

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Bernie Smith</u>	NAME: <u>Ewing mm Investments</u>
ADDRESS: <u>4763 Township Chase</u>	ADDRESS: <u>2045 Buford Hwy.</u>
CITY: <u>Marietta</u>	CITY: <u>Buford</u>
STATE: <u>GA</u> ZIP: <u>30066</u>	STATE: <u>GA</u> ZIP: <u>30518</u>
PHONE: <u>770-652-0044</u>	PHONE: <u>770-972-6948</u>
CONTACT PERSON: <u>Doug Patten</u> PHONE: <u>770-424-0028</u>	
CONTACT'S E-MAIL: <u>DougPatten@centerline.surveying.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): RA-200 REQUESTED ZONING DISTRICT: TND

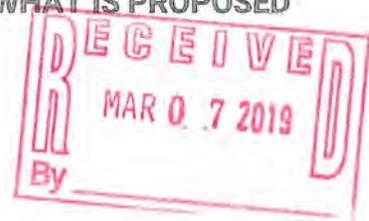
PARCEL NUMBER(S): 5268019 ACREAGE: 31.01

ADDRESS OF PROPERTY: 1843 Alcovy Rd, Lawrenceville, GA

PROPOSED DEVELOPMENT: Single family Residential

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>90</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>6,300</u>	Total Building Sq. Ft. _____
Gross Density: <u>2.90</u>	Density: _____
Net Density: <u>2.93</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED



ZONING LEGAL  
**ALCOVY**

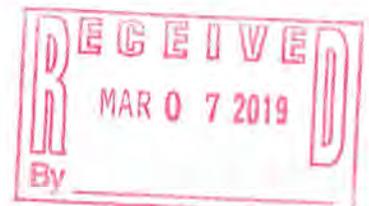
All that tract or parcel of land lying and being in Land Lots 268 and 269 of the 5<sup>th</sup> District of Gwinnett County, Georgia and being more particularly described as follows:

Commence at the intersection of the Land Lot Line common to Land Lots 245 and 268 with the northwesterly right of way line of Alcovy Road (R/W Varies), said point being the **TRUE POINT OF BEGINNING**.

From the **POINT OF BEGINNING** as thus established, Proceed along the Land Lot Line common to Land Lots 245 and 268, N29°49'58"W, a distance of 1495.32' to a point; Thence leaving said Land Lot Line, proceed N50°28'02"E a distance of 514.92' to a point; Thence N11°16'23"E, a distance of 556.10' to a point; thence S27°09'54"E, a distance of 1453.90' to a point; thence S27°15'23"E, a distance of 301.33' to a point; thence S27°56'41"E, a distance of 34.76' to a point; thence S37°57'17"W a distance of 132.28' to a point; thence S03°32'20"W, a distance of 147.55' to a point; thence S17°50'35"E, a distance of 162.43' to a point on the northerly right of way of Alcovy Road (R/W varies); Thence continue along said right of way S71°20'56"W, a distance of 284.58' to a point; Thence continue S15°02'07"E a distance of 15.00' to a point; thence along a curve with an arc to the right a distance of 90.24', said curve being subtended by a chord of S75°47'22"W - 90.24'; thence S76°36'08"W a distance of 191.29' to a point, said point being the **POINT OF BEGINNING**.

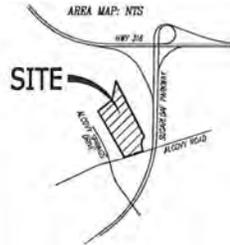
Said Tract contains 31.01 acres.

