

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME: <small>Action Technology Solutions,LLC/C.O. MAHAFFEY PICKENS TUCKER, LLP</small> ADDRESS: 1550 North Brown Road (125) CITY: Lawrenceville STATE: GA ZIP: 30043 PHONE: 770-232-0000	NAME: Sherry Lynn Gardner ADDRESS: 116 Reisling Drive CITY: Braselton STATE: GA ZIP: 30517 PHONE: 678-886-1786
CONTACT PERSON: Shane Lanham PHONE: 770-232-0000 CONTACT'S E-MAIL: slanham@mptlawfirm.com	
<b>APPLICANT IS THE:</b> <input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): R-75 REQUESTED ZONING DISTRICT: R-TH PARCEL NUMBER(S): R6175 063 ACREAGE: 7.11 ADDRESS OF PROPERTY: 1005 Beaver Ruin Road PROPOSED DEVELOPMENT: Townhouse Development	
<b>RESIDENTIAL DEVELOPMENT</b> No. of Lots/Dwelling Units: 56 Dwelling Unit Size (Sq. Ft.): 1500 Gross Density: 7.88 Net Density: 7.88	<b>NON-RESIDENTIAL DEVELOPMENT</b> No. of Buildings/Lots: _____ Total Building Sq. Ft. _____ Density: _____

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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**AUGUST 7, 2020**  
**RZM2020-00031**

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 175, 6<sup>th</sup> District Gwinnett County, Georgia, and being more particularly described as follows: BEGINNING at POB; thence South 19°27'00" East, a distance of 331.13 feet to a point; thence South 67°10'00" West, a distance of 703.0 feet to a point; thence South 70°02'00" West, a distance of 192.5 feet to a point; thence North 22°34'00" West, a distance of 441.9 feet to a point; thence North 67°11'00" East, a distance of 100.0 feet to a point; thence South 21°00'29" West, a distance of 121.20 feet to a point; thence North 65°48'42" East, a distance of 819.63 feet to a point, being the POINT OF BEGINNING.

Said tract contains 7.11 acres or 309,711 square feet.

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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:

Please see attached

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

Please see attached

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

Please see attached

- (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:

Please see attached

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

Please 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 REZONING:

Please see attached

**REZONING APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

- (A) Yes, approval of the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed residential infill development is compatible with existing residential uses and will further diversify housing options in the surrounding area.
- (B) No, approval of the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties.
- (C) Due to the size, location, layout and dimensions of the subject property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The proposed development has frontage on Beaver Ruin Road (State Route 378) which provides convenient access to Interstate 85 and Lawrenceville Highway (US Route 29). The Property has access to water and sewer utilities.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan which promotes diversifying housing types and encourages residential development on the Property, including townhomes specifically.
- (F) The Applicant submits that the quality of the proposed homes and the large amounts of reserved open space provide additional supporting grounds for approval of the Application.

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Matthew P. Benson  
Gerald Davidson, Jr.\*  
Brian T. Easley  
Kelly O. Faber  
Christopher D. Holbrook  
W. Brady Hughes

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

**LETTER OF INTENT FOR REZONING APPLICATION**

\*Of Counsel

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of the Applicant for the purpose of rezoning to the R-TH zoning classification an approximately 7.11-acre tract (the "Property") situated along Beaver Ruin Road (State Route 378). The Property is currently zoned R-75 and is located within the Vibrant Communities Character Area as depicted on the Gwinnett County 2040 Unified Plan Future Development Map.

The Applicant proposes to develop a single-family residential community, consisting of 56 attached residential townhomes. The proposed townhomes would include attractive architectural elements which are compatible with the surrounding area. The front façades of the homes would be constructed primarily of brick, stacked stone, cedar shake, fiber-cement siding, and/or board and batten as depicted in the building elevations submitted with the Application. The proposed townhomes are front-entry style units with two-car garages and would be accessed by internal streets and driveways. The Gwinnett County Unified Development Ordinance (the "UDO") requires a minimum of fifteen percent of the Property's acreage to be set aside as common area. The proposed development includes a community park for the use and enjoyment of residents which could include a gazebo, playground, or other community gathering space. The Applicant proposes to development the Property with a single entrance to be located off of Beaver Ruin Road. The entrance would include attractive landscaping and entrance monument creating an attractive streetscape. The Applicant is also proposing to provide thirty-foot wide buffers around the

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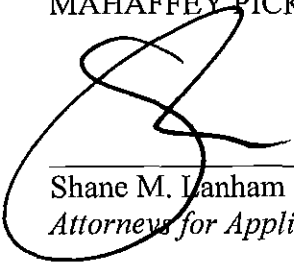
perimeter of the Property to provide appropriate screening and separation from adjacent single-family detached development.

