

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Old Norcross Investments, Inc</u>	NAME: <u>Multiple Owners- see attached</u>
ADDRESS: <u>1550 North Brown Road Suite 125</u>	ADDRESS: <u>1550 North Brown Road Suite 125</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>(770) 232-0000</u>	PHONE: <u>(770) 232-0000</u>
CONTACT PERSON: <u>Shane Lanham, Attorney for the Applicant</u> PHONE: <u>(770) 232-0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	
<p align="center"><b>APPLICANT IS THE:</b></p> <p><input type="checkbox"/> OWNER'S AGENT    <input type="checkbox"/> PROPERTY OWNER    <input checked="" type="checkbox"/> CONTRACT PURCHASER</p>	
PRESENT ZONING DISTRICTS(S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>OSC</u>	
PARCEL NUMBER(S): <u>2003 030, 257, 058</u> ACREAGE: <u>79.6788</u>	
ADDRESS OF PROPERTY: <u>444 Auburn Road</u>	
PROPOSED DEVELOPMENT: <u>Single Family Detached Residential Development</u>	
<p align="center"><b>RESIDENTIAL DEVELOPMENT</b></p> No. of Lots/Dwelling Units <u>191</u> Dwelling Unit Size (Sq. Ft.): <u>2250 +</u> Gross Density: <u>2.4 units per acre</u> Net Density: <u>2.5 units per acre</u>	<p align="center"><b>NON-RESIDENTIAL DEVELOPMENT</b></p> No. of Buildings/Lots: <u>N/A</u> Total Building Sq. Ft. <u>N/A</u> Density: <u>N/A</u>

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Parcel #	Mailing Address	Owner
2003 030	352 W Union Grove Cir Auburn, Ga 30011	Wages, James Royce Etal
2003 257	2700 Braselton Hwy Ste 10-138 Dacula, Ga 30019	Wages, Fay R Wages, James R Jr
2003 058	955 Hi Hope Road Lawrenceville, Ga 30043	Smith C E

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## Auburn Road / West Union Gove Circle Tracts

### Property Description

All that tract or parcel of land lying in Rocky Creek G.M.D. No. 1587 of Gwinnett county Georgia, being also designated a Gwinnett County Tax parcels 2-003-257, 2-003-030 and 2-003-058 containing 79.6788 acres being more particularly described as follows:

Beginning at a point on the northeastern 90' R/W of Auburn Road - Georgia Highway No. 324, 3960.0' northwesterly along said right of way from its intersection with the center line of Bailey Road, thence proceed along said right of way N40°00'44"W for a distance of 412.02' to a point; thence leaving said right of way N46°24'38"E for a distance of 351.70' to a point; thence N55°13'38"E for a distance of 1813.50' to a point; thence N55°56'54"E for a distance of 940.68" to a point on the centerline of West Union Grove Circle, a 30' public easement; thence along said centerline the following: S18°04'27"E for 297.67' to a point; thence S20°12'21"E for 113.47' to a point; thence southeasterly following a curve to the left an arc distance of 178.38' (said arc having a radius of 544.13' and being subtended by a chord of S29°35'51"E for 177.59' to a point; thence S38°38'47"E for 229.73' to a point; thence S38°30'43"E for 292.84' to a point; thence S36°44'15"E for 200.03' to a point; thence S39°29'42"E for 113.81' to a point; thence leaving the centerline of aforementioned roadway S50°40'03"E for a distance of 1622.17' to a point; thence N37°22'23"W for a distance of 517.54' to a point; thence S47°27'42"W for a distance of 656.71' to a point; thence N40°02'22"W for a distance of 509.00' to a point; thence S52°34'38"W for a distance of 229.00' to a point; thence N45°09'22"W for a distance of 212.00' to a point; thence S47°44'38"W for a distance of 383.15' to a point on the northeastern 90' R/W of Auburn Road - Georgia Highway No. 324 at the Point of Beginning.

Above described tract is a compilation of properties as recorded in Plat Book S Page 145A, Plat Book 17 Page 202 and Plat Book 86 Page 003, of Gwinnett County Records.

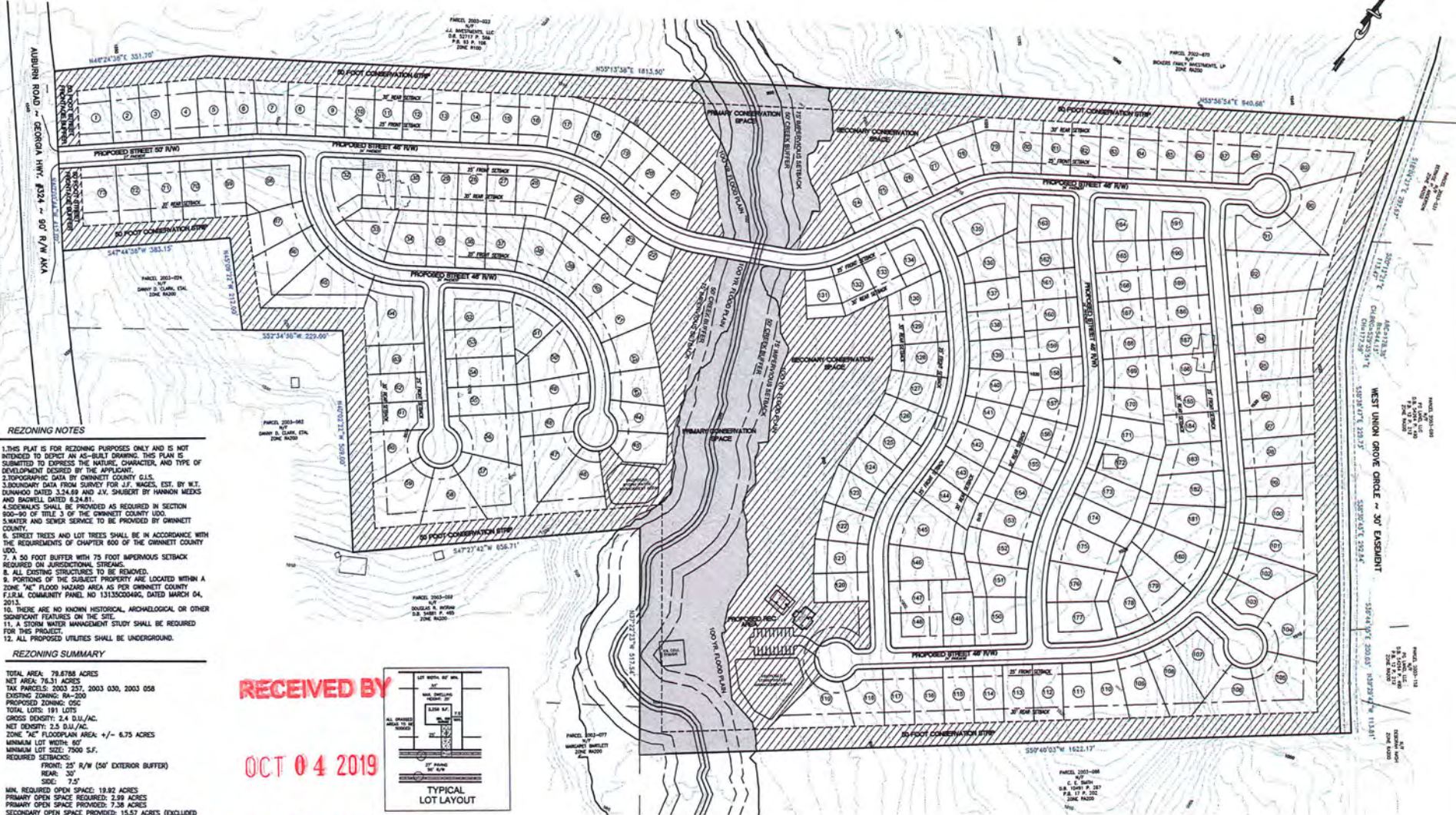
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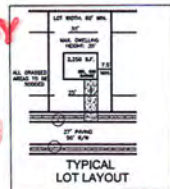


