

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>H2J Investments</u>
ADDRESS: <u>4763 Townshipchase</u>	ADDRESS: <u>3233 Pate Dr.</u>
CITY: <u>Marietta</u>	CITY: <u>Snellville</u>
STATE: <u>Georgia</u> ZIP: <u>30066</u>	STATE: <u>Georgia</u> ZIP: <u>30078</u>
PHONE: <u>770-652-0044</u>	PHONE: <u>770-827-6277</u> ^{Dwight} _{McCart.}
CONTACT PERSON: <u>Doug Patten</u> PHONE: <u>770-424-0028</u> *22	
CONTACT'S E-MAIL: <u>DougPatten@centerline Surveying - com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): ^{A200} R-100 REQUESTED ZONING DISTRICT: OSC

PARCEL NUMBER(S): R5325007 ACREAGE: 53.67

ADDRESS OF PROPERTY: 3113 Bold Springs Rd. Dacula, Ga 30019

PROPOSED DEVELOPMENT: Residential Development

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>134</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>8,000 SF</u>	Total Building Sq. Ft. _____
Gross Density: <u>2.49</u>	Density: _____
Net Density: <u>2.49</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

ZONING LEGAL DESCRIPTION

BOLD SPRINGS ROAD

All that tract or parcel of land lying and being in Land Lot 325 of the 5th District of Gwinnett County and being more particularly described as follows:

To arrive at the **True Point of Beginning**, Commence at the intersection of the northern right of way line of Indian Shoals Road (60' R/W) with the western right of way line of Bold Springs Road (80' R/W). Proceed along the western right of way line of Bold Springs Road, N32°47'23"W, a distance of 291.21' to a point. Thence continue along said right of way along a curve to the right, an arc distance of 385.64' to a point. Said arc being subtended by a radius of 1178.04, a chord bearing of N31°20'28"W and a chord length of 385.50'. Thence continue along same said right of way, N30°08'44" W, a distance of 1207.40 to a point, said point being the **True Point of Beginning**.

From the **TRUE POINT OF BEGINNING**, as thus established, leaving said right of way line, proceed S61°29'02"W, a distance of 1606.41' to a point on the easterly right of way line of Jones Phillis Road (R/W varies); Thence continue along the easterly right of way of Jones Phillis Road (R/W varies), N28°55'07"W, a distance of 1447.91' to a point; Thence leaving said right of way. Proceed N60°46'26"E, a distance of 1605.87' to a point on the western right of way line of Bold Springs Road (80' R/W). Thence proceed along said right of way line, S27°41'57"E, a distance of 724.15' to a point; Thence continuing along said right of way, proceed S30°08'44"E, a distance of 744.00' to a point, which is the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land having an area of 53.67, more or less.

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OWNER OF RECORD:
 H2 INVESTMENT, LLLP,
 3233 PATE DR.
 SNELLVILLE, GA, 30078
 R5325-007
 DB: 51883 PG. 557
 DB: 36464 PG. 29

APPLICANT:
 SMITHTON HOMES
 4763 TOWNSHIP CHASE
 MARIETTA, GA, 30066
24 HR. CONTACT:
 BERNIE SMITH
 770-652-0044
 BSMITH@MASTERWORKSATLANTA.COM

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GENERAL SITE NOTES:
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 CURRENT ZONING - R-100
 PROPOSED ZONING - OSC
 TOTAL AREA - 53.67 ACS.
 DENSITY AREA - 53.67 ACS. GROSS/NET
 53.67 ACS. - 0.0 WITHIN FLOODPLAIN - 53.67 ACS.
 LOTS DO NOT ENOUGH INTO REQUIRED STATE BUFFERS.

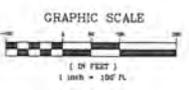
OSC ZONING REQUIREMENTS
 MINIMUM LOT SIZE - 7,500 SF.
 MINIMUM LOT WIDTH - 50'
 MAXIMUM BLDG. HEIGHT - 35 FT
 MINIMUM HEATED FLOOR SPACE - 1,400 SF
 ALLOWABLE DENSITY - 2.5 UNITS PER ACRE (128 UNITS)
 MINIMUM OPEN SPACE SIZE (13.41 ACS.)

PROPOSED SITE REQUIREMENTS
 TOTAL RESIDENTIAL UNITS PROPOSED - 134
 PROPOSED NET DENSITY - 2.49 UNITS PER ACRE
 MINIMUM LOT SIZE - 8,000 SF.
 MINIMUM LOT WIDTH - 70'

PROPOSED SITE REQUIREMENTS
 TOTAL OPEN SPACE - 14.00 ACS. (26.0%)
 PRIMARY - 4.85 ACS. (33.2%)
 SECONDARY - 9.35 ACS. (66.8%)

NOTE: ALL DETENTION AREAS HAVE BEEN REMOVED FROM THE OPEN SPACE CALCULATIONS. THE DETENTION AREAS TOTAL 5.79 ACS.