RZR '19 010



**APPLICANT:**  
 SMITHTON HOMES  
 4753 TOWNSHIP CHASE  
 MARIETTA, GA. 30066  
**24 HR. CONTACT:**  
 BERNIE SMITH  
 770-652-0044  
 BSMITH@MASTERWORKSATLANTA.COM

**OWNERS INFORMATION:**  
 EWING M&M INVESTMENTS LLLP  
 1843 ALCOVY RD.  
 PIN 5286 019



**FLOOD INFORMATION:**  
 THIS PROPERTY IS NOT LOCATED WITHIN  
 A FEMA 100 YEAR FLOOD ZONE ACCORDING  
 TO FEMA MAP PANEL 13135C076F  
 DATED: SEPT. 29, 2005



BOUNDARY, TOPOGRAPHY AND EASEMENTS TAKEN FROM COMPILED INFORMATION.

**GENERAL SITE NOTES**  
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL  
 CURRENT ZONING - RA-200  
 PROPOSED ZONING - TND  
 TOTAL AREA - 31.01 ACRES  
 NET AREA - 30.82 ACRES  
 (.772 PIPELINE EASEMENT/50%=.386 ACS)

**TND ZONING DETACHED RESIDENTIAL REQUIREMENTS**  
 3 DIFFERENT LOT SIZES SHALL BE INCLUDED  
 LARGE: >9,500, MID SIZE: 7,500 TO 9,500, SMALL: 5,000-7,500  
 MAXIMUM BLDG. HEIGHT - 35 FT  
 MINIMUM FLOOR AREA - 1,200 SF (3 BDRM), 1,450 (4 BDRM)  
 ALLOWABLE DENSITY - 8.0 UNITS PER ACRE

**PROPOSED SITE REQUIREMENTS**  
 TOTAL RESIDENTIAL UNITS PROPOSED - 90  
 PROPOSED GROSS DENSITY - 2.90 UNITS PER ACRE  
 PROPOSED NET DENSITY - 2.94 UNITS PER ACRE  
 MINIMUM LOT SIZE PLANNED - 6,300 SF  
 PROPOSED OPEN SPACE - 7.65 ACRES (24.67%)

**BUILDING SETBACK REQUIREMENTS:**  
 FRONT - 5' to 15'  
 REAR - 30'  
 SIDE - 5' to 15'

\* THE STATE WATER REQUIRED BUFFERS DEPICTED ON THIS CONCEPTUAL PLAN WILL BE RE-CONFIGURED BY A THIRD PARTY CONSULTANT AFTER A FIELD REVIEW

SYMBOL	DESCRIPTION/AREA
16	LARGE: > 9,500 SQ.FT.
38	MID SIZE: 7,500 TO 9,500 SQ.FT.
36	SMALL: 5,000 TO 7,500 SQ.FT.

CONCEPTUAL SIGNAGE SCALE: 1/4" = 1'-0"