#### REZONING NOTES

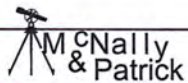
1. THIS PLAN IS FOR REZONING PURPOSES ONLY AND IS NOT INTENDED TO EXPRESS ANY BEST GROWING. THIS PLAN IS SUBMITTED TO EXPRESS THE NATURE, CHARACTER, AND TYPE OF DEVELOPMENT DESIRED BY THE APPLICANT.
2. TOPOGRAPHIC DATA BY GWINNETT COUNTY C.I.S.
3. SURVEY DATA FROM SURVEY FOR J.P. WAGES, EST. BY W.T. DUNNARD DATED 3.24.89 AND J.V. SHUBERT BY HANCOCK WICKS AND BACWELL DATED 8.24.81.
4. SETBACKS SHALL BE PROVIDED AS REQUIRED IN SECTION 800-90 OF TITLE 3 OF THE GWINNETT COUNTY UDO.
5. WATER AND SEWER SERVICE TO BE PROVIDED BY GWINNETT COUNTY.
6. STREET TREES AND LOT TREES SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 800 OF THE GWINNETT COUNTY UDO.
7. A 50 FOOT BUFFER WITH 75 FOOT IMPERVIOUS SETBACK REQUIRED ON JURISDICTIONAL STREAMS.
8. ALL EXISTING STRUCTURES TO BE REMOVED.
9. PORTIONS OF THE SUBJECT PROPERTY ARE LOCATED WITHIN A ZONE "AE" FLOOD HAZARD AREA AS PER GWINNETT COUNTY F.I.R.M. COMMUNITY PANEL NO 13135C0049G, DATED MARCH 04, 2013.
10. THERE ARE NO KNOWN HISTORICAL, ARCHAEOLOGICAL OR OTHER SIGNIFICANT FEATURES ON THE SITE.
11. A STORM WATER MANAGEMENT STUDY SHALL BE REQUIRED FOR THIS PROJECT.
12. ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.

#### REZONING SUMMARY

TOTAL AREA: 79.6788 ACRES  
 NET AREA: 76.31 ACRES  
 TAX PARCELS: 2003 257, 2003 030, 2003 058  
 EXISTING ZONING: RA-200  
 PROPOSED ZONING: C20  
 TOTAL LOTS: 191 LOTS  
 GROSS DENSITY: 2.4 D.U./AC.  
 NET DENSITY: 3.3 D.U./AC.  
 ZONE "AE" FLOODPLAIN AREA: +/- 6.75 ACRES  
 MINIMUM LOT WIDTH: 60'  
 MINIMUM LOT SIZE: 7900 S.F.  
 REQUIRED SETBACKS:  
 FRONT: 25' R/W (50' EXTERIOR BUFFER)  
 REAR: 30'  
 SIDE: 7.5'  
 MIN. REQUIRED OPEN SPACE: 19.82 ACRES  
 PRIMARY OPEN SPACE REQUIRED: 2.99 ACRES  
 PRIMARY OPEN SPACE PROVIDED: 7.38 ACRES  
 SECONDARY OPEN SPACE PROVIDED: 15.51 ACRES (EXCLUDED DETENTION POND)  
 TOTAL OPEN SPACE PROVIDED: 22.85 ACRES  
 AREA IN STORM WATER MANAGEMENT FACILITIES: .8 ACRES



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1505 HWY. 29 SOUTH - LAWRENCEVILLE, GA. 30044  
 PHONE: (770) 963-8520  
 CONTACT: JEAN NORTON

NO.	REVISIONS

CONCEPTUAL REZONING SITE PLAN  
 Old Norcross Investments, Inc.

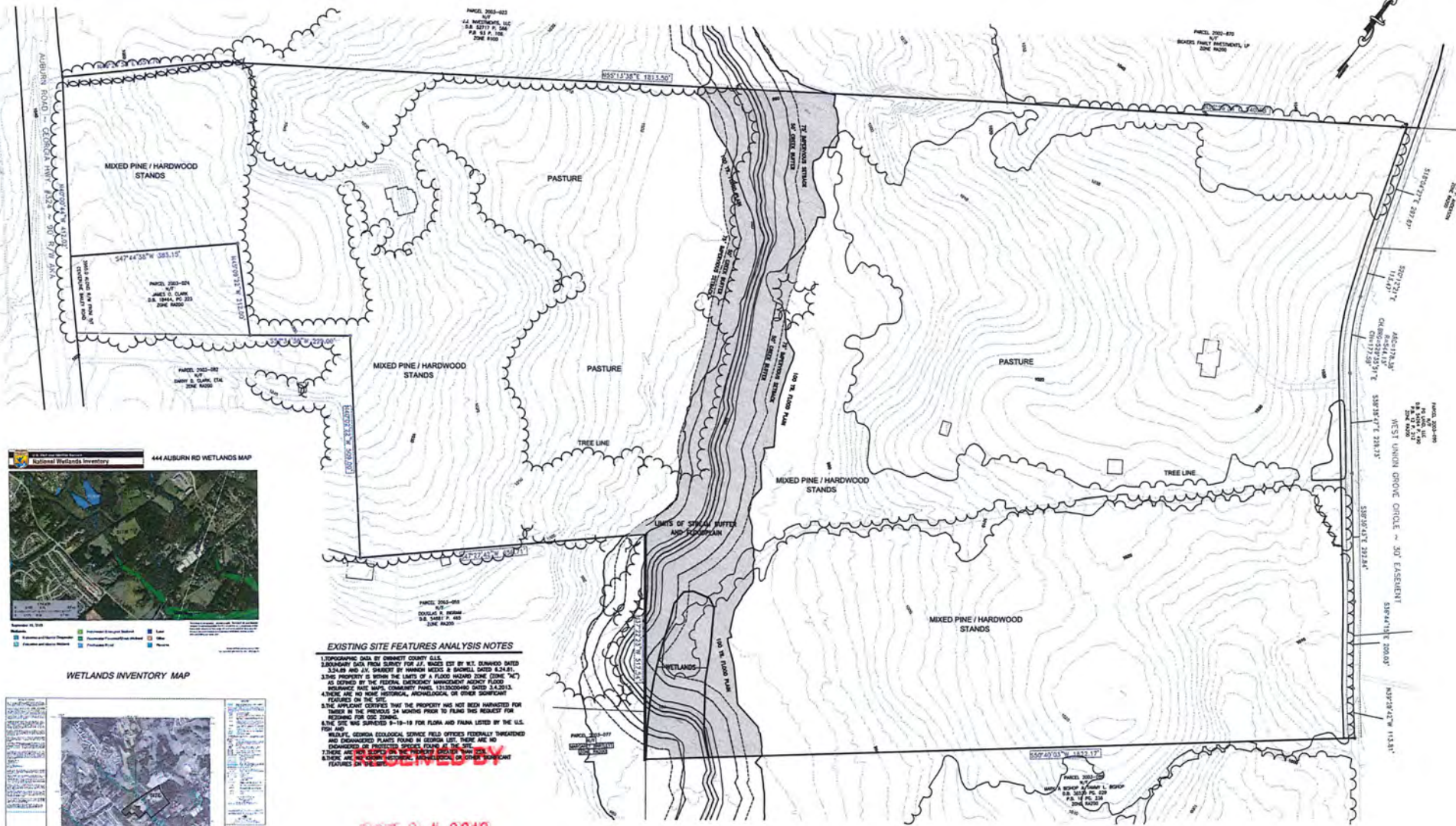
LAND LOT 003 OF THE 2ND DISTRICT - GWINNETT, GEORGIA  
 PARCELS 2003257, 2003 030, 2003 058



