

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Meadow Trace, Inc.</u>	NAME: <u>Meadow Trace, Inc.</u>
ADDRESS: <u>1424 N. Brown Rd, Suite 100</u>	ADDRESS: <u>1424 N. Brown Rd, Suite 100</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30043</u>	STATE: <u>GA</u> ZIP: <u>30043</u>
PHONE: <u>678-252-2500</u>	PHONE: <u>678-252-2500</u>
CONTACT PERSON: <u>Gary Gettis</u> PHONE: <u>404-569-4221</u>	
CONTACT'S E-MAIL: <u>glgettis@gmail.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): 01 REQUESTED ZONING DISTRICT: R-75

PARCEL NUMBER(S): R7047 004 ACREAGE: 1.28

ADDRESS OF PROPERTY: MCKENDREE RD

PROPOSED DEVELOPMENT: Single Family Detached Housing

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>3</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>2000 Sq Ft</u>	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Planning & Development

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 32, 33, 46 and 47 of the 7th District of Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at a point on the centerline of Colonial Pipeline Easement (75-foot Easement), said point also being on the common to lot line to Land Lots 32 and 33, said point being South 29 degrees 31 minutes 20 seconds East a distance of 32.22 feet from the northerly corner of said Land Lots 32 and 33, said point being THE TRUE POINT OF BEGINNING;

THENCE South 82 degrees 51 minutes 52 seconds West a distance of 82.86 feet along said centerline to a point on the Easterly right-of-way of McKendree Church Road having an 80' right-of-way width;

THENCE along said right-of-way for the following three (3) courses and distances:

THENCE North 01 degrees 05 minutes 42 seconds East a distance of 3.69 feet to a point;

THENCE along a curve to the left for an arc length of 142.70, having a radius of 517.176 feet, being subtended by a chord bearing North 06 degrees 48 minutes 26 seconds West, for a distance of 142.25 feet to a point;

THENCE along a curve to the left for an arc length of 84.82, having a radius of 1,472.394 feet, being subtended by a chord bearing North 16 degrees 21 minutes 12 seconds West, for a distance of 84.81 feet to a point;

THENCE North 71 degrees 56 minutes 42 seconds East a distance of 212.76 feet leaving said right-of-way to a point;

THENCE South 17 degrees 30 minutes 18 seconds East a distance of 274.39 feet to a point located in the centerline of said Colonial Pipeline Easement;

THENCE South 82 degrees 51 minutes 52 seconds West a distance of 163.19 feet to a point, said point being THE TRUE POINT OF BEGINNING.

The above described property contains an area of 1.282 acres more or less.

