

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Gayle Stanton c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>Gayle Stanton</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>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30043</u>
PHONE: <u>770.232.0000</u>	PHONE: <u>770.232.0000</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770.232.0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>R-100</u> REQUESTED ZONING DISTRICT: <u>R-75</u>	
LAND DISTRICT(S): <u>7</u> LAND LOT(S): <u>002</u> ACREAGE: <u>+/- 1.94</u>	
ADDRESS OF PROPERTY: <u>600 Block Paden Drive @ Kemp Drive</u>	
PROPOSED DEVELOPMENT: <u>Single-family residential subdivision</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>6</u>	No. of Buildings/Lots: <u>NA</u>
Dwelling Unit Size (Sq. Ft.): <u>2,200+ square feet</u>	Total Building Sq. Ft. <u>NA</u>
Gross Density: <u>+/- 3.09 units per acre</u>	Density: <u>NA</u>
Net Density: <u>+/- 3.09 units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 002 of the 7th Land District, Gwinnett County, Georgia being more particularly described as follows:

BEGINNING at a point at the intersection of the easterly right of way line of Paden Drive, having an apparent 80-foot right of way, and the southerly right of way line of Kemp Drive, having an apparent 60-foot right of way, said point being the POINT OF BEGINNING; thence N60°00'21"E a distance of 185.2 feet to a point; thence S29°33'00"E a distance of 210.2 feet to a point; thence N59°52'05"E a distance of 10.23 feet to a point; thence S29°31'10"E a distance of 80.38 feet to a point; thence S29°31'11"E a distance of 150.00 feet to a point; thence S59°25'59"W a distance of 54.35 feet to a point; thence S59°25'42"W a distance of 141.52 feet to a point on the said easterly right of way line of Paden Drive; thence continuing along said right of way line N29°36'07"W a distance of 266.15 feet to a point; thence N29°17'55"W a distance of 176.39 feet to a point, said point being the POINT OF BEGINNING.

Said property contains 1.94 acres more or less.

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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

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

- (A) Yes, 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 single-family detached residential development is in line with surrounding land uses.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties. The proposed use is compatible with surrounding land uses and the 2040 Plan which encourages single-family development in this Character Area.
- (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 Property has convenient access to Paden Drive with access to utilities.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan.
- (F) The Applicant submits that the mix of surrounding land uses and the subject Property's proximity to Lawrenceville Highway (US 29) provide additional supporting grounds for approval of this Application.

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Matthew P. Benson
Gerald Davidson, Jr.*
Brian T. Easley
Kelly O. Faber
Christopher D. Holbrook
Nicholas N. Kemper
Shane M. Lanham
Austen T. Mabe

Jeffrey R. Mahaffey
Steven A. Pickens
Catherine V. Schutz
Thomas A. Simpson
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of the owner, Gayle Stanton (the "Applicant") for the purpose of requesting the rezoning of an approximately 1.94-acre tract of land situated along Paden Drive at its intersection with Kemp Drive in central Gwinnett County (the "Property"). The Property is currently zoned R-100 and is located in the Established Neighborhoods Character Area as set forth on the Gwinnett County 2040 Unified Plan Future Development Map.

The Applicant is requesting to rezone the Property to the R-75 zoning classification of Gwinnett County in order to develop a single-family residential community, including 6 detached residential homes. The proposed community will consist of homes at a size, quality and price point commensurate with or exceeding homes in surrounding communities. Exterior elevations of the proposed homes would include of brick, stacked stone, cedar and/or cementitious shake, siding, and/or board and batten or combinations thereof.

The proposed development is in conformance with the policies and intent of the Gwinnett County 2040 Unified Plan (the "2040 Plan"). The Property is located in the Established Neighborhoods Character Area in close proximity to the Vibrant Communities and Community Mixed-Use Character Areas which run along the Lawrenceville Highway (US Route 29) corridor. Potential Development Types for the Established Neighborhoods Character Area

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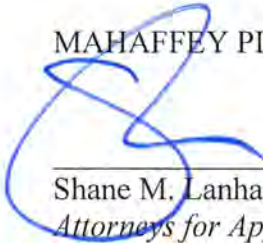
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include "Single-family residential," "Mixed residential developments," "Townhomes," "Manufactured housing," and "Corner/neighborhood serving retail or institutional uses." Moreover, the proposed residential development is compatible with the scale, architecture, and uses of surrounding properties. Paden Drive between Cruse Road and Lawrenceville Highway includes a mix of land uses including commercial/retail, townhomes, a place of worship, and various single-family detached homes with zoning classifications including C-2, RM-13, R-60, R-75, RA-200, and C-1. In fact, the Property is located in between two residential developments zoned R-60 and R-75. Accordingly, the proposed development is in line with the policies of the 2040 Plan and also with established land uses in the surrounding area. The proposed development also represents new investment in the community by replacing older, somewhat dilapidated homes with higher quality new construction.

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 1st day of November, 2019.

MAHAFFEY PICKENS TUCKER, LLP



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.



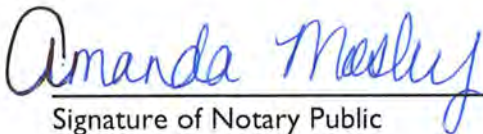
Signature of Applicant

10/29/19

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title



Signature of Notary Public

10/29/19

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

Gayle R. Stanton 10/22/19
Signature of Property Owner Date

Gayle R. Stanton, Owner
Type or Print Name and Title

[Signature] 10/22/19 
Signature of Notary Public Date Notary Seal

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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

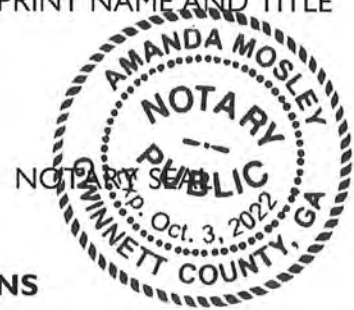
The undersigned below, making application for a Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 6/29/19 Shane M. Lanham, Attorney for Applicant

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

 10/29/19
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 OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
Please 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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Updated 10/02/2019

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: 7 - 002 - 214
(Map Reference Number) District Land Lot Parcel

Gayle R. Stanton 10/22/19
Signature of Applicant Date

Gayle R. Stanton, 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)

Vicki Schoby TSA II
NAME TITLE

10/29/19
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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: 7 - 002 - 21B
(Map Reference Number) District Land Lot Parcel

Gayle R. Stanton 10/22/19
Signature of Applicant Date

Gayle R. Stanton, 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)

Vickie Schoby TSA II
NAME TITLE

10/29/19
DATE
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