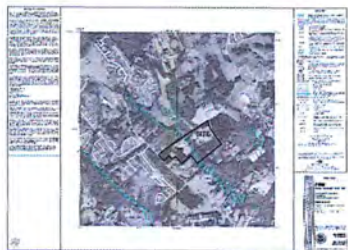
SEPTEMBER 30, 2019  
 SCALE: 1"= 100'  
 SHEET 1 OF 1

RZR '19023





WETLANDS INVENTORY MAP



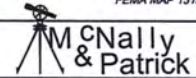
FEMA MAP 13135C0049G

**EXISTING SITE FEATURES ANALYSIS NOTES**

1. TOPOGRAPHIC DATA BY GWINNETT COUNTY G.S.
2. BOUNDARY DATA FROM SURVEY FOR J.T. MOORE, COE BY M.T. DODD, DATED 8/24/81.
3. 2.5-10' AND 10-20' SURVEY BY HANSON, MOORE & SHAW, DATED 8/24/81.
4. 3.5-10' PROPERTY IS WITHIN THE LIMITS OF A FLOOD HAZARD ZONE (ZONE A-C) AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
5. THERE ARE NO HISTORICAL, ARCHAEOLOGICAL, OR OTHER SIGNIFICANT FEATURES ON THE SITE.
6. STATE APPLICANT CERTIFIES THAT THE PROPERTY HAS NOT BEEN INUNDATED FOR FLOODS IN THE PREVIOUS 24 MONTHS PRIOR TO FILING THIS REQUEST FOR REVIEWING FOR CDD 2006A.
7. THE SITE HAS BEEN SURVEYED 8-10-19 FOR FLOOD AND FLOOD LINES BY THE U.S. FISH AND WILDLIFE SERVICE, FIELD OFFICERS FREDERICK THOMPSON AND DOROTHY PLANT. PLANTS FOUND IN GEORGIA LIST. THERE ARE NO ENDANGERED OR PROTECTED SPECIES FOUND ON THE SITE.
8. THERE ARE NO SPECIAL USES OR ACTIVITIES ON THE PROPERTY THAT WOULD BE AFFECTED BY THE FLOOD HAZARD ZONE.
9. THERE ARE NO HISTORICAL, ARCHAEOLOGICAL, OR OTHER SIGNIFICANT FEATURES ON THE SITE.

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1505 HWY. 29 SOUTH - LAWRENCEVILLE, GA. 30044  
PHONE: (770)963-8520  
CONTACT: JEAN NORTON

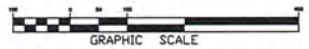
NO.	REVISIONS

**SITE ANALYSIS**  
**Old Norcross Investments, Inc.**

PARCELS 2003 257, 2003 030, 2003 058  
LAND LOT 003 OF THE 2ND DISTRICT  
ROCKY CREEK G.M.D. NO. 1587 - GWINNETT COUNTY, GEORGIA



SEPTEMBER 23, 2019  
SCALE: 1"= 100'  
SHEET 1 OF 1



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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:

see attached.

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

see attached.

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

see attached.

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- (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:

see attached.

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

see attached.

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- (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 attached.

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## **STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

- A. The proposed rezoning would permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development will enhance surrounding properties in a manner consistent with the 2040 Unified Plan (the "2040 Plan").
- B. The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. The proposed development is a complement to the adjacent and nearby property.
- C. Given current site conditions, existing development, and market trends, the Applicant respectfully submits that subject property does not have reasonable economic use as currently zoned.
- D. The proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- E. The proposed rezoning is in conformity with the policy and intent of the 2040 Plan. The 2040 Plan encourages open space conservation subdivisions that preserves and protects natural and environmental resources while providing safe, walkable neighborhoods and communities. The proposed development is classified as within the Suburban Estate Living Character Area on the 2040 Future Development Map. The proposed development offers a net density of 2.5 units per acre, which is compatible with surrounding land uses and is consistent with the policies set forth in the 2040 Plan.
- F. The proposed rezoning provides a development that would provide additional housing options to current and future residents while also providing minimal disruption to the current green space, which would allow for less grading. The proposed development would provide an additional conservation subdivision to the Suburban Estate Living Character Area as defined in the 2040 Future Development Map.

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Matthew P. Benson  
Gerald Davidson, Jr.\*  
Brian T. Easley  
Kelly O. Faber  
Christopher D. Holbrook  
Shane M. Lanham

Austen T. Mabe  
Jeffrey R. Mahaffey  
Steven A. Pickens  
Andrew D. Stancil  
R. Lee Tucker, Jr.

\*Of Counsel

**LETTER OF INTENT FOR REZONING APPLICATION OF OLD NORCROSS  
INVESTMENTS, INC.**

Mahaffey Pickens Tucker, LLP submits the attached rezoning application (the "Application") on behalf of Old Norcross Investments, Inc. (the "Applicant"), relative to an approximately +/- 79.6788 acre tract (the "Property") located along Auburn Road (Hwy 324) near its intersection with Bailey Road. The Applicant is proposing to rezone the property to the OSC (Open Space Conservation) zoning classification in order to develop the Property for use as a single-family detached residential subdivision.

The Applicant proposes to develop the property into a residential development consisting of approximately 191 single-family homes at a size, quality, and price point commensurate with or exceeding existing homes in the surrounding area. Homes would include a minimum of 2,250 square feet and would be finished with attractive building materials including brick, stone, and/or cementitious siding, shake, and/or board and batten. The proposed development would also provide approximately 22.95 acres of conservation space for the use and enjoyment of residents. The Property is located in close proximity to an upcoming senior living development and other residential neighborhoods and homes, including other conservation subdivisions. The proposed development is a low-intensity residential subdivision, which would have an overall density of approximately 2.5 units per acre which is consistent with the policies set forth in the Gwinnett

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County Unified Development Ordinance (the “UDO”) and the Gwinnett County 2040 Unified Plan (the “2040 Plan”). The request to rezone the Property to OSC would further the stated policy goals of the UDO and the 2040 Plan by helping to conserve areas of green space. Specifically, the proposed development would set aside approximately 22.95 acres of land as primary and secondary conservation space, which is almost thirty percent of the entire development’s acreage.

According to the 2040 Plan Future Development Map, the Property is classified as within the Suburban Estate Living Character Area and is just east of land designated as within the Emerging Suburban Character Area. The 2040 Plan specifically encourages Open Space Conservation subdivisions such as the proposed development for both character areas as well as single-family detached residences at densities and styles compatible with surrounding uses. At 2.5 units per acre, the density of the proposed development is compatible with surrounding land uses. The property across Auburn Road (SR 324) is zoned R-75, which according to the UDO, accommodates 3.0 units per acre. As developed, the R-75 property includes 66 lots on approximately 26.42 acres for an overall density of 2.5 units per acre. However, the proposed OSC development would provide more than 20 acres of conservation space as well as an active amenity area for the use of residents. In addition to passive recreation opportunities available in the conservation space, the proposed development includes a pool and cabana with associated patio and deck. Moreover, the proposed development would include a 50-foot conservation strip running around the perimeter of the Property to provide additional screening and protection of existing residential uses.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to

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address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

This 4th day of October, 2019.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP



---

Shane M. Lanham

*Attorneys for the Applicant*

1550 North Brown Road

Suite 125

Lawrenceville, Georgia 30043

(770) 232-0000

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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

10/4/2019

Date

**Shane Lanham, Attorney for the Applicant**

Type or Print Name and Title



Signature of Notary Public

10/4/19

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.