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RZR 19 001



FEMA PANEL NO. 13135C0072F

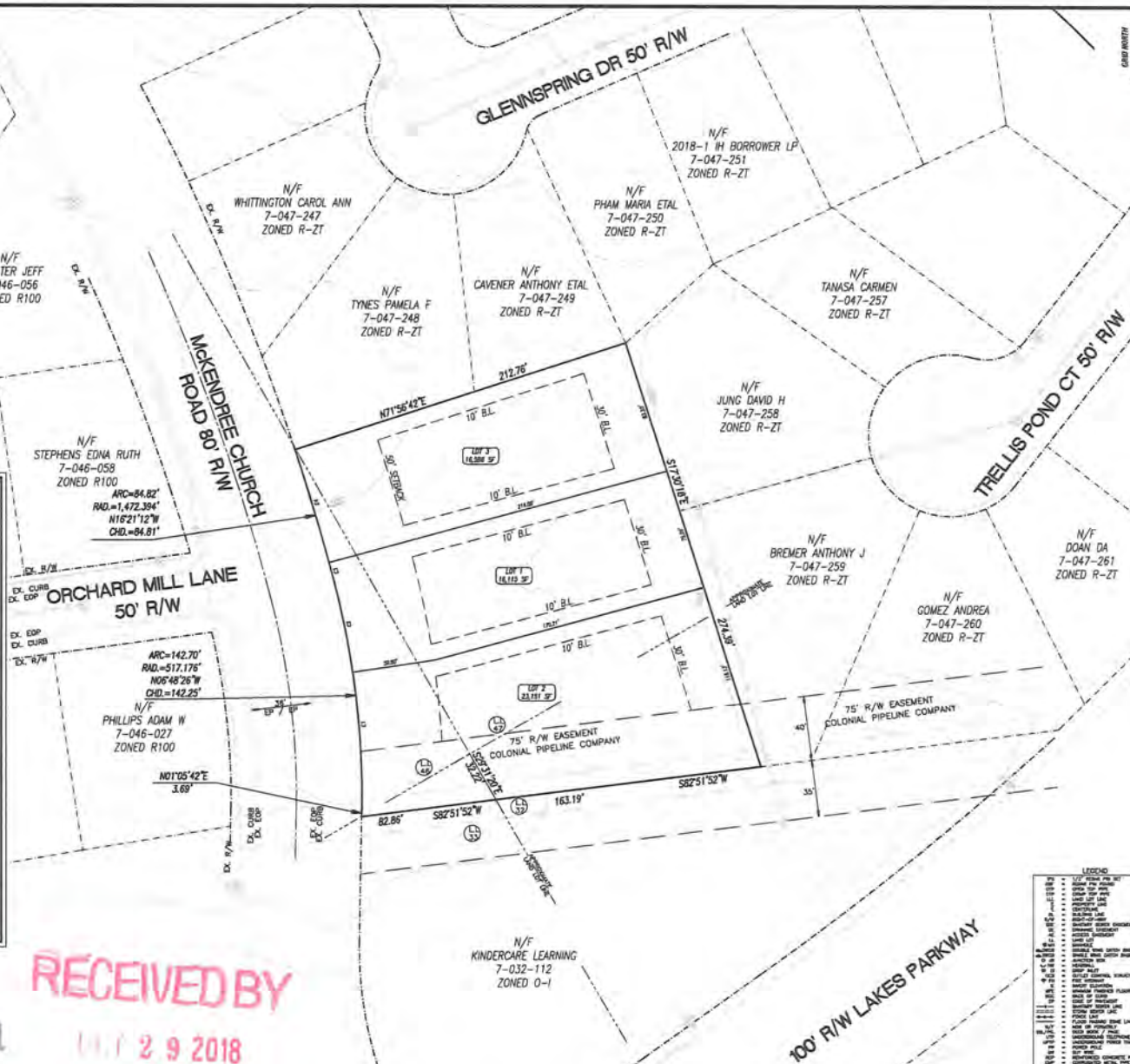


VICINITY MAP

DEVELOPMENT SUMMARY

- TOTAL PROPERTY ACREAGE = 1.28 AC.
- TOTAL NUMBER OF UNITS = 3
- CURRENT ZONING = O-1 (OFFICE INSTITUTIONAL)
- PROPOSED REZONING PARCELS : R7-047-004
- PROPOSED ZONING: R-75 PROPOSED USE: SINGLE-FAMILY RESIDENTIAL
- GROSS DENSITY FOR PROPERTY = 0.426 LOTS/AC.
NET DENSITY FOR PROPERTY = 0.35 LOTS/AC. (0.22 AC. GAS EASEMENT)
- REQUIRED SETBACKS:
FRONT YARD = 50' (ADJACENT TO R/W)
REAR YARD = 30'
SIDE YARD = 10'
- ALL LOTS TO BE SERVED BY SANITARY SEWER.
- WATER AND SEWER SERVICE PROVIDED BY CHANNETT COUNTY.
- A 50' FOOT UNDISTURBED VEGETATIVE BUFFER ADJACENT TO ALL RUNNING STREAMS AND CREEKS WILL BE LEFT AND MAINTAINED.
- NO PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA AS PER CHANNETT COUNTY F.I.R.M. COMMUNITY PANEL NO. 13135C0072F, DATED SEPTEMBER 29, 06.
- BOUNDARY INFORMATION FROM THE FOLLOWING PLATS PREPARED BY HANCOCK, NEEDS & ENGEL: REZONING SKETCH PLAN FOR ATLANTA COMMONS, LTD., DATED 11/25/07 SURVEY FOR MCKENDREE DEVELOPMENT GROUP, DATED 12/29/07 FINAL PLAT UNIT FOUR MEADOW TRACE S/D, DATED 01/17/09.
- TOPOGRAPHIC AND UTILITY INFORMATION BASED ON CHANNETT COUNTY G.S.
- SITE PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON ACTUAL FIELD CONDITIONS.
- LOCATION OF EXISTING STREAMS AND BUFFERS SHOWN BASED ON CHANNETT COUNTY G.S. FIELD VERIFICATION RECOMMENDED.

CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	85.68'	517.16'	N71°58'42"E	85.76'
C2	58.83'	517.16'	N11°53'51"W	58.80'
C3	12.52'	1492.38'	N11°53'51"W	12.52'
C4	72.80'	1492.38'	N11°53'51"W	72.48'