(2) SIGN PANEL  
 08.75 SF = 16.5 SF  
 CUMULATIVE SIGN AREA

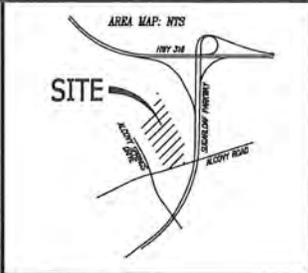


REZONING CONCEPTUAL PLAN FOR:  
**ALCOVY ROAD**  
 A RESIDENTIAL COMMUNITY BY  
 SMITHTON HOMES

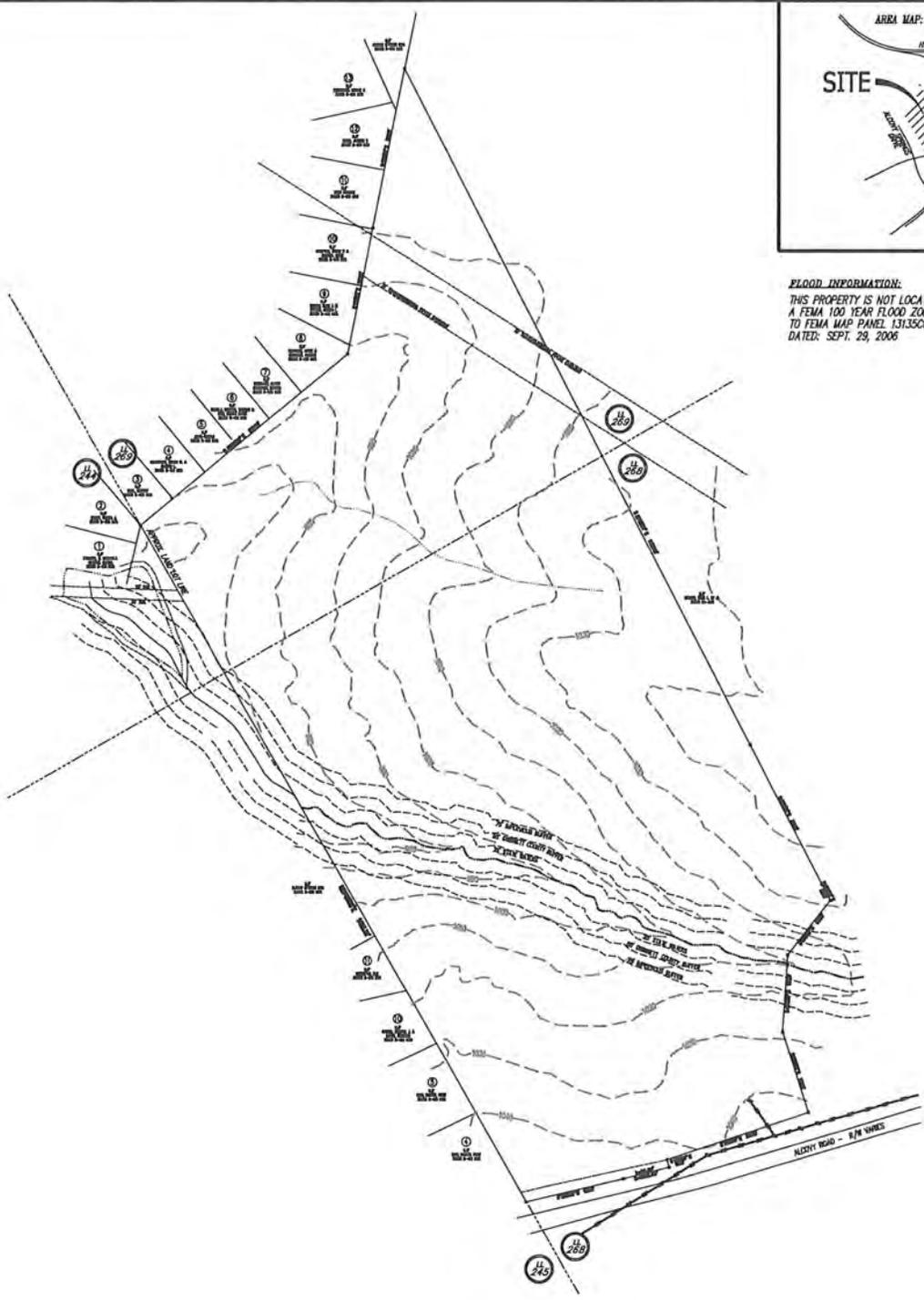
PROPERTY IS LOCATED IN  
 LAND LOT 288 & 289, 6TH DISTRICT  
 GWINNETT COUNTY, GEORGIA

**centerline**  
 Surveying and Land Planning, Inc.  
 1341 DUNLAP ROAD, SUITE 1210, KENNESAW, GA. 30144  
 PHONE: (770) 424-0029 FAX: (770) 424-3399

DRAWN BY: NKW	DATE: 2-26-19
CHECKED BY: DP	DRAWING NO: REZONING
JOB NO.: 818024C	SHEET 1 OF 1
NO. DATE:	REVISION DESCRIPTION
	BY



**FLOOD INFORMATION:**  
 THIS PROPERTY IS NOT LOCATED WITHIN  
 A FEMA 100 YEAR FLOOD ZONE ACCORDING  
 TO FEMA MAP PANEL 131350076F  
 DATED: SEPT. 29, 2006