The policies of the Gwinnett County 2040 Unified Plan encourage a mix of housing types for the Vibrant Communities Character Area and specifically list “single-family residential,” “mixed residential developments,” and “townhomes and apartments” as potential development types. The 2040 Plan encourages a mix of housing types for this character area and the proposed residential infill development, appropriately buffered as proposed by the Applicant, is compatible with the policy goals of the 2040 Plan. Moreover, the 2040 Plan specifically calls for diversifying housing options in Gwinnett County to address shifting trends in housing preferences of individuals and families. The proposed development would complement nearby employment centers by providing quality housing for people working nearby. The Property has convenient access to Lawrenceville Highway (US Route 29) and Interstate 85 via Beaver Run Road.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 7th day of August, 2020.

MAHAFFEY PICKENS TUCKER, LLP



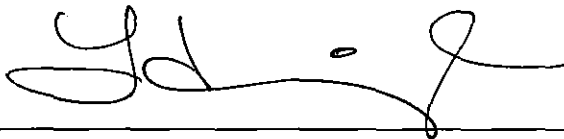
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Shane M. Lanham  
*Attorneys for Applicant*

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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.



8-7-2020

Signature of Applicant

Date

Action Technology Solutions, LLC / owner

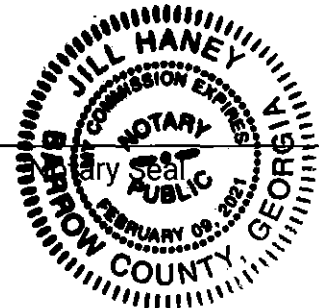
Type or Print Name and Title



8/7/20

Signature of Notary Public

Date



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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.

*Sherry Lynn Garner*

Signature of Property Owner

6-16-2020

Date

*Sherry Lynn Garner*

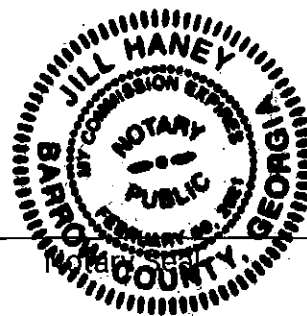
Type or Print Name and Title

*[Signature]*

Signature of Notary Public

6-16-20

Date



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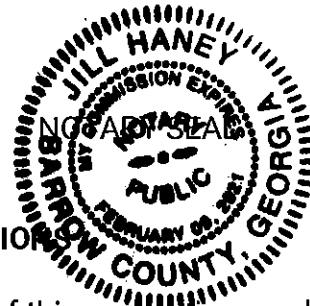
**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

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.

[Signature]                      8-7-2020                      Taylor Harris (owner)  
SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE  
Action Technology Solutions, LLC

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

[Signature]                      8/7/20  
SIGNATURE OF NOTARY PUBLIC                      DATE



**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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

Taylor Harris  
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.

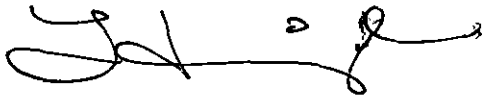
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**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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: RL6 - 175 - 003  
(Map Reference Number)      District      Land Lot      Parcel



8/7/20

Signature of Applicant

Date

Action Technology Solutions, LLC, Member

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)