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LEGEND

---	10' B.L.
---	30' B.L.
---	50' B.L.
---	75' R/W EASEMENT COLONIAL PIPELINE COMPANY
---	EXISTING STREAMS AND BUFFERS
---	EXISTING SANITARY SEWER
---	EXISTING WATER
---	EXISTING UTILITY
---	EXISTING LOT
---	EXISTING CURB
---	EXISTING DRIVE
---	EXISTING SIDEWALK
---	EXISTING FENCE
---	EXISTING WALL
---	EXISTING POLE
---	EXISTING SIGN
---	EXISTING LIGHT
---	EXISTING TREE
---	EXISTING SHRUB
---	EXISTING GRASS
---	EXISTING SOIL
---	EXISTING ROCK
---	EXISTING SAND
---	EXISTING CLAY
---	EXISTING SILT
---	EXISTING MUD
---	EXISTING DEBRIS
---	EXISTING WASTE
---	EXISTING OIL
---	EXISTING GAS
---	EXISTING ELECTRIC
---	EXISTING TELEPHONE
---	EXISTING CABLE
---	EXISTING FIBER
---	EXISTING RAIL
---	EXISTING HIGHWAY
---	EXISTING AIRWAY
---	EXISTING WATERWAY
---	EXISTING DRAINAGE
---	EXISTING FLOODPLAIN
---	EXISTING WETLAND
---	EXISTING WOODLAND
---	EXISTING PRAIRIE
---	EXISTING SAVANNAH
---	EXISTING TROPICAL FOREST
---	EXISTING TEMPERATE FOREST
---	EXISTING BOREAL FOREST
---	EXISTING TUNDRA
---	EXISTING ICE
---	EXISTING SNOW
---	EXISTING HAIL
---	EXISTING RAIN
---	EXISTING WIND
---	EXISTING SOUND
---	EXISTING VIBRATION
---	EXISTING MAGNETIC FIELD
---	EXISTING ELECTROMAGNETIC INTERFERENCE
---	EXISTING RADIO FREQUENCY INTERFERENCE
---	EXISTING THERMAL
---	EXISTING CHEMICAL
---	EXISTING BIOLOGICAL
---	EXISTING SOCIAL
---	EXISTING ECONOMIC
---	EXISTING CULTURAL
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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:

Yes, adjoining properties are comparable residential with the exception to one tract which is a daycare facility.

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

No, all land adjoining is developed and no other property near by to be developed.

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

No, we've tried selling for years and haven't been able to sell.

- (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:

It is not expected that three homes will adversely impact any of the above.

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

It conforms to other adjoining communities are the same zoning designation.

- (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:

We rezoned this property 10+ years ago from Residential to O-I. We have not been able to find a purchaser for the O-I use.

Therefore, we are seeking to change back to a Residential zoning as we interested buyers for this use.

STATEMENT OF INTENT

and

Other Material Required by
Gwinnett County Department of Planning & Development
for the
Rezoning Application

of

Meadow Trace, Inc.

for

+/- 1.282 acres
located in
Land Lots 32, 33, 47, 47 of the 7th District, Gwinnett County, GA

Address:
McKendree Road

Submitted for Applicant by:

Meadow Trace, Inc.
Gary Gettis
1424 N. Brown Rd
Lawrenceville, GA 30043
678-252-2521 office
glgettis@gmail.com

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I. INTRODUCTION

This Application seeks to rezone +/-1.282 acres of land located in Land Lots 32, 33, 46, 47 of the 7th District, Gwinnett Count (the "Subject Property") from O-I to R-75. The Subject Property is located on McKendree Church Rd near the intersection of Lakes Pkwy, one parcel north of Lakes Pkwy. The Subject Property is currently zoned O-I.

At present the Subject Property is vacant and is undeveloped land. The Applicant intends to redevelop the Subject Property three (3) Single Family Detached homes (the "Proposed Development"). The Gwinnett County's Comprehensive Land Use Plan designates the Subject Property as Residential which fully allows the proposed R-75 zoning and Single Family Detached Residential use.

The Applicant submits this document as a Statement of Intent with regard to this Application and as written justification for the Application as required by the Gwinnett County. A Site Plan has been filed with the original Application, along with the other required materials.

II. HISTORY

To the Applicant's knowledge, this tract of land was a hold over piece from the Meadow Trace subdivision built 30 +/- year ago. In the mi-2000's it was zone to O-I from its residential designation for the hopes that an office user would purchase it. It has been actively marketed for approximately 14 years and the owner has not had a buyer. Therefore, the owner wishes to rezone back to residential (R-75) because they have a user for residential lots.

III. CONCLUSION

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For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from the Staff or other officials from Gwinnett County so that such recommendations or inputs might be incorporated as conditions of approval of this Application.

This 25th day of October, 2018.

Respectfully submitted,



By: Gary L. Gettis
Representative for Applicant

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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.

[Handwritten Signature]

Signature of Applicant

10/22/18

Date

Mark T. Whitmire, VP

Type or Print Name and Title

[Handwritten Signature]

Signature of Notary Public

10/22/18

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

10/22/18

Date

Mark T. Whitmire, VP

Type or Print Name and Title





Signature of Notary Public

10/22/18

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.

Mark T. Whitmire, VP 10/22/18 Mark T. Whitmire, VP
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Sandra Rhea O'Neal 10/22/18
 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 MARK T WHITMIRE
 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.

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 - 32, 33, 46, 47 - R7047 004
(Map Reference Number) District Land Lot Parcel

[Signature] 10/22/18
Signature of Applicant Date

Mark T. Whitmire, VP
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)

Ingrid Espinal TSA#
NAME TITLE
10/29/18
DATE