

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Thuy Vu</u>	NAME: <u>Thuy Vu</u>
ADDRESS: <u>6252 S. Norcross Tucker Rd</u>	ADDRESS: <u>6252 S. Norcross Tucker Rd</u>
CITY: <u>Norcross</u>	CITY: <u>Norcross</u>
STATE: <u>Ga</u> ZIP: <u>30093</u>	STATE: <u>Ga</u> ZIP: <u>30093</u>
PHONE: <u>678-308-0677</u>	PHONE: <u>678-308-0677</u>
CONTACT PERSON: <u>George Awuku</u> PHONE: <u>404-597-6745</u>	
CONTACT'S E-MAIL: <u>elminaengineer@gmail.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICTS(S): <u>C2</u>	PRIOR ZONING CASE: <u>RZC-05-026</u>
PARCEL NUMBER(S): <u>6-191-091</u>	ACREAGE: <u>3.92</u>
ADDRESS OF PROPERTY: <u>6252/6268 S. Norcross Tucker Rd</u>	
PROPOSED CHANGE IN CONDITIONS: <u>Buffer reduction from 75' to 25'</u>	

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>1</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>9,100 sq. ft.</u>
GROSS DENSITY: _____	DENSITY: <u>6.17%</u>
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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EXHIBIT "A"

LEGAL DESCRIPTION

TRACT1- 3.92 ACRES

All that tract or parcel of land lying and being in Land Lot 191 of the 9th District, Gwinnett County Georgia, being more particularly described as follows:

BEGINNING at point on the southerly right-of-way line of South Norcross-Tucker Road (R/W varies), said point being located 505.24 feet in a generally southwesterly direction, as measured along the aforesaid right-of-way line, from its intersection with the westerly right-of-way line, of Old Norcross-Tucker Road (80' R/W); leaving the aforesaid right-of-way line, run thence South 28 degrees 07 minutes 08 Seconds East a distance of 542.17 feet to a point located on the Land Lot Line common to land Lots 168 and 191 and marked by an 1 ¼" open top pipe found; run thence along the aforesaid Land Lot Line South 59 degrees 00 minutes 00 seconds West a distance of 293.76 feet to a point; leaving the aforesaid Land Lot Line, run thence North 27 degrees 47 minutes 32 seconds West a distance of 507.07 feet to a point located on the aforesaid right-of-way line of South Norcross-Tucker Road and marked by an iron pin set; run thence along the aforesaid right-of-way line 199.18 feet along the arc of a curve to the left (said curve having a radius of 4623.66 feet, a chord bearing of North 48 degrees 38 minutes 48 seconds East and a chord length of 199.16 feet) to a point; continue thence along the aforesaid right-of-way line North 47 degrees 24 minutes 50 seconds East a distance of 83.04 feet to a point; continue thence along the aforesaid right-of-way line South 32 degrees 12 minutes 15 seconds East a distance of 20.33 feet to a point; continue thence along the aforesaid right-of-way line North 47 degrees 24 minutes 46 seconds East a distance of 15.25 feet to a point, said point marking the TRUE PLACE OR POINT BEGINNING.

Said Parcel contains 3.92 acres, more or less.

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NOVEMBER 4, 2019

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OWNER/DEVELOPER
 THUY VU
 6252/6268
 S. NORCROSS TUCKER RD
 NORCROSS, GA 30093
 CONTACT: THUY VU
 TEL: 678 308 0677