Julie Smith

NAME

TSA II

TITLE

8-7-2020

DATE





UNIT 1  
Sutton A

UNIT 2  
Sutton B

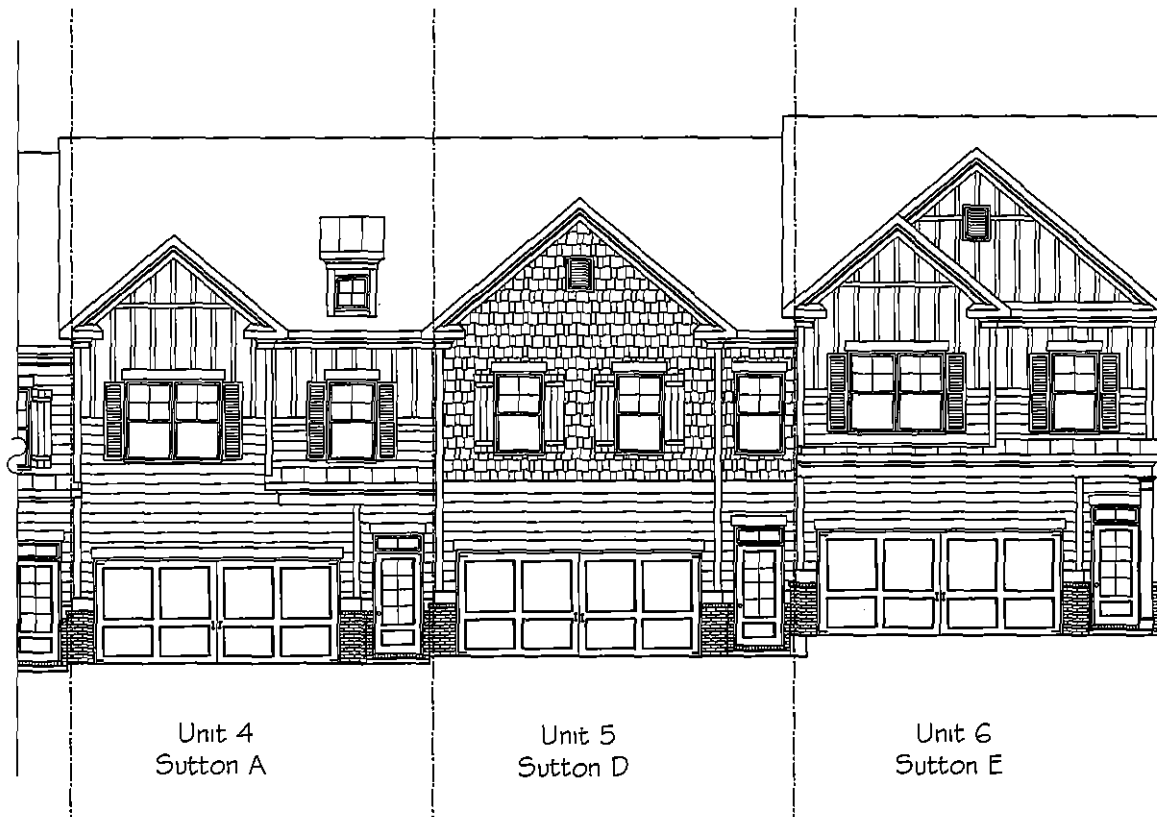
UNIT 3  
Sutton C

Unit 4  
Sutton A

Unit 5  
Sutton D

Unit 6  
Sutton E

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Unit 4  
Sutton A

Unit 5  
Sutton D

Unit 6  
Sutton E

1 FRONT ELEVATION  
A1.2 SCALE: 1/8" = 1'-0"

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BUILDOR

ROCKHAVEN HOMES  
4082 PEACHTREE ROAD NE, SUITE D # 277  
ATLANTA, GA 30319

THE PARC AT CHASTAIN TOWNHOMES

UNITS 4-6 FRONT ELEVATION  
BUILDING LAYOUT



DRAWN BY: AMH

DATE: 12/23/16

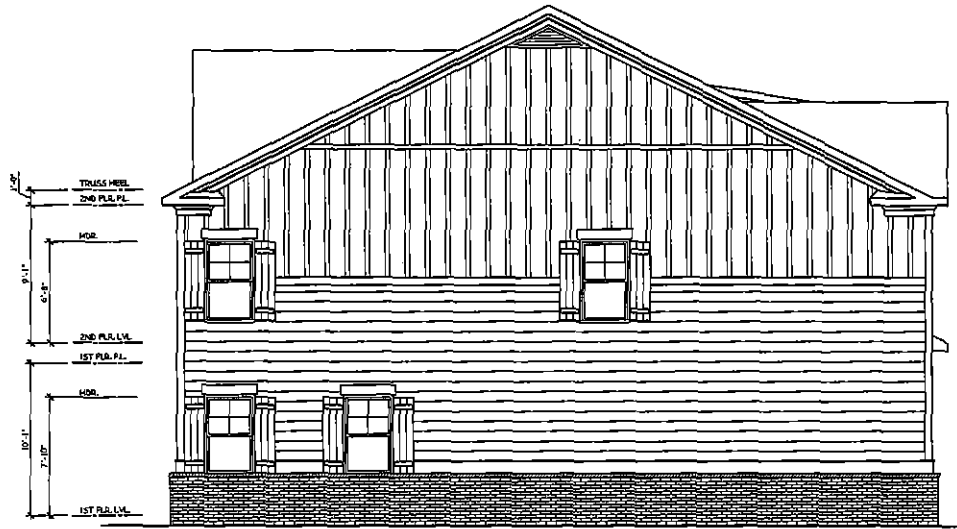
REVISIONS:

12/25/16 AMH

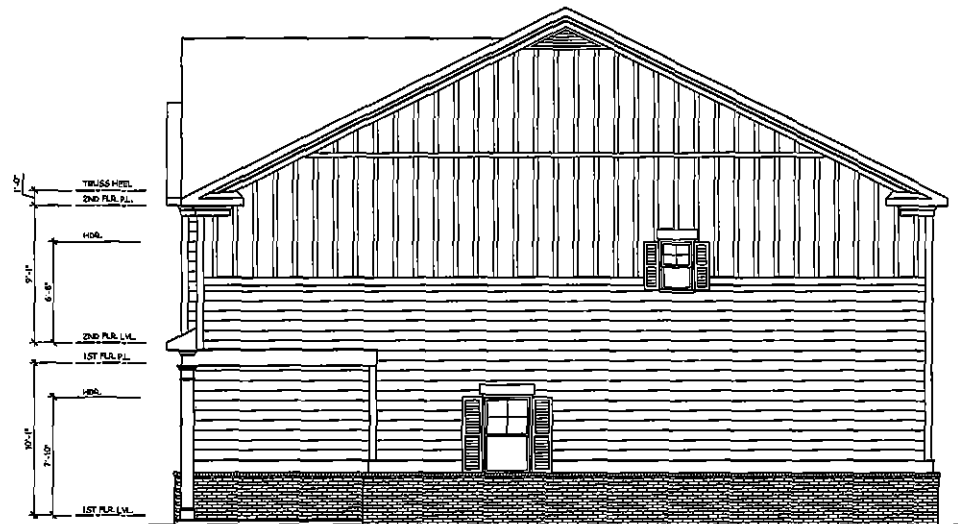
RELEASED FOR CONSTRUCTION

SHEET

A1.2



1 LEFT ELEVATION  
A1.3 SCALE: 1/8" = 1'-0"



2 RIGHT ELEVATION  
A1.3 SCALE: 1/8" = 1'-0"

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BUILDING

ROCKHAVEN HOMES  
4002 PEACHTREE ROAD NE, SUITE D # 277  
ATLANTA, GA 30319

THE PARC AT CHASTAIN TOWNHOMES

UNITS 1 - 6 SIDE ELEVATIONS  
BUILDING LAYOUT



DRAWN BY: AMH

DATE 12/23/16

REVISIONS:

12/26/16 AMH

SHEET

A1.3

RELEASED FOR CONSTRUCTION



UNIT 3  
Sutton C

UNIT 2  
Sutton B

UNIT 1  
Sutton A

1 REAR ELEVATION  
A1.5 SCALE: 1/8" = 1'-0"

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RZM2020-00031

BUILDER

**ROCKHAVEN HOMES**  
4062 PEACHTREE ROAD NE, SUITE D # 277  
ATLANTA, GA 30319

THE PARC AT CHASTAIN TOWNHOMES  
UNITS 1-3 REAR ELEVATION  
BUILDING LAYOUT

**AmericanCables**  
**HOME DESIGN, INC.**  
1231 Johnson Ferry Place, Suite 110  
Marietta, GA 30068 678-919-7717  
www.AmericanCables.com