MAR 29 2019

**RECEIVED**  
 MAR 07 2019  
 By

**REZONING CONCEPTUAL PLAN FOR**  
**ALCOVY ROAD**  
 A RESIDENTIAL COMMUNITY BY  
 SMITHTON HOMES

PROPERTY IS LOCATED IN  
 LAND LOT 868 & 869, 6TH DISTRICT  
 GWINNETT COUNTY, GEORGIA

**centerline**  
 Surveying and Land Planning, Inc.  
 1801 BUCKLE ROAD, SUITE 1810, DUCKWORTH, GA 30144  
 PHONE: (770) 434-0028 FAX: (770) 434-2288

DRAWN BY:	NKW	DATE:	2-26-19
CHECKED BY:	DP	DRAWING NO.:	REZONING
JOB NO.:	818024C	SHEET:	1 OF 1
NO.	DATE	REVISION DESCRIPTION	BY

**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, THE SITE IS ADJACENT A SIMILAR DEVELOPMENT UNDER IZ-100 MOD.

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

NO - DUE TO LOCATION NEAR MAJOR RDS.

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

IT'S NOT CONSIDERED IDEAL FOR LARGER TRACTS DUE TO SITE CONDITIONS AND LOCATION

- (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:

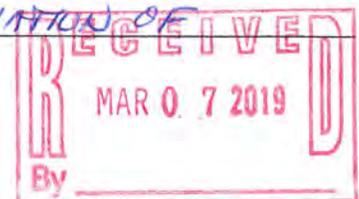
NO - LOCATED NEAR MAJOR RDS - UTILITIES ARE AVAILABLE - SCHOOLS APPEAR STRONG

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

THIS AREA IS CONSIDERED AN EMERGING SUBURBAN AREA WITHIN THE 2030 LUP

- (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:

DUE TO ENVIRONMENTAL FEATURES A TMD ZONING WILL ALLOW DEVELOPMENT WITH PRESERVATION OF THE SITE FEATURES.



Feb. 28, 2019

VIA HAND DELIVERY

Gwinnett County Board of Commissioners  
Planning Manager  
446 West Crogan Street  
Lawrenceville, Georgia 30045

RE: 1843 Alcovy Rd Rezoning Application  
LETTER OF INTENT

To whom it may concern;

Respectfully we submit this application to rezone approximately 31 acres (see attached survey from its current zoning of RA200 to TND to allow for 90 quality professional and family targeted single family detached homes. We feel that the proposed community is ideally located in an readily accessible part of Gwinnett County.

We are proposing that ninety (90) residential homes at a density of 2.94 units per acre, well below the 8 units per acre threshold allowed for TND. The homes will be a minimum of 1200 sq.ft. and will be built with quality materials with alternating architectural elevations. All homes will come with a front entry two car garage. In addition, we are requesting a reduction in the exterior zoning buffer to that shown on the attached plan.

The proposed zoning and site plan is entirely consistent with similarly developed, residential communities in the immediate area, with a developed subdivision zoned R-100 MOD right next door. As outlined in the 2030 Unified Plan and Future Development Map, the Subject Property and surrounding areas are designated as *Existing/Emerging Suburban*, consistently found to be appropriate for this development. Quality single family homes will help raise property values and support the schools and nearby commercial development.

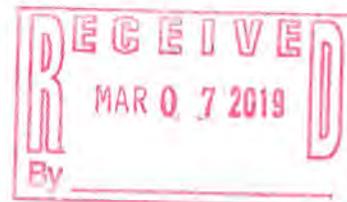
We respectfully request your approval of this request for Rezoning from RA-200 to TND to permit this proposed residential community.