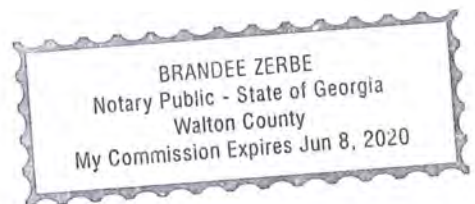
James Royce Wages, Jr.  
Signature of Property Owner

10.3.2019  
Date

James Royce Wages  
Type or Print Name and Title

Brandee Zerbe  
Signature of Notary Public

10-03-2019  
Date



Notary Seal

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**REZONING PROPERTY OWNER'S CERTIFICATION**

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James Wayne Wages, Jr.      Fay R. Wages      10.3.2019  
Signature of Property Owner      Date

Fay and James Wages  
Type or Print Name and Title

Brandee Zerbe      10-03-2019        
Signature of Notary Public      Date      Notary Seal

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*C.E. Smith*

Signature of Property Owner

*10-3-19*

Date

C.E. Smith

Type or Print Name and Title

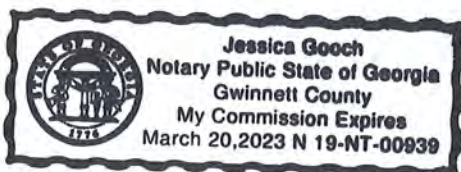
*Jessica Gooch*

Signature of Notary Public

*10/3/19*

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.

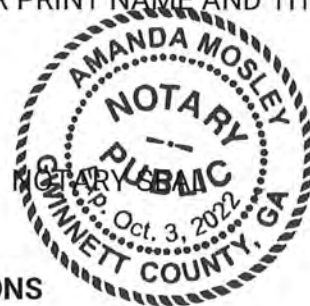
10/4/2019 Shane Lanham, Attorney

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

10/4/2019 Shane Lanham, Attorney

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

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

**Mahaffey Pickens Tucker, LLP**

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)
see attached.		
see attached.		
see attached.		

Attach additional sheets if necessary to disclose or describe all contributions.

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**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN  
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

**MAHAFFEY PICKENS TUCKER, LLP**

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
None		

**JEFF MAHAFFEY**

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Clint Dixon	\$1500	06/26/2019

**LEE TUCKER**

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Clint Dixon	\$1000	06/26/2019

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**RZR '19 023**




**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:** 2 - 003 - 030  
(Map Reference Number) District Land Lot Parcel

  
Signature of Applicant

10/2/19  
Date

Old Norcross Investments, Inc. C/O Mahaffey Pickens Tucker LLP, Shane Lanham, Attorney for the Applicant

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)

Rickie Schoby  
NAME

TSA II  
TITLE

10/1/19  
DATE

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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**\*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

**PARCEL I.D. NUMBER:** 2 - 003 - 058  
(Map Reference Number) District Land Lot Parcel

  
Signature of Applicant

10/2/19  
Date

Old Norcross Investments, Inc. C/O Mahaffey Pickens Tucker LLP, Shane Lanham, Attorney for the Applicant

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)

Lovell Hunley  
NAME

TSA-I  
TITLE

10-2-19  
DATE

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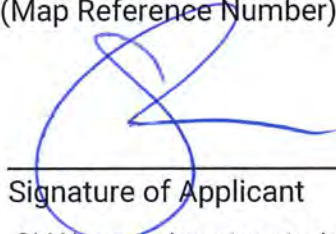


**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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:** 2 - 003 - 257  
(Map Reference Number) District Land Lot Parcel

  
Signature of Applicant

10/2/19  
Date

Old Norcross Investments, Inc. C/O Mahaffey Pickens Tucker LLP, Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

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NAME

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TITLE

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DATE

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**JUSTIFICATION FOR REZONING APPLICATION OF  
OLD NORCROSS INVESTMENTS, INC.**

The portions of the Gwinnett County Unified Development Ordinance (the "UDO") which classify or may classify the property which is the subject of this Application (the "Property") into any less intensive zoning classification other than as requested by the Applicant, are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO as applied to the subject Property, which restricts its use to the present zoning classification, is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the owner's 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, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for development under the requested zoning classification with the conditions as requested by the Applicant, and is not economically suitable for development under the present conditions and zoning classifications of Gwinnett County, Georgia. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the

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Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioner to rezone the Property to the requested zoning classifications with such conditions as agreed to by the Applicant, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property to the requested classifications, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and the owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the rezoning application submitted by the Applicant relative to the Property be granted and that the Property be rezoned to the zoning classification as shown on the respective application.

This 4th day of October, 2019

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

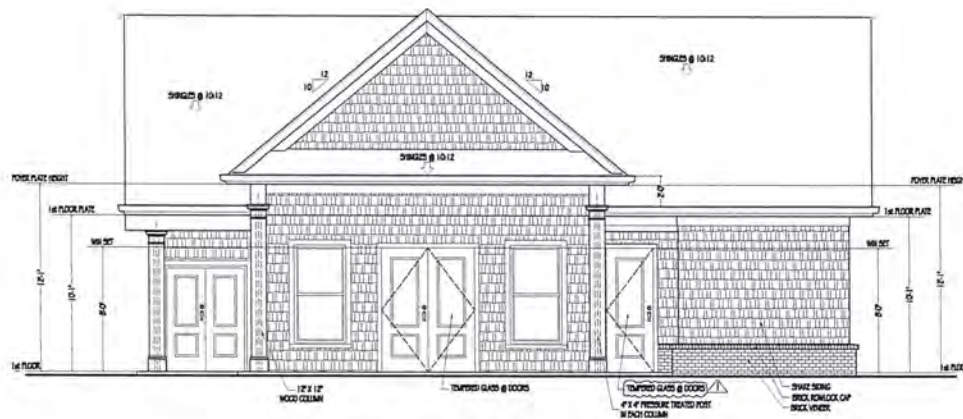
*Attorney for the Applicant*

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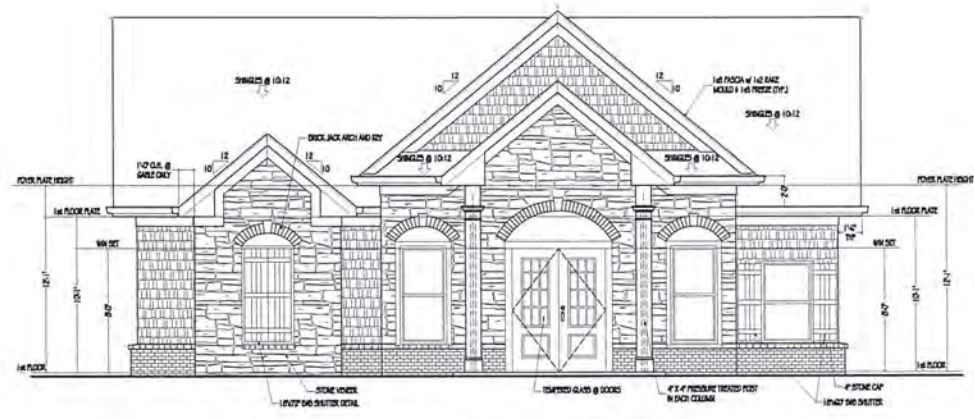
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RZR 190423



