The request is to allow that use to stay in that buffer area.

This is a narrow property that fronts along Lawrenceville Highway and backs up to the railroad tracks making it difficult for any residential uses. There is also a similar use on the other side of the applicant's property that was approved for a truck maintenance facility and for trailer storage.

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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 Timothy L. Montgomery 10-1-19
Signature of Applicant Date

Timothy L. Montgomery
Type or Print Name and Title

Aida Neal 10/1/19
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.

X Timothy L. Montgomery 10-1-19
Signature of Property Owner Date

Timothy L. Montgomery Owner
Type or Print Name and Title

Aida Neal 10/1/19
Signature of Notary Public Date



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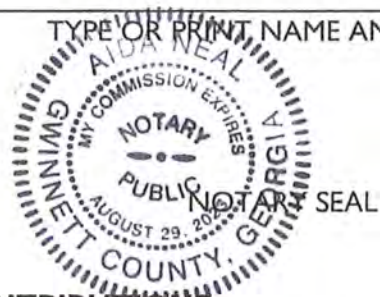
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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 Timothy L. Montgomery 10-1-19 Timothy L. Montgomery, 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

[Signature] 10/1/19
 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 Tim Montgomery
 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 - 334 - 001
(Map Reference Number) District Land Lot Parcel

X Timothy L. Montgomery 10-1-19
Signature of Applicant Date
Timothy L. Montgomery
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)

Lovell Hunley TSA-I
NAME TITLE
10-2-19
DATE

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