Respectfully submitted,



Bernie Smith,  
Smithton Homes/Manor Restorations

RZR '19 010



**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.



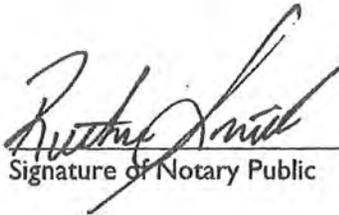
Signature of Applicant

2/20/2019

Date

BERNIE SMITH Manager

Type or Print Name and Title



Signature of Notary Public

2/20/2019

Date



**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.

*Michael H. Ewing*  
Signature of Property Owner

*2-22-19*  
Date

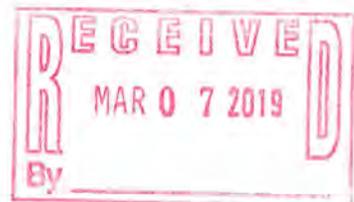
*Michael H. Ewing - Owner*  
Type or Print Name and Title

*Robert George Kunis*  
Signature of Notary Public

*2/22/19*  
Date

**ROBERT GEORGE KUNIS**  
Notary Public, Georgia  
Jackson County  
My Commission Expires  
November 21, 2021

Notary Seal



**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]*                      2/20/2019                      BERNIE SMITH MANAGER  
 SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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

*[Signature]*                      2/20/2019  
 SIGNATURE OF NOTARY PUBLIC                      DATE



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

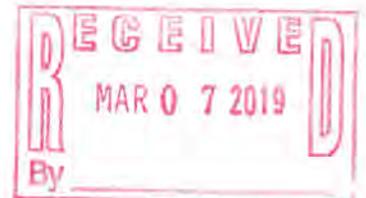
Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES     NO BERNIE SMITH  
 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: 5<sup>th</sup> - 268+269 5268019  
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

2-22-19

Date

BERNIE SMITH - MANAGING PARTNER

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.\*\*\***

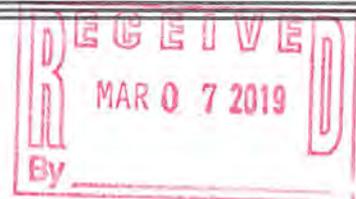
**TAX COMMISSIONERS USE ONLY**

(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  
NAME

TSA II  
TITLE

03/01/2019  
DATE





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By \_\_\_\_\_

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MAR 07 2019  
By \_\_\_\_\_

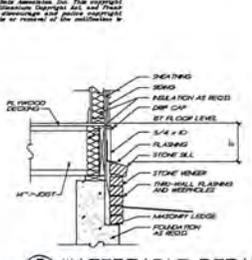
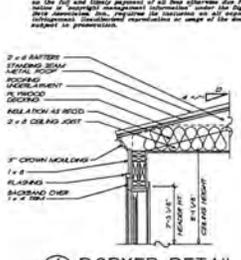
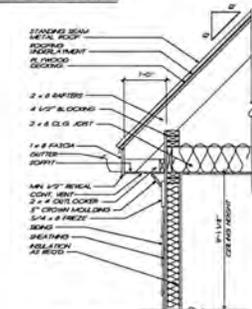
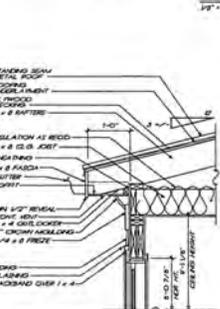
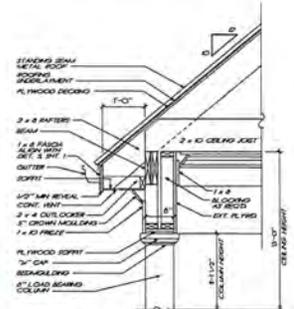
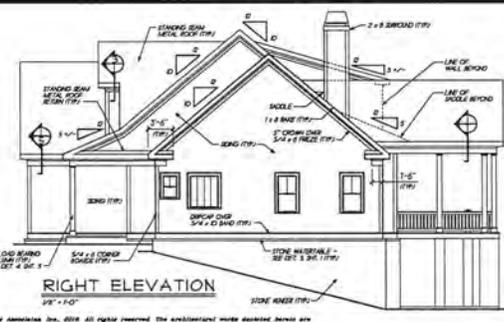
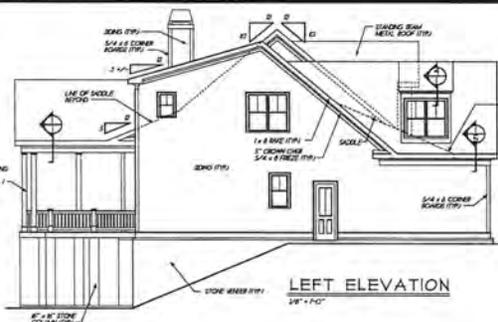
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Frank Betz Associates