BUILDING SETBACK REQUIREMENTS:
 FRONT - 35'
 REAR - 30'
 SIDE - 7.5'



FLOOD INFORMATION:
 THIS PROPERTY IS NOT LOCATED WITHIN
 A FEMA 100 YEAR FLOOD ZONE ACCORDING
 TO FEMA MAP PANEL 13135C0009JF/108F
 DATED: SEPT. 29, 2006

REZONING CONCEPTUAL PLAN FOR:
BOLD SPRINGS RD.
 A RESIDENTIAL COMMUNITY BY
 SMITHTON HOMES

LAND LOTS 325, 6TH DISTRICT
 GWINNETT COUNTY, GEORGIA

centerline
 Surveying and Land Planning, Inc.
 1301 BRIDGE ROAD, SUITE 1210, KENNESAW, GA 30144
 PHONE: (770) 424-0028 FAX: (770) 424-3383 L15FD01298

DRAWN BY:	DP	DATE:	2-25-19
CHECKED BY:	DP	DRAWING NO.:	REZONING
JOB NO.:	018036	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 - SIMILAR DEVELOPMENT CLOSE BY.

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

NO KNOWN AFFECT

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

THE PROPOSED ZONING REQUESTED BRINGS THE PROPERTY TO MEET CURRENT REGULATIONS.

(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:

THE LOCATION IS NEAR MAJOR ROADWAYS. NEW DEVELOPMENT IS EXPECTED WITHIN THE SCHOOL AND INFRASTRUCTURE OF THIS AREA.

(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:

OPEN SPACE DEVELOPMENT ALLOWS FOR PRESERVATION + DEVELOPMENT TO COEXIST AS SUBURBAN AREAS ARE ESTABLISHED

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Feb. 28, 2019

VIA HAND DELIVERY

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

RE: 313 Bold Springs Rd Rezoning Application
LETTER OF INTENT

To whom it may concern;

Respectfully we submit this application to rezone approximately 53.67 acres (see attached survey from its current zoning of R-100 to OSC to allow for 134 quality professional and family targeted single family detached homes. We feel that the proposed community is ideally located in an up and coming part of Gwinnett County.

We are proposing that One Hundred and Thirty Four (134) residential homes at a density of 2.49 units per acre, of which is just below the 2.5 units per acre threshold allowed for OSC. We are providing 14 acres of open space, resulting in 26% of the site being preserved for the community. The homes will be a minimum of 1400 sq.ft. and will be built with quality materials with alternating architectural elevations. All homes will come with a front entry two car garage.

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 with reduced lots sizes 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 R-100 to OSC to permit this proposed residential community.

Respectfully submitted,

Bernie Smith,
Smithton Homes/Manor Restorations

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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.



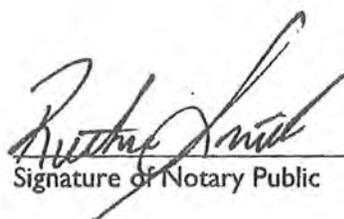
Signature of Applicant

2/20/2019

Date

BERNIE SMITH Manager

Type or Print Name and Title



Signature of Notary Public

2/20/2019

Date



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: 5th - 325 - R5325007
(Map Reference Number) District Land Lot Parcel

[Signature] _____ 2.28.19
Signature of Applicant Date

BERNIE SMITH MANAGER
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 _____ TSAH
NAME TITLE
03/01/2019
DATE