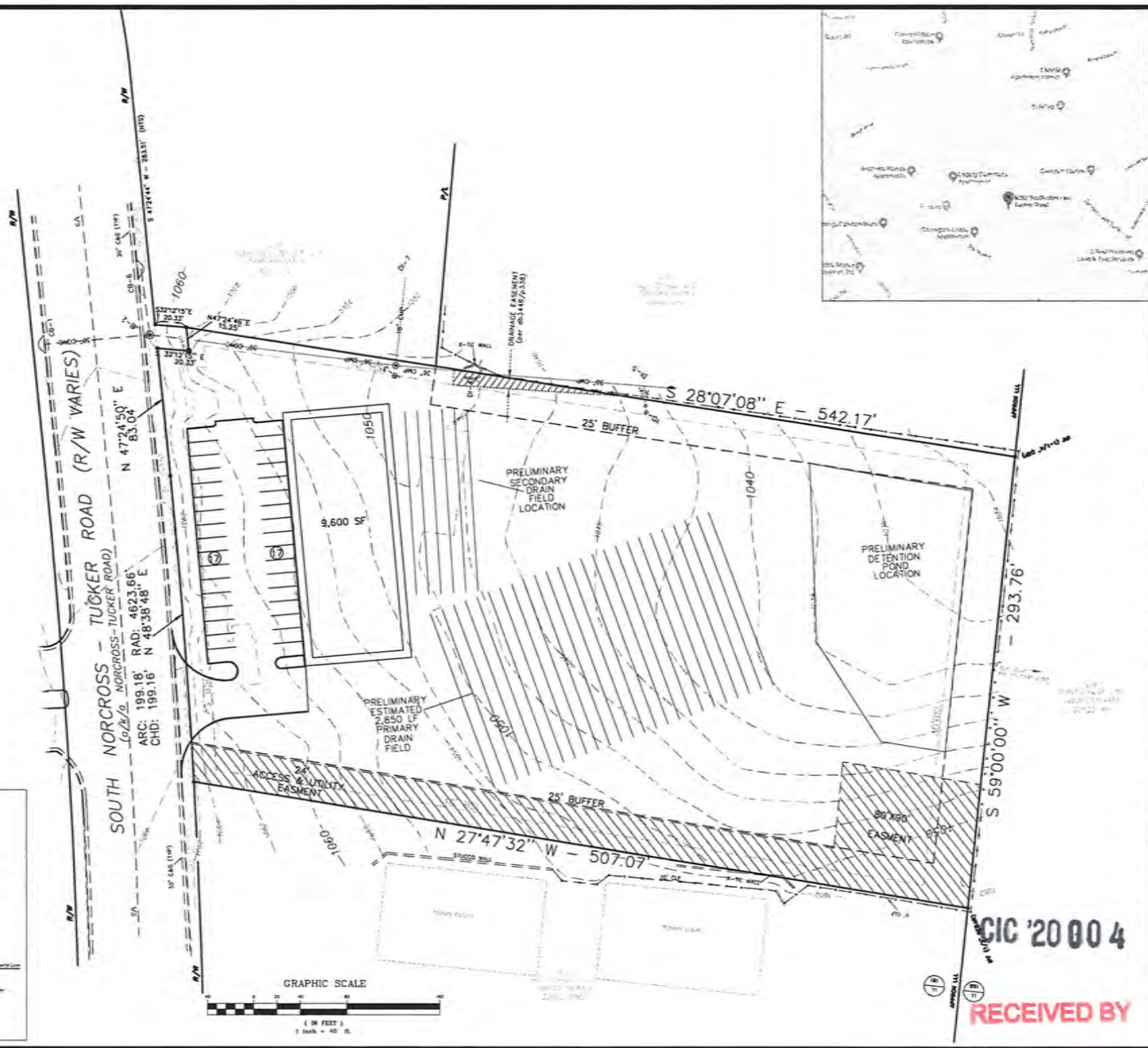
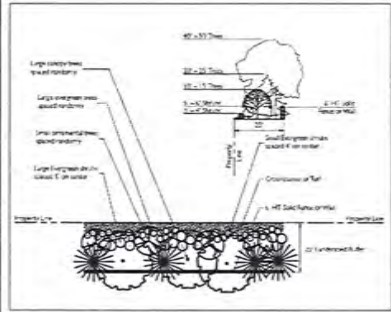
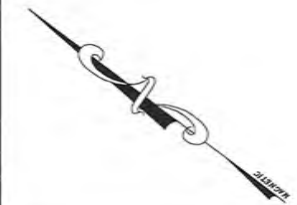
ENGINEER
 6062 BUFORD HWY
 SUITE 205
 NORCROSS, GA 30071
 PH: (404) 597-6743
 CONTACT: GEORGE AMUKU,P.E.
 E-MAIL: ELMINAENGINEER@GMAIL.COM