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1 CORNICIE DETAIL  
3/4" x 1'-0"

2 CORNICIE DETAIL  
3/4" x 1'-0"

3 CORNICIE DETAIL  
3/4" x 1'-0"

4 DORMER DETAIL  
3/4" x 1'-0"

5 WATER TABLE DETAIL  
3/4" x 1'-0"

NOTE ATTIC VENTILATION PER LOCAL CODES AND REQUIREMENTS

NOTE WHEN TWO ROOFS INTERSECT WITH DIFFERENT ROOF PITCHES, BLOCK TOP OF STD. WALLS AS REQD. TO LINE UP FASCIAS AT A MINIMUM OF 1'-0" OVERHANG

NOTE RAFTERS ARE PITCHED FROM TOP OF CEILING JOISTS SEE DETAILS

NOTE ELEVATIONS REFLECT A BASEMENT FOUNDATION IF ANOTHER FOUNDATION IS USED, BUILDER SHOULD DISREGARD FOUNDATION SHOWING



**WARRANTY AND LIABILITY**  
FRANK BETZ ASSOCIATES, INC. ASSUMES NO LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS

FRANK BETZ ASSOCIATES, INC. ASSUMES NO LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS

FRONT ELEVATION  
3/4" x 1'-0"

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MAR 07 2019

BY [Signature]

REVISIONS	DATE	BY

BERNIE SMITH  
POWDER SPRINGS / MARIETTA, GA.

Southern Living

Design Collection

ELEVATIONS / DETAILS

THE ANSONBOROUGH

**FRANK BETZ ASSOCIATES, INC.**  
DESIGNER OF CUSTOM AND STOCK HOMES

3350 GEORGE BLUEBERRY PARKWAY  
SUITE 190  
KENNESAW, GEORGIA 30144  
770-431-0688 888-575-3003

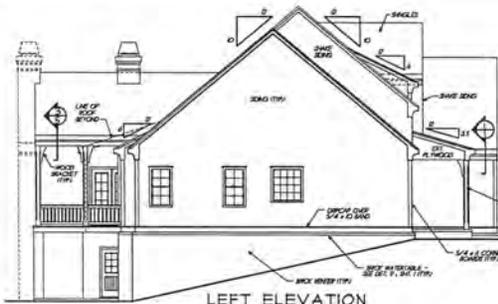
BY: [Signature] CK: [Signature]

DATE: 3-3-19

SHEET: 1

DP: 5

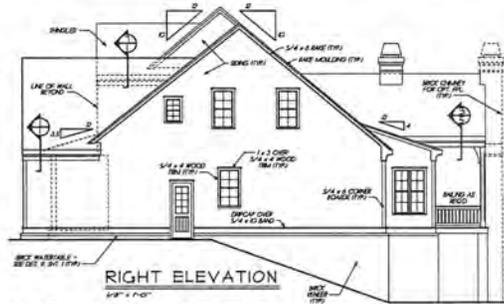
www.frankbetz.com



LEFT ELEVATION  
3/4" = 1'-0"

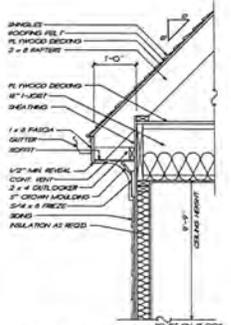


REAR ELEVATION  
3/4" = 1'-0"