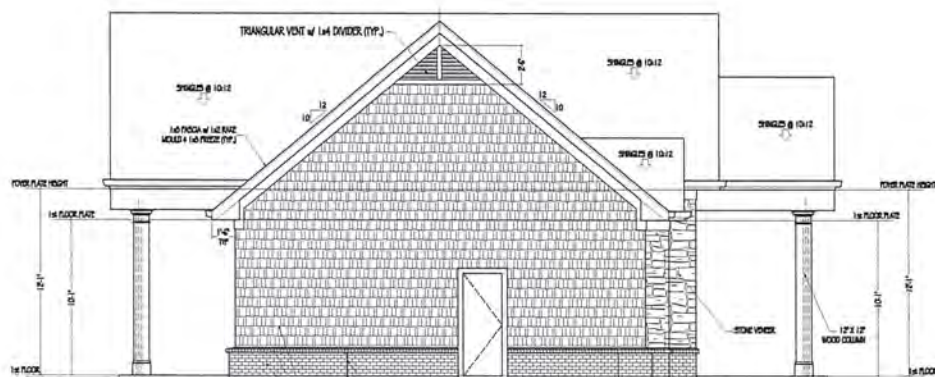
REAR ELEVATION

SCALE 1/4" = 1'-0"



FRONT ELEVATION

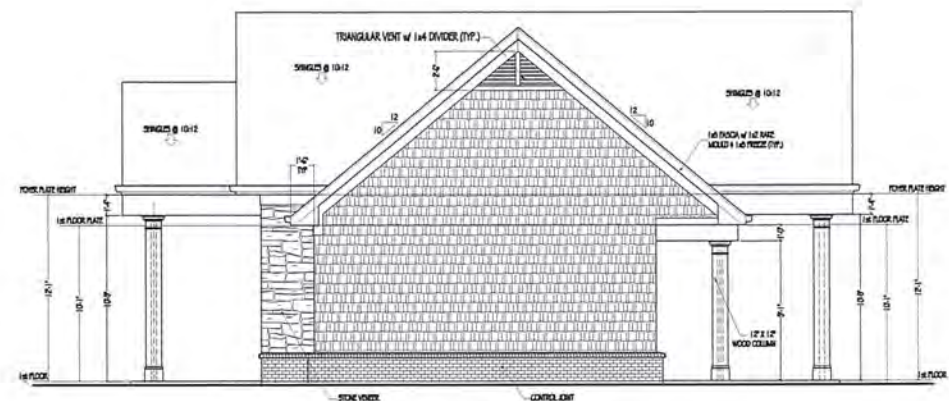
SCALE 1/4" = 1'-0"



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LEFT ELEVATION

SCALE 1/4" = 1'-0"



RIGHT ELEVATION

SCALE 1/4" = 1'-0"

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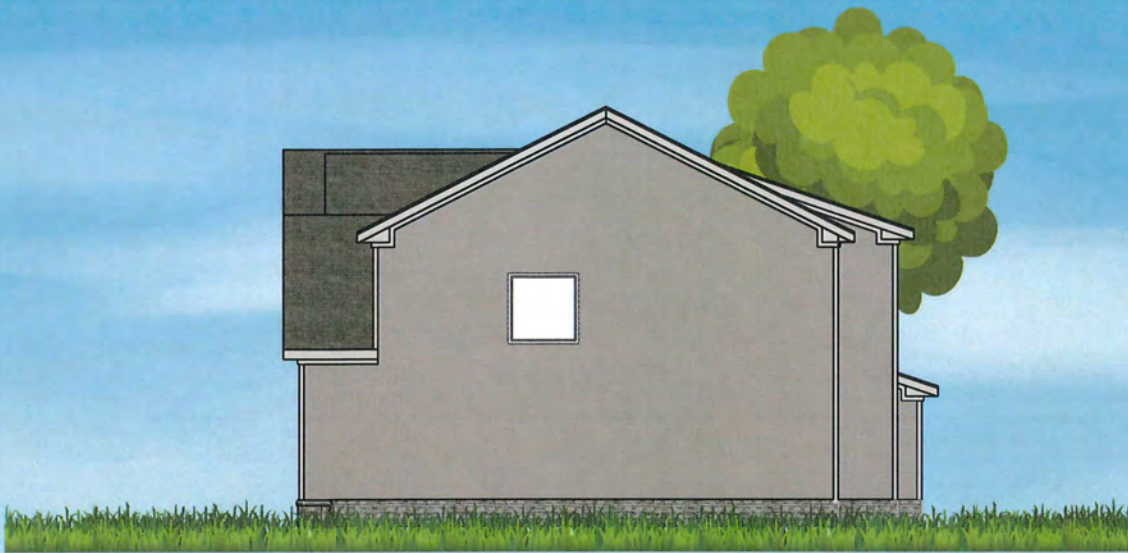
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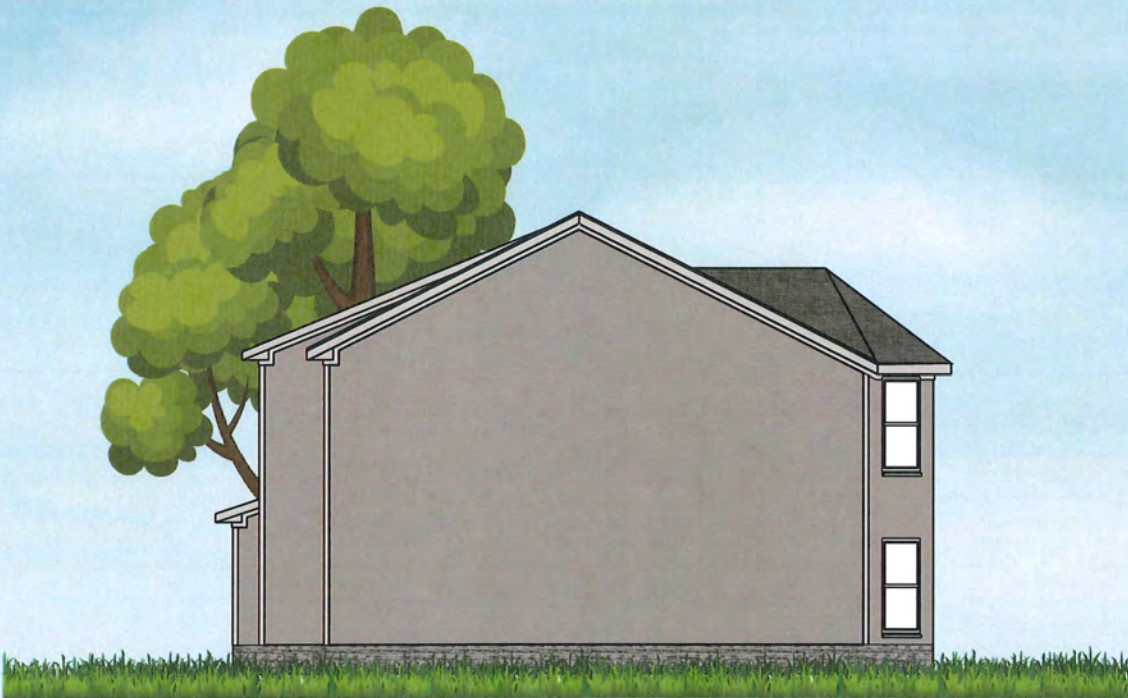
RZR 19