SITE ANALYSIS

1. AREA - 3.92 ACRES
2. STREAM - 0 FT BUFFERS
3. WETLANDS - 0 ACRES
4. FLOODPLAIN - 0 ACRES

ZONING DATA

1. CURRENTLY ZONED C2
2. BUILDING SETBACK REQUIREMENTS ARE:
 FRONT- 15 FEET
 SIDES- 10 FEET
 REAR- 30 FEET
3. RCZ-05-026



EL MINA INC
 SUITE 205, 6062 BUFORD HWY
 NORCROSS, GA 30071

6252
 S. NORCROSS TUCKER RD
 TUCKER, GA 30084

CONCEPT
 MASTER
 PLAN
 SHEET TITLE

DATE	NO	DESCRIPTION
10/22/19		

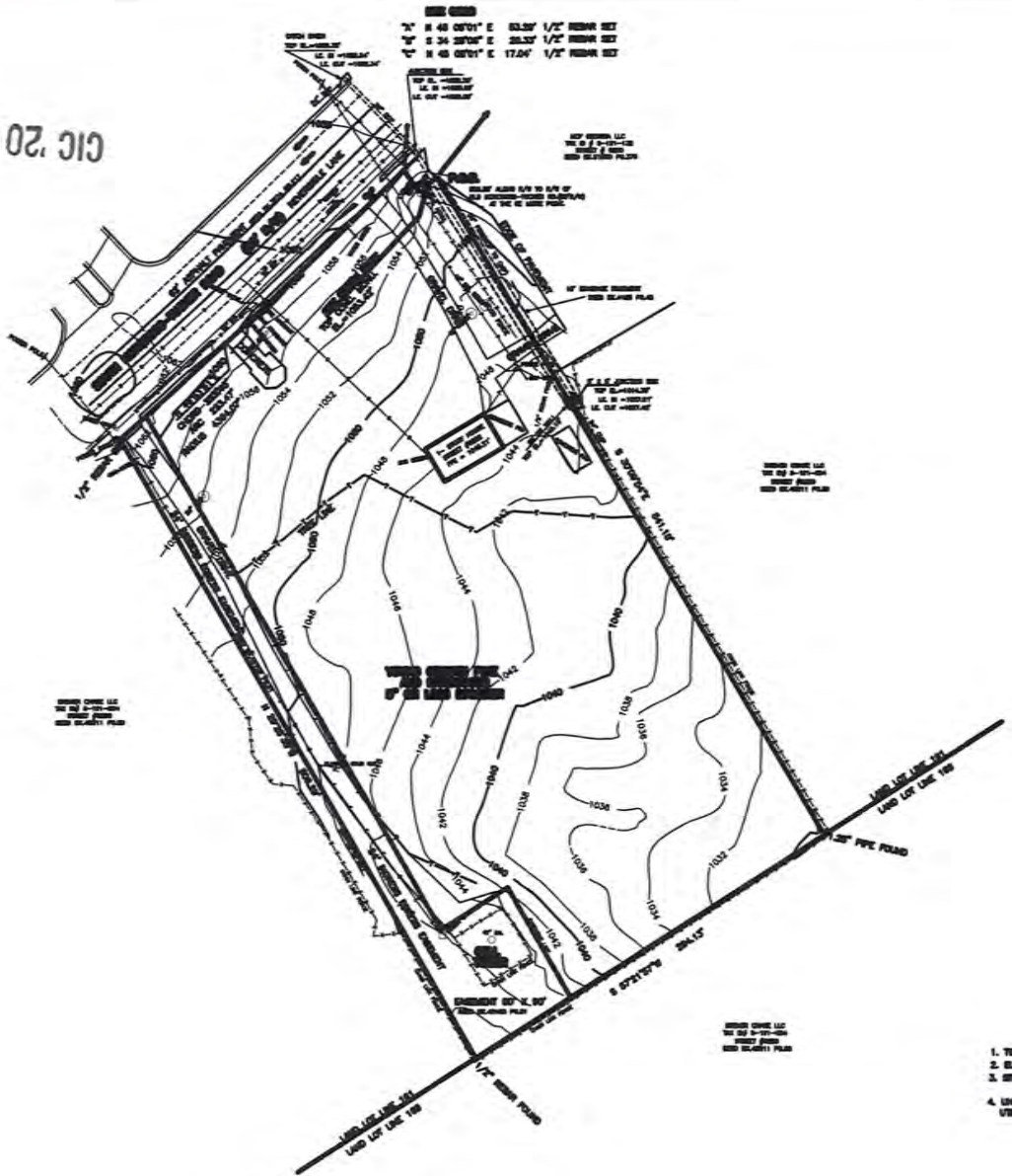
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TOP, MIDDLE AND BOTTOM GRADES
FOR
CELL TOWER SITES
ON
LAND LOTS 101, 102, 103 AND 104

TOPOGRAPHIC SURVEY
FOR
TOWER NO

LOCATION
 625 AND 626 SOUTH HICKORY-TUCKER ROAD
 TAX PARCELS 0-191-023 AND 0-191-021
 6th DISTRICT LAND LOT 101
 GWINNETT COUNTY, GEORGIA

DATE: MARCH 25, 2018 JOB# 210108



- GENERAL NOTES**
1. TWO FOOT CONTOUR INTERVAL.
 2. ELEVATIONS BASED ON MEAN SEA LEVEL (MSL).
 3. SITE BENCH MARK TOP CORNER, SIGNAL AS SHOWN ON PLAN. ELEVATION 102.642.
 4. UNDERGROUND UTILITIES NEED TO BE VERIFIED BEFORE CONSTRUCTION. UTILITIES SHOWN BASED ON FIELD OBSERVATION.