DRAWN BY: AMH

DATE: 12/23/16

REVISIONS:

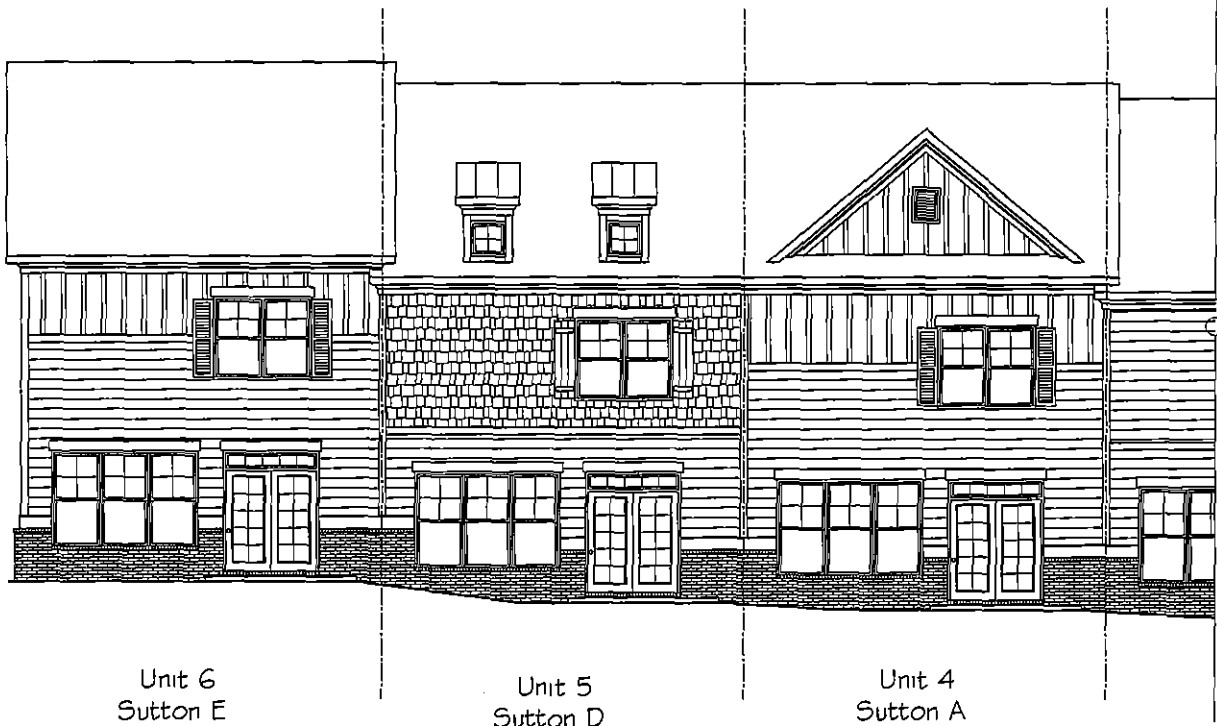
12/25/16 AMH

SHEET

A1.5

RELEASED FOR CONSTRUCTION





Unit 6  
Sutton E


Unit 5  
Sutton D

Unit 4  
Sutton A

1 REAR ELEVATION  
A1.4 SCALE: 1/8" = 1'-0"

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<b>BUILDER</b> <b>ROCKHAVEN HOMES</b> 4082 PEACHTREE ROAD, NE, SUITE D # 277 ATLANTA, GA 30319	
<b>THE PARC AT CHASTAIN TOWNHOMES</b> UNITS 4-6 REAR ELEVATION BUILDING LAYOUT	
 <b>American Cobble</b> HOME DESIGNS, INC. 1320 Johnson Ferry Place, Suite 116 Marietta, GA 30068 770.919.7117 <a href="http://www.americancobble.com">www.americancobble.com</a>	
DRAWN BY: AMH	DATE: 12/23/16
REVISIONS:	
12/28/16 AMH	[ ]
[ ]	[ ]
[ ]	[ ]
<b>SHEET</b>	<b>A1.4</b>