GEORGIAN C3





RIGHT SIDE ELEVATION | GEORGIAN C3



LEFT SIDE ELEVATION | GEORGIAN C3



REAR ELEVATION | GEORGIAN C3

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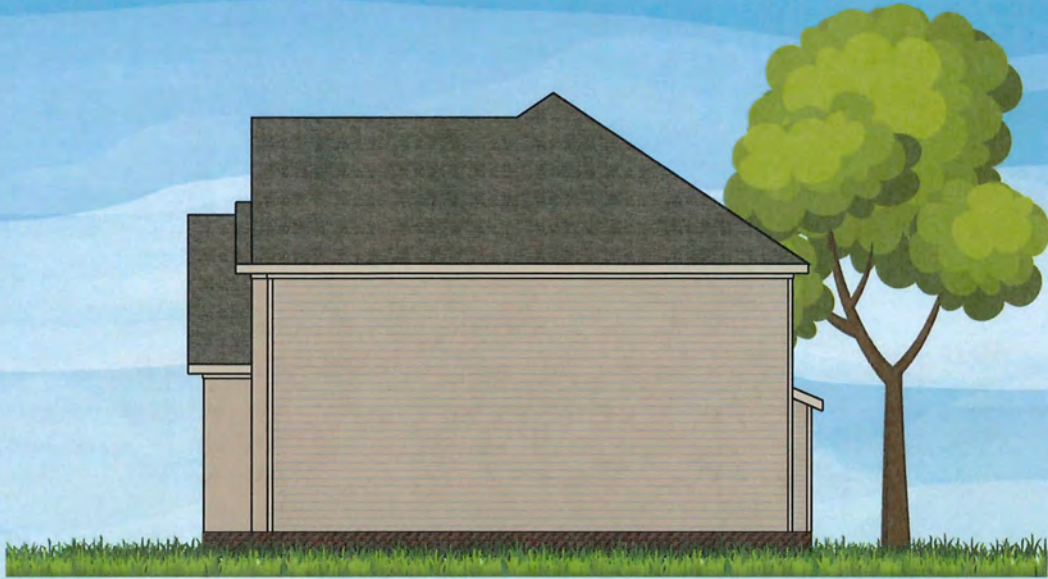
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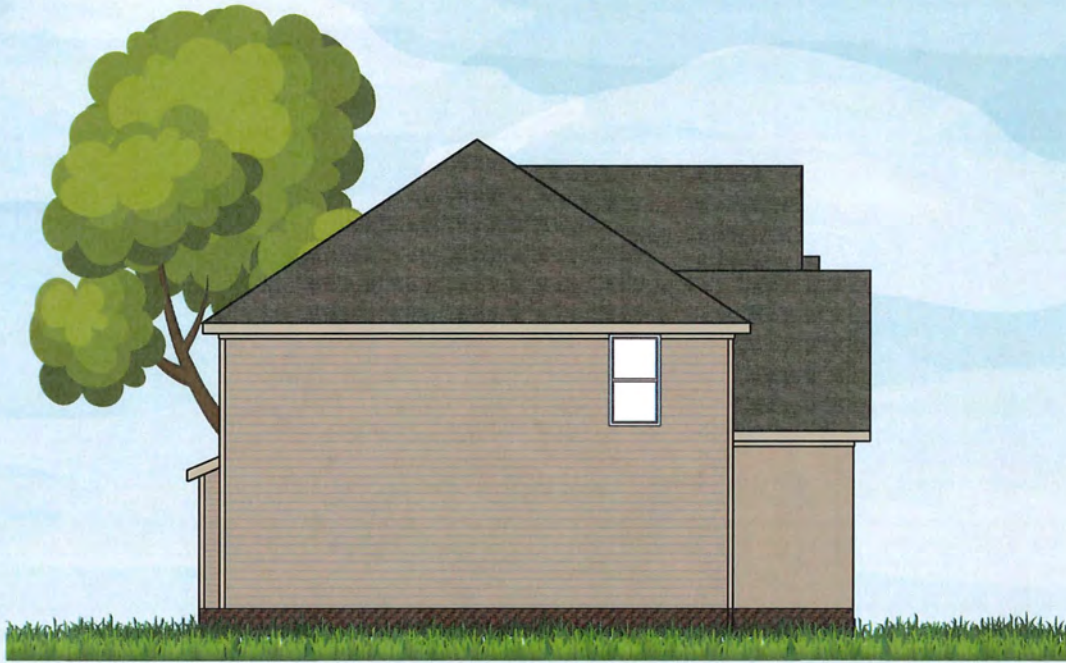
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WOODFORD B2





RIGHT SIDE ELEVATION | WOODFORD B2



LEFT SIDE ELEVATION | WOODFORD B2



REAR ELEVATION | WOODFORD B2

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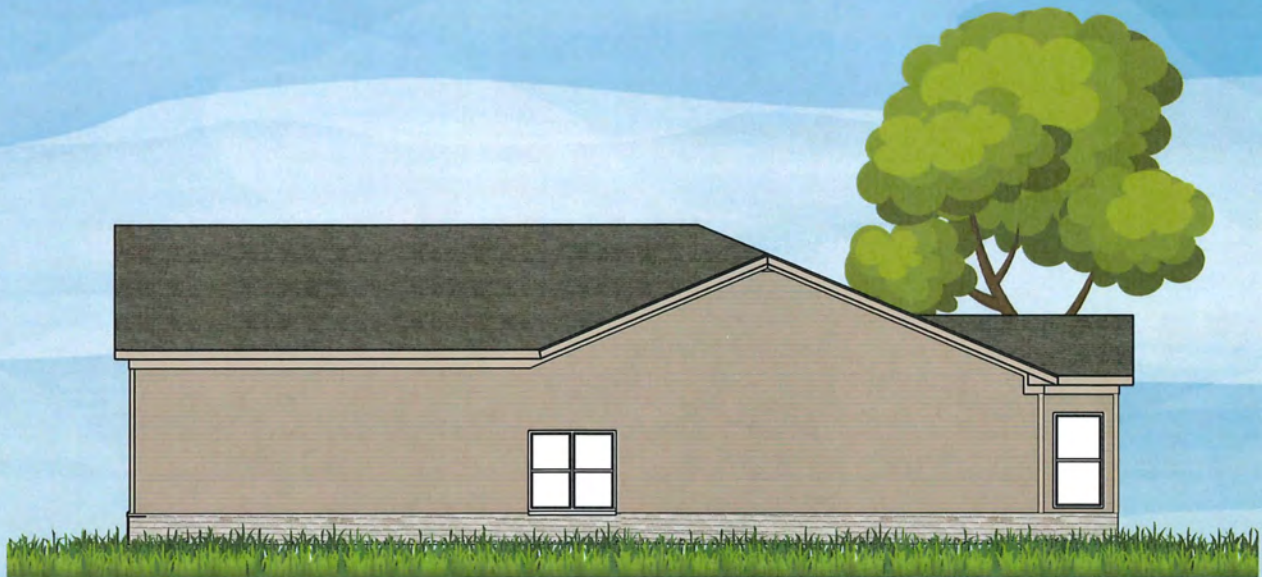
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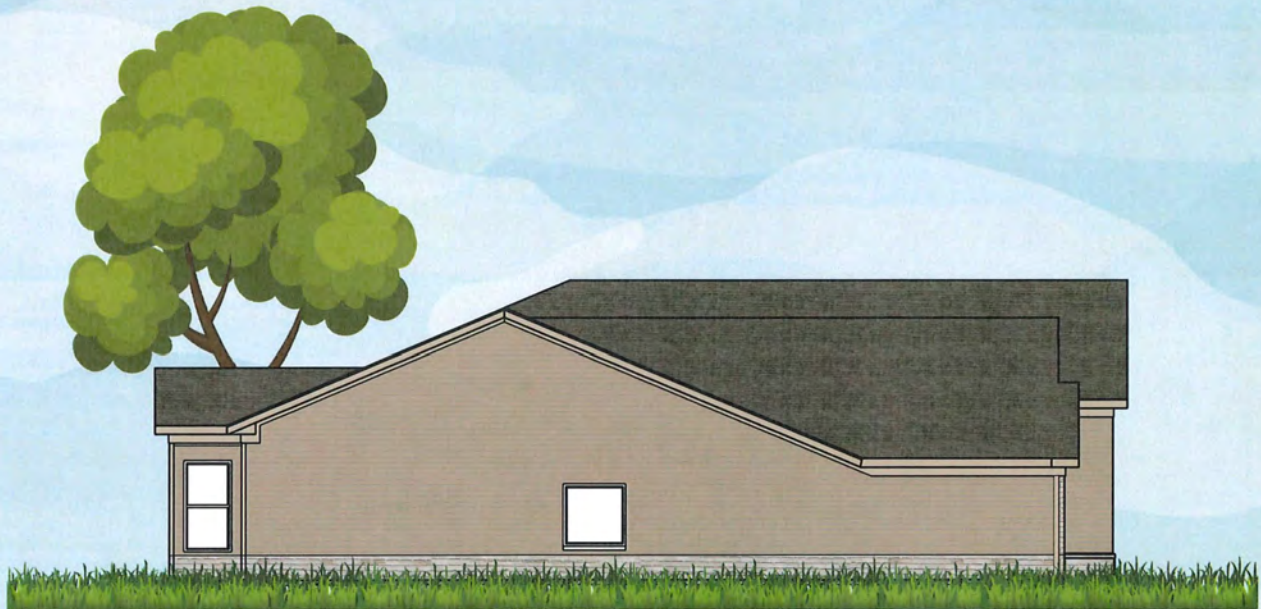
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BECKETT E4