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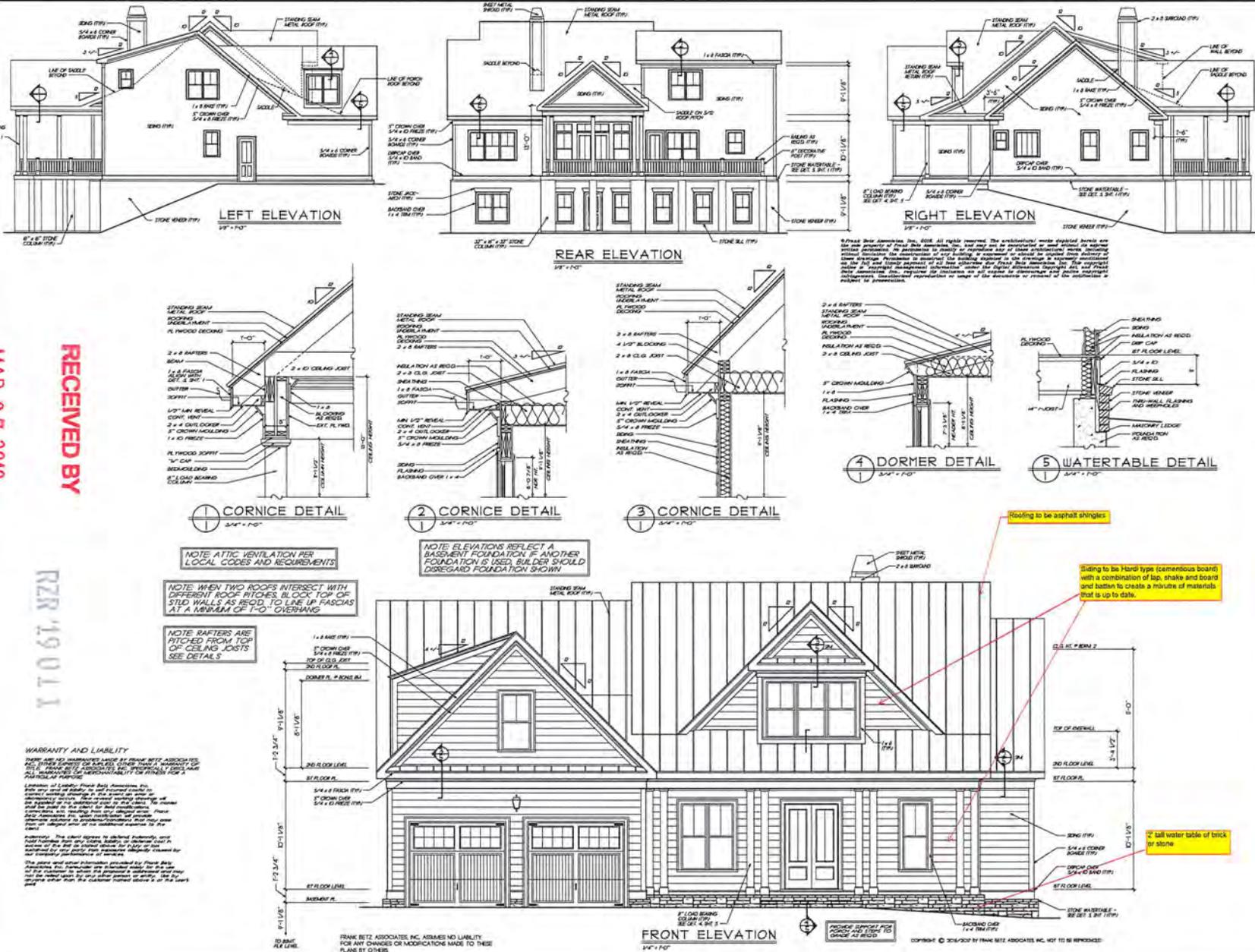
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WARRANTY AND LIABILITY

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



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BERNIE SMITH
POWDER SPRINGS / MARIETTA, GA.

