

**CHANGE IN CONDITIONS APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>JPM Outlook, LLC</u>	NAME: <u>Megel Properties, LP</u>
ADDRESS: <u>4110 Southpoint Blvd.</u>	ADDRESS: <u>20 Pointe Ridge Dr.</u>
CITY: <u>Jacksonville</u>	CITY: <u>Atlanta</u>
STATE: <u>FL</u> ZIP: <u>32216</u>	STATE: <u>GA</u> ZIP: <u>30328</u>
PHONE: <u>(904) 279-0132</u>	PHONE: <u>(404) 252-7535</u>
CONTACT PERSON: <u>Craig Jeup</u> PHONE: <u>(904) 279-0132</u>	
CONTACT'S E-MAIL: <u>cjeup@comcast.net</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICTS(S): <u>RM-10</u>	PRIOR ZONING CASE: <u>RMZ-04-007</u>
PARCEL NUMBER(S): <u>6139061</u>	ACREAGE: <u>6.85</u>
ADDRESS OF PROPERTY: <u>6195 Lawrenceville Hwy.</u>	
PROPOSED CHANGE IN CONDITIONS: <u>See Attached</u>	

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>52 DU</u>	NO. OF BUILDINGS/LOTS: _____
DWELLING UNIT SIZE (Sq. Ft.): <u>800sf and 1300sf</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>7.59 per acre</u>	DENSITY: _____
NET DENSITY: <u>7.59 per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 139 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

Commence at a point 1920.78 feet easterly along the centerline of U.S. Hwy. No. 29 (A.K.A. Georgia State Route No. 8) from its intersection with the centerline of Jimmy Carter Boulevard; THENCE North 19°30'00". West a distance of 50.00 feet to a ½. rebar set on the northerly right of way of U.S. Hwy. No. 29 (right of way width varies), said point being the POINT OF BEGINNING; THENCE, leaving said right of way, North 19°30'00". West a distance of 581.98 feet to a ½. rebar set; thence North 70°30'00". East a distance of 300.00 feet to a ½. rebar set; thence South 19°30'00". East a distance of 583.35 feet to a ½. rebar set on the northerly right of way of U.S. Hwy. No. 29 (right of way width varies); thence, along said right of way, South 70°45'40". West a distance of 300.00 feet to a ½. rebar set at the POINT OF BEGINNING.

Said parcel contains 4.0128 acres and is shown as Tract 1 on that Final Plat for M & N, LLC; dated: March 14, 2013 and last revised May 1, 2013 prepared by McNally & Patrick, Inc. and bearing the seal of Lloyd C. McNally, Jr., R.L.S. No. 2040 as recorded in Plat Book 130, Pages 32-33 of Gwinnett County, Georgia records.

Said parcel also being shown as Tract MP1 on that certain ALTA/ACSM Land Title Survey for: A2GO PROPERTIES, LLC; COMMUNITY & SOUTHERN BANK; AND CHICAGO TITLE INSURANCE COMPANY

dated: August 26, 2013 and last revised September 25, 2013, prepared by McNally & Patrick, Inc. and bearing the seal of Lloyd C. McNally, Jr., R.L.S. No. 2040.

## SURVEYOR'S CERTIFICATION

TO:

A2GO PROPERTIES, LLC; COMMUNITY & SOUTHERN BANK;  
AND CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED (THIS "SURVEY") WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), 7(B)(1), 8, 9, 11(A), AND 13 OF TABLE A THEREOF.

*Lloyd C. McNally Jr.*

8-26-2013

LLOYD C. McNALLY, JR., R.L.S. NO. 2040.

DATE

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# Conceptual Site Plan

52 Units  
Two Level

a. All existing and proposed easements to be defined and indicated on plan.  
Noted on Plan. No new easements proposed at this time.

b. Topographic contours at appropriate vertical intervals.  
Noted on Plan

c. Wetlands, flood plains, and state waters located with areas of disturbance calculated for the Wetlands, including required buffer zones clearly delineated to reflect how they will impact the development of the site.  
None - Noted on Plan

d. Use of all adjacent properties and structures within 100 feet of the subject property boundary clearly defined both graphically and in written form. See the 2018 Architectural Manual Submission Requirements for further guidance.  
Noted on Plan

e. Zoning setbacks and restrictions graphically indicated.  
Noted on Plan

f. Indication of all existing structures, tanks, slabs, utilities and any other improvements existing on the property at the time of application.  
Noted on Plan

g. Indication of the all driving and walking entrance access to the property and a layout of all buildings, roads, Paved Pedestrian Walkways and parking areas.  
Noted on Plan

h. Location of all interior and exterior site amenities indicated in the Application Form.  
Noted on Plan

i. Defined areas of all tree and vegetation preservation  
Noted on Plan

j. Defined offsite work scope  
None - Noted on Plan

k. Proposed Connection Points for Water and Sewer  
Noted on Plan

Lawrenceville Highway

Connection to Water Line

Property Line

Connection to Sanitary Sewer

Zoning R75  
Use Not developed  
Litton Enterprises, LLC

Property Line

60' Natural Undisturbed buffer

15' Side Yard Set Back

Existing Vegetation Preserved

Property Line

NOTE ITEM D TYPICAL  
Zoning C2  
Use developed  
Megal Properties LP.