RIGHT SIDE ELEVATION | BECKETT E4

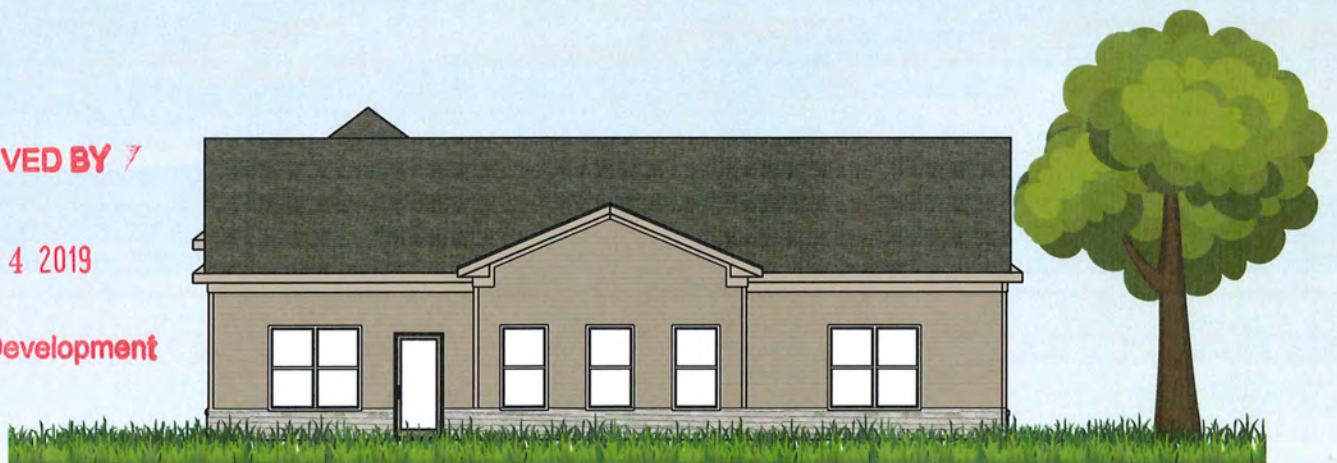


LEFT SIDE ELEVATION | BECKETT E4

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REAR ELEVATION | BECKETT E4

RZR '19023





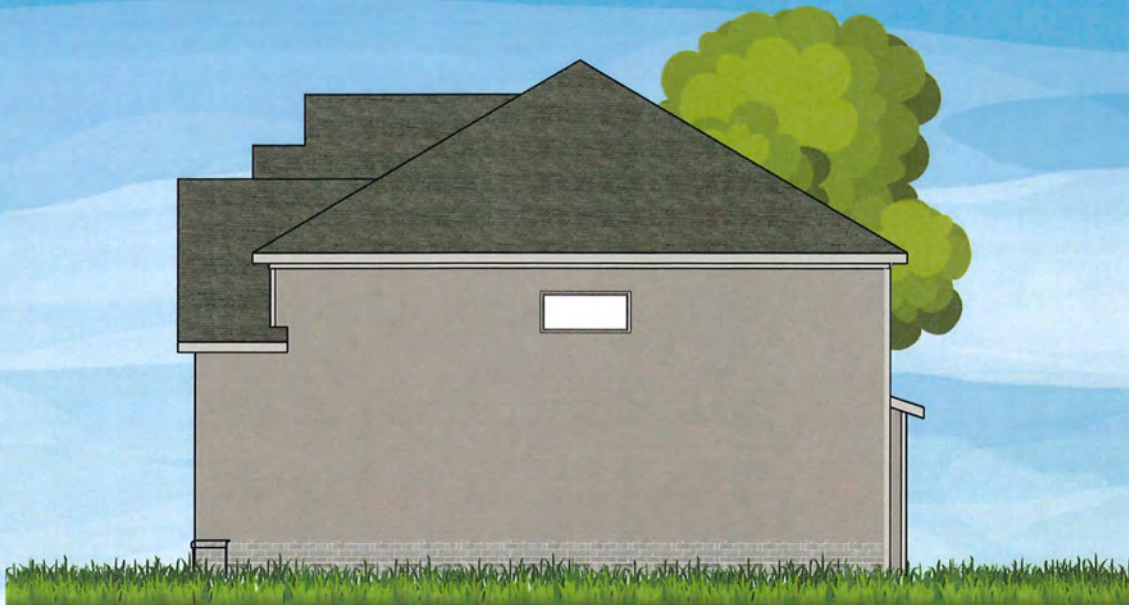
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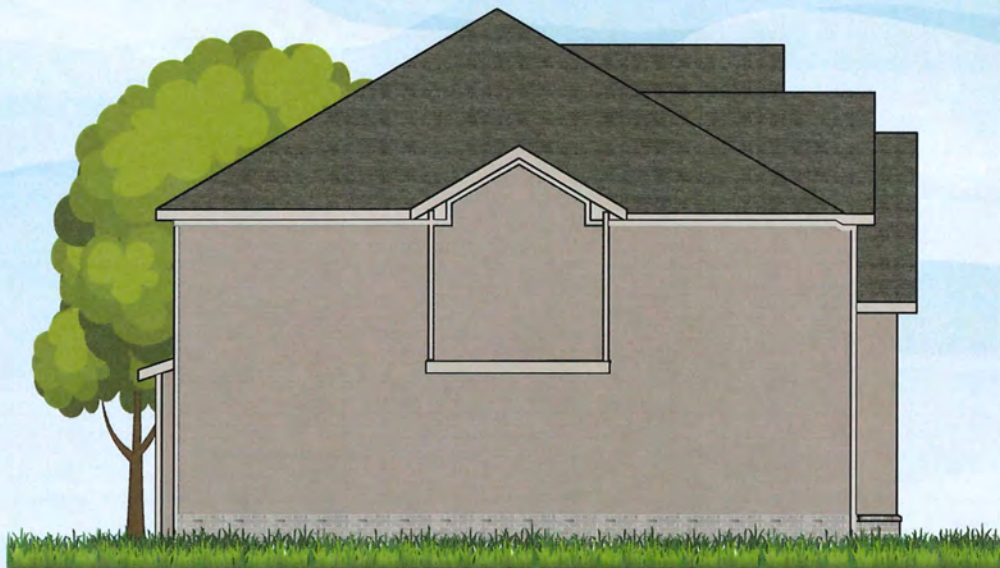
COLTON G5