Southern Living
Design Collection

www.frankbetz.com

ELEVATIONS / DETAILS

THE ANSONBOROUGH

FRANK BETZ ASSOCIATES, INC.
DESIGNERS OF CUSTOM AND STOCK HOMES/PLANS

3550 GEORGE BLUEBERRY PARKWAY
KENNESAW, GEORGIA 30144
770-431-0088 688-775-3003

BY: JCM
RJB CK: JCM

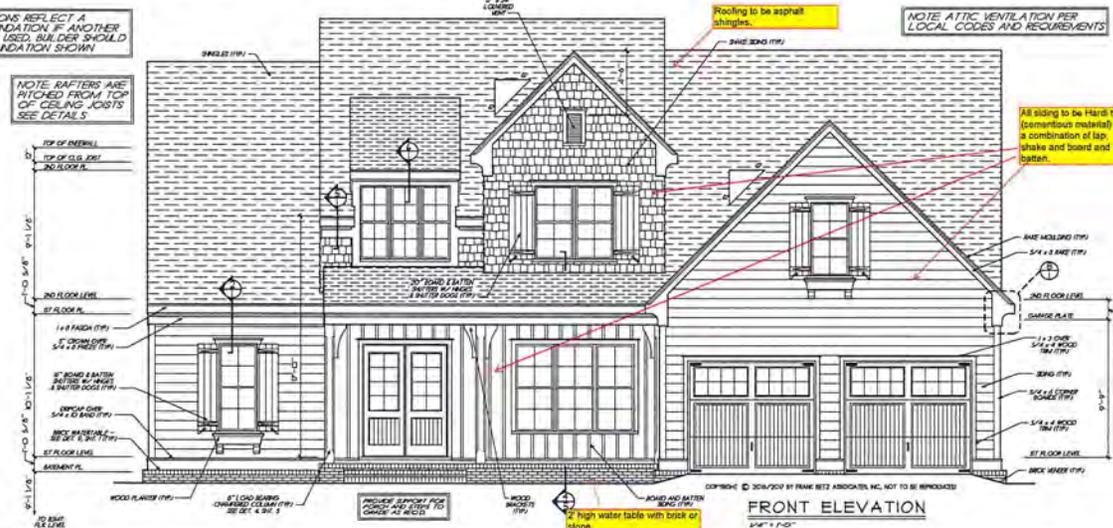
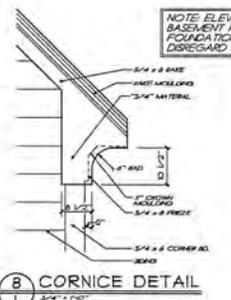
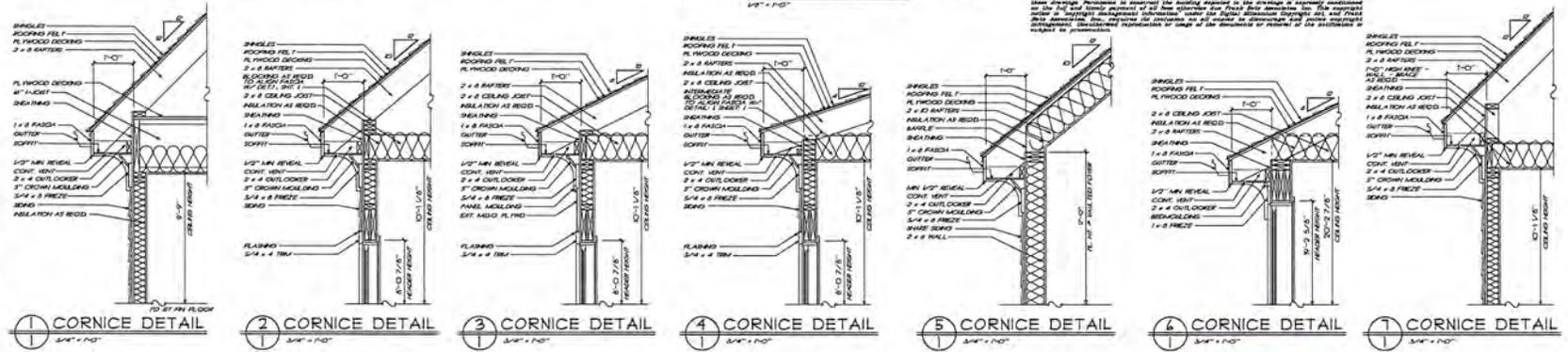
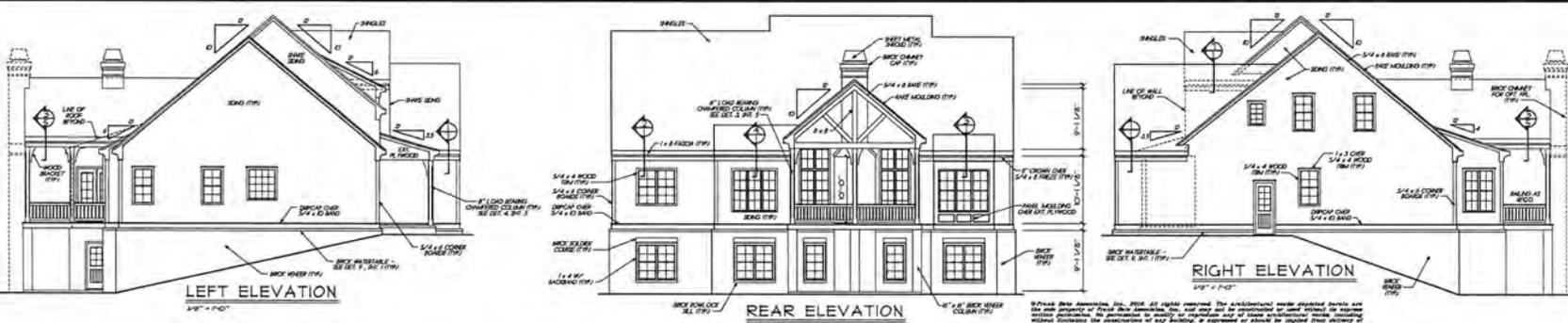
DATE: 5-23-18
6-27-18

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WARRANTY AND LIABILITY

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REVISIONS	DATE	BY
FR. 0001	10-27-17	CHD

BERNIE SMITH
POWDER SPRINGS / MARIETTA, GA

Southern Living
Design Collection

www.frankbetz.com

ELEVATIONS / DETAILS

THE STATESBORO

FRANK BETZ ASSOCIATES, INC.
DESIGNER OF CUSTOM AND STOCK HOMEPARADISE

1550 GEORGE BLUESIE PARKWAY
SUITE 100
KENNESAW, GEORGIA 30144
770-431-0888 888-717-3000

BY: CHD CRB JCB

DATE: 10/27/17

SHEET: 1

OF: 5