20' Drainage Easement

Property Line

15' Side Yard Set Back

PROPERTY ENTRANCE

Community Center

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**CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

See attached

---

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

See attached

---

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

See attached

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- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

See attached

---

- (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 CHANGE IN CONDITIONS:

See attached

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- (A) The site is currently zoned RM-10 limited to a maximum of 52 units. The change in condition request affects minimum heated floor area per dwelling unit and exterior brick only. The remaining characteristics of the development will meet the current restricted uses of the property and be similar to existing nearby townhome communities.
- (B) The change in condition request affects minimum heated floor area per dwelling unit and exterior brick only. The current zoning RM-10 is compatible with the existing surrounding land uses as it is within an area zoned R-TH developed with residential multi-family townhomes. The subject property is bordered on the south and east by multi-family townhome developments.
- (C) The change in condition request affects minimum heated floor area per dwelling unit and exterior brick only and will have no impact on economic use as currently zoned.
- (D) Traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road. The change in condition request for minimum heated floor area is not anticipated to result in any significant capacity increase to the adjacent arterial or major collector roadway facility.

Attached to this response is a verification letter from The Gwinnett County Department of Resources verifying that water and sewer capacity is available to this parcel.

Per Condition 2 E of the existing BOC Resolution RMZ-04-007 the applicant shall notify the School Board and School Board Planning Staff in writing, the number of units in the development and the type of housing, the number of bedrooms per house, and the phasing of the development, prior to the issuance of the Development Permit.

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(E) The proposed changes in conditions have no impact on future land use and the subject property remains in conformity with the policy and intent of the land use plan.

(F) As previously stated the subject property is bordered on the south and east by multi-family town home developments. Within a one mile radius there are numerous existing residential single family and multi-family developments. Currently to the east of the subject property there is a new residential town home development under construction designed primarily with fiber cement exterior siding. These conditions strongly support grounds for approval of the proposed change in conditions.

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## LETTER OF INTENT

Grove Park Townhomes will be a combination of affordable and market rate residential housing located at 6195 Lawrenceville Hwy in Tucker Georgia. The site is located in one of the few remaining undeveloped residential zoned parcels in this rapidly growing area of Gwinnett County.

The 6.85 acre property is currently zoned RM-10 with the intended use for townhomes. This zoning restricts the use of the property to a maximum of 52 units. The proposed development will be made up of 6 – one bedroom units with a minimum heated floor area of 800 square feet and 46 – three bedroom units with a minimum heated floor area of 1300 square feet. The townhomes will be designed as wood frame structures with a minimum 40% brick and the balance fiber cement siding. Each unit will have a single car garage and one parking space behind. Maximum building height will be 35 feet or less.

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## PROPOSED CHANGE IN CONDITIONS

Remove Condition 1(B) "The minimum heated floor area per dwelling unit shall be 1600 square feet" from BOC Resolution RMZ-04-007, and;

Change Condition 1(C) to read "Townhouse buildings shall be constructed with 40% brick and remainder with cement fiber siding. Final building plans shall subject to the review and approval of the Director of the Department of Planning and Development."

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**CHANGE IN CONDITIONS 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.

C. T. Jeup  
Signature of Applicant

10/23/19  
Date

**Craig Jeup**

Type or Print Name and Title

Kathy Millard  
Signature of Notary Public

10/23/2019  
Date



Notary Seal

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**CHANGE IN CONDITIONS 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.

Sarahth Megel October 23, 2019  
Signature of Property Owner Date

DOROTHY Megel General Partner  
Type or Print Name and Title

Z. F. Salm 10/23/2019  
Signature of Notary Public Date

Notary Seal



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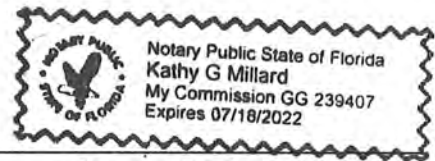
**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, 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.

C. T. Jeup 10/23/19 Craig Jeup  
Signature of Applicant Date Type of Print Name and Title

\_\_\_\_\_  
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

Kathy Millard 10/23/2019  
Signature of Notary Public Date



Notary Seal

**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 Craig Jeup  
Your Name

If the answer is yes, please complete the following section:

NAME AND OFFICIAL 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. **RECEIVED BY**

**VERIFICATION OF CURRENT PAID PROPERTY TAXES**  
**FOR CHANGE IN CONDITIONS**

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:**  
(Map Reference Number)

613

District

1390

Land Lot

6195

Parcel

*R6139-061*

C. T. Jeup  
Signature of Applicant

10/22/2019

Date

**Craig Jeup**

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)

*Vickie Schokky*  
NAME

*ISA II*  
TITLE

*10/23/19*  
DATE

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