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RIGHT SIDE ELEVATION | COLTON G5



LEFT SIDE ELEVATION | COLTON G5



REAR ELEVATION | COLTON G5

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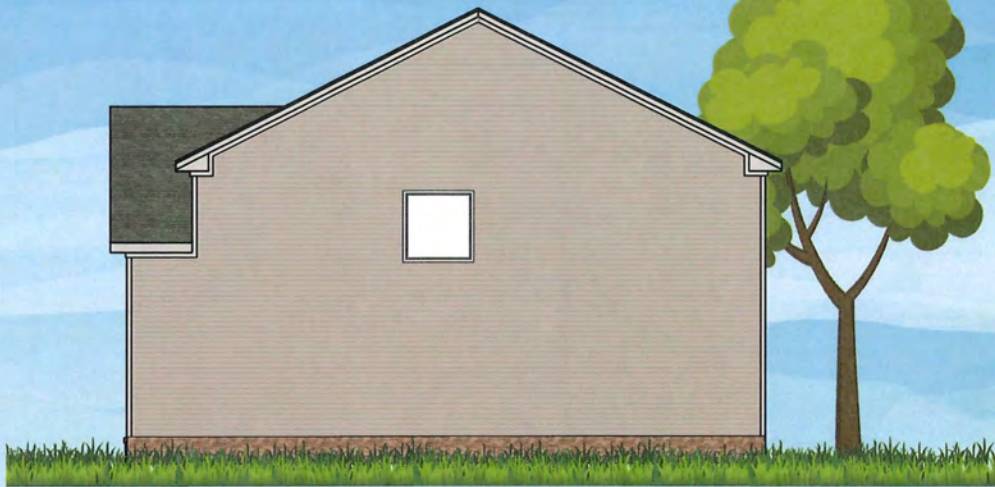
CLAIRE C5

04-2019

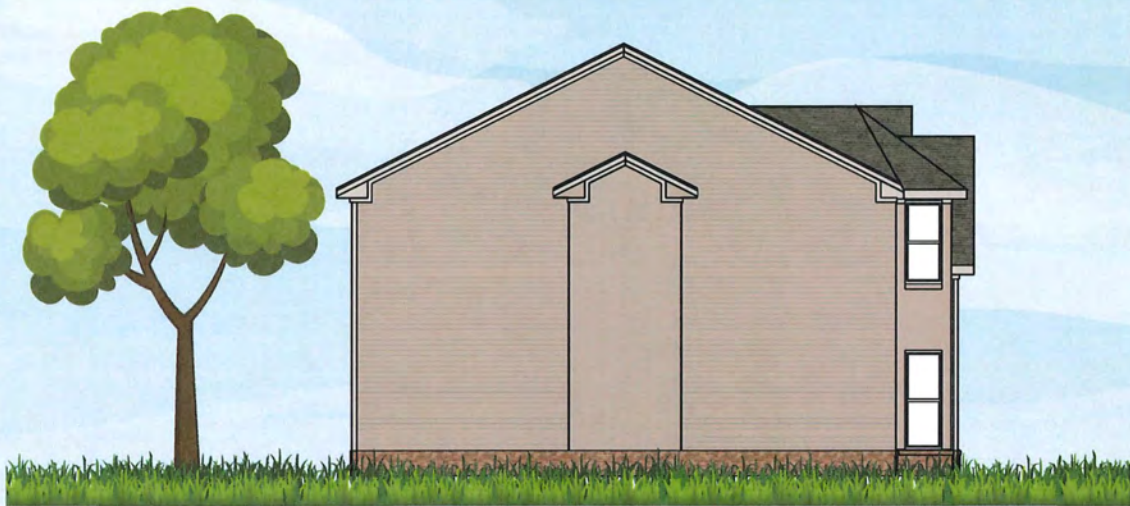
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RIGHT SIDE ELEVATION | CLAIRE C5



LEFT SIDE ELEVATION | CLAIRE C5



REAR ELEVATION | CLAIRE C5

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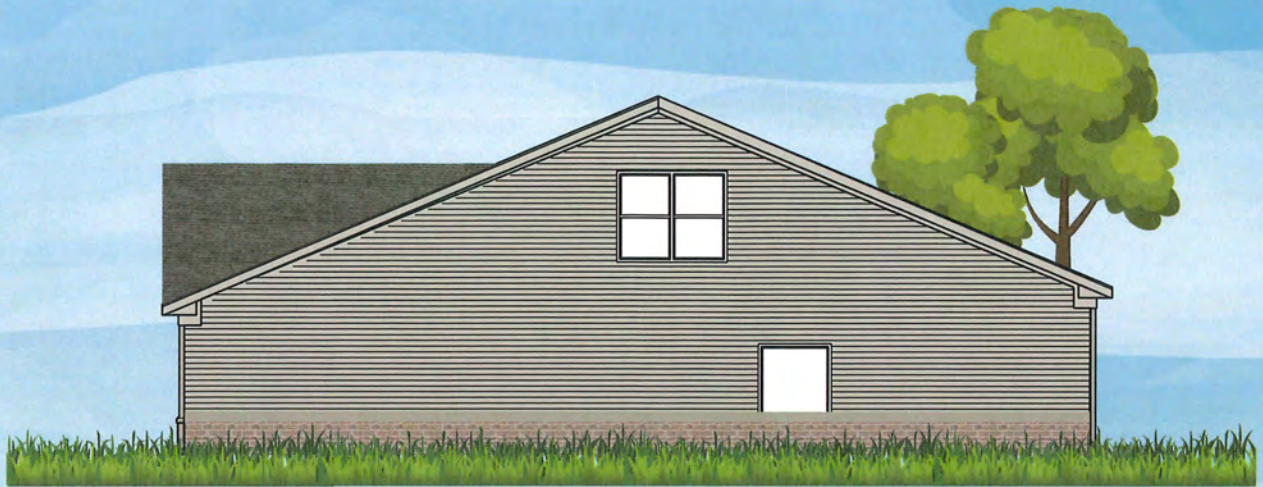
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ELIZABETH A2





RIGHT SIDE ELEVATION | ELIZABETH A2



LEFT SIDE ELEVATION | ELIZABETH A2



REAR ELEVATION | ELIZABETH A2

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