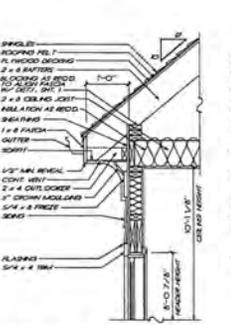


RIGHT ELEVATION  
3/4" = 1'-0"

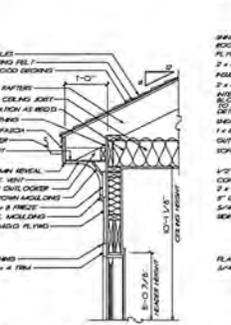
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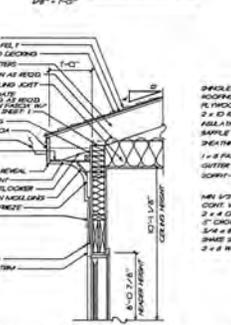
1 CORNICIE DETAIL  
3/4" = 1'-0"



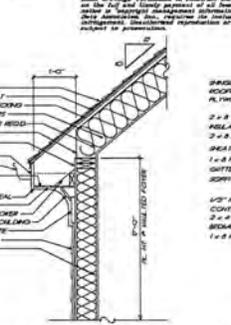
2 CORNICIE DETAIL  
3/4" = 1'-0"



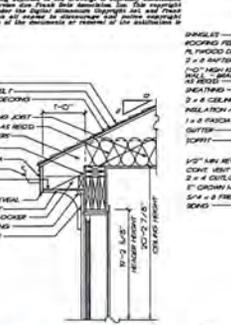
3 CORNICIE DETAIL  
3/4" = 1'-0"



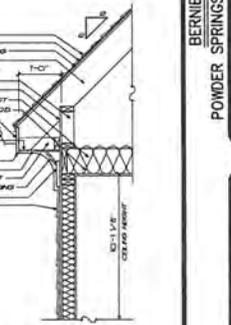
4 CORNICIE DETAIL  
3/4" = 1'-0"



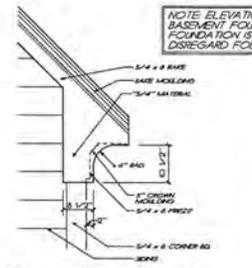
5 CORNICIE DETAIL  
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3/4" = 1'-0"



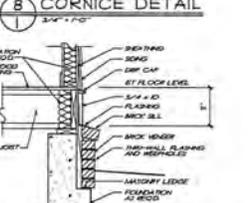
7 CORNICIE DETAIL  
3/4" = 1'-0"



8 CORNICIE DETAIL  
3/4" = 1'-0"

NOTE ELEVATIONS REFLECT A BASEMENT FOUNDATION. IF ANOTHER FOUNDATION IS USED, BUILDER SHOULD DISREGARD FOUNDATION SHOWN.

NOTE RAFTERS ARE PITCHED FROM TOP OF CEILING JOISTS. SEE DETAILS.



9 WATER-TIGHT DETAIL  
3/4" = 1'-0"



FRONT ELEVATION  
3/4" = 1'-0"

**RECEIVED**  
MAR 07 2019

**WARRANTY AND LIABILITY**  
FRANK BETZ ASSOCIATES, INC. ASSUMES NO LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS BY OTHERS.

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REVISIONS	DATE	BY

BERNIE SMITH  
POWDER SPRINGS / MARIETTA, GA.  
**Southern Living**  
Design Collection

ELEVATIONS / DETAILS  
THE STATESBORO

**FRANK BETZ ASSOCIATES, INC.**  
DESIGNERS OF CUSTOM AND STOCK HOMES  
1330 GEORGE BUSBEE PARKWAY  
SUITE 190  
KODANSAW, GEORGIA 30144  
770-431-0833

BY:  FB  CK

DATE: 4-20-16  
2-23-16

SHEET:   
DP: 5