THIS SURVEY WAS MADE BY MEASUREMENTS MADE BY ME FOR THE PROJECT
 PLANNED PARCELS 0-191-023 AND 0-191-021
 GWINNETT COUNTY, GEORGIA
 DATE: MARCH 25, 2018
 SURVEYOR OF FLORES HERRERA

HENNINGS
LAND
SURVEYS

In my opinion, this is a correct representation of the land shown and has been prepared in accordance with the common standards and customs of the

Alan G. Hennings, S.L.S. *Plan #*
 411 Knoxville, Ga. 108-210-1008
 Macon, Georgia, Georgia 30001

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:

Yes, proposed Buffer reduction will allow for a shopping center much like the adjacent property to the north.

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

No, all surrounding property is developed and no adverse affects should arise by reducing the buffer.

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

No, the property currently needs substantial site improvements to be of any economical use as zoned.

- (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:

The proposed 9,600 SF shopping center shouldn't create any burden to current street, utilities, or other facilities in the area.

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

Yes, the property is in an area containing both residence and shopping centers.

- (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:

All current conditions related to zoning care RZC-05-026 are in line with the proposed development

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6062 BUFORD HWY, SUITE 205 NORCROSS, GA 30071/TEL 404 597 6745/ELMINAENGINEER@GMAIL.COM

October 23, 2019

Board of Commissioner
Gwinnett County
446 West Crogan Street, Suite 150
Lawrenceville, GA 30046

Dear Sir/Madam;

CHANGE IN CONDITIONS FOR

The applicant respectfully submits to the Board of Commissioners a request to reduce the 75' natural buffer to a 25' planted buffer, condition "A" of rezoning case RZP2005-00026. The area gained from the requested buffer reduction, if granted, will be utilized to accommodate septic drainage fields and detention pond area *only* for a proposed 9,600 s.f. shopping center.

The adjacent properties are fully developed with adequate spacing between current property lines and structures. To the south there are tennis courts located along the property line between the subject site and adjacent apartment buildings. To the east and south the adjacent properties are developed with interior drives and parking located between the subject site and adjacent homes.

Thank you for your time and consideration of this request. The applicant is open to working with development staff and Board Members to achieve the successful implementation of this project.

Respectively Submitted,
Sincerely,

George Awuku, P.E.



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EL MINA INCORPORATED
Ultimate Engineering Solutions

6062 BUFORD HWY, SUITE 205 NORCROSS, GA 30071/TEL 404 597 6745/ELMINAENGINEER@GMAIL.COM

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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.



Signature of Applicant

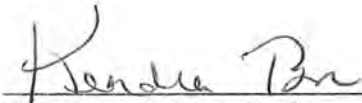
10/15/19

Date

Thuy Vo

Type or Print Name and Title

Kendra Bau
NOTARY PUBLIC
Forsyth County, GEORGIA
My Comm. Expires
01/30/2023



Signature of Notary Public

10/15/2019

Date

Notary Seal

CIC '20004

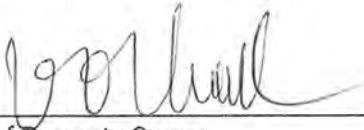
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CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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.

 10/15/19
Signature of Property Owner Date

Thuy Vo
Type or Print Name and Title

Kendra Bau
NOTARY PUBLIC
Forsyth County, GEORGIA
My Comm. Expires
01/30/2023

 10/15/19 _____
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.

Thuy Vo 10/15/19 Thuy Vo, Owner
 Signature of Applicant Date Type of Print Name and Title

Kendra Bau 10/15/2019 Kendra Bau
 Signature of Applicant's Attorney or Representative Date Type or Print Name and Title
 NOTARY PUBLIC
 Forsyth County, GEORGIA
 My Comm. Expires
 01/30/2023
 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 Thuy Vo
 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.

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**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: 6 - 191 - 091
(Map Reference Number) District Land Lot Parcel

[Signature] 10/15/19
Signature of Applicant Date

Thuy Vo, Owner
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)

[Signature] TSA II
NAME TITLE
10-23-19
DATE

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