

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Jose C. & Bertha Martinez</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>Jose C. & Bertha Martinez</u>
ADDRESS: <u>6095 Atlanta Hwy., Suite 100</u>	ADDRESS: <u>1244 Janmar Road</u>
CITY: <u>Flowery Branch</u>	CITY: <u>Snellville</u>
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: <u>GA</u> ZIP: <u>30078</u>
PHONE: <u>770-361-8444</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 361-8444</u> EMAIL ADDRESS: <u>Mitchpeevy@gmail.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
____ OWNERS AGENT	<u>X</u> PROPERTY OWNER
____ CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>R-100</u>	REQUESTED ZONING DISTRICT: <u>RA-200</u>
LAND DISTRICT (S): <u>5</u>	LAND LOT: <u>055</u> ACREAGE: <u>4.54</u>
ADDRESS OF PROPERTY: <u>1244 Janmar Road</u>	
PROPOSED DEVELOPMENT: <u>Addition of a 2,500 sq. ft. garage for storage of classic cars</u>	
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: <u>1</u> DWELLING UNIT SIZE (SQ. FT.): <u>5,800</u> GROSS DENSITY: _____ NET DENSITY: _____	NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: _____ TOTAL GROSS SQUARE FEET: _____ DENSITY: _____

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION
1244 Janmar Road, Snellville, Ga. 30078

All that tract or parcel of land lying and being in Land Lot 55, of the 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a ½ inch rebar found on the Northeasterly right-of-way of Janmar Road, said point being 302.63 feet as measured in a Southeasterly direction from the intersection of said right-of-way and the Southeasterly right-of-way of Web Gin House Road; thence leaving said right-of-way of Janmar Road North 60°10'47" East a distance of 495.45 feet to ½ inch rebar found; thence South 29°48'23" East a distance of 400.00 feet to a ½ inch rebar set; thence South 60°10'47" West a distance of 495.00 feet to a ½ inch rebar set on the Northeasterly right-of-way of Janmar Road; thence along said right-of-way North 29°52'15" West a distance of 400.00 feet to THE TRUE POINT OR PLACE OF BEGINNING.

Said tract or parcel of land containing 4.547 acres.

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STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

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

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

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

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES HAVE A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

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

YES, THE SUBJECT PROPERTY IS SHOWN AS ESTABLISHED NEIGHBORHOODS

(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 LETTER OF INTENT.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of 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, and Article 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

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REZONING APPLICANT'S LETTER OF INTENT

The Applicant and Owner, Jose and Bertha Martinez, requests a Rezoning of their property from R-100 to RA-200 to allow them to build a 2,500 square foot detached garage. The property is 4.54 acres and they are currently building a 5,800 square foot home where they plan to live. The total area of the house with the pool area, garages, porches and patios is about 9,800 square feet. Mr. Martinez is a collector of classic pick-up trucks and cars and is proposing to build a garage on the eastern corner of the property to park his collection in. There will be no maintenance of the collection at this location but just cleaning and storage out of the weather. The current zoning of R-100 only allows a detached garage of 1,000 square feet and that would not be large enough to hold his entire collection. The garage will be 4 sides brick that will match the brick on the new home under construction. The garage doors will be on the front of the building to further keep any noise away from any of the neighbors. The building will also be set 45 feet from the property line and additional plantings, if needed, can be installed around the garage to provide further screening. The property is fenced in but there will be no farm animals of any kind kept on the property other than 1 or 2 dogs. Mr. Martinez looks forward to meeting and discussing with anyone their concerns about the proposed garage.

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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.

X  2/3/2020
Signature of Applicant Date

Joe Martinez owner
Type or Print Name and Title

 2/3/2020
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.

X Jose Martinez 2/3/2020
Signature of Property Owner Date

Jose c Martinez Owner
Type or Print Name and Title

Jeri Ann Peavy 2/3/2020
Signature of Notary Public 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.

X [Signature] 2/3/2020 Jose C Martinez owner
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 2/3/2020
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 X Jose C Martinez
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:
(Map Reference Number)

RSO - 55 - 020
District Land Lot Parcel

X 
Signature of Applicant

2/3/2020
Date

Joe C. Martinez
Type or Print Name and Title

owner

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

TSA II
TITLE

2/5/2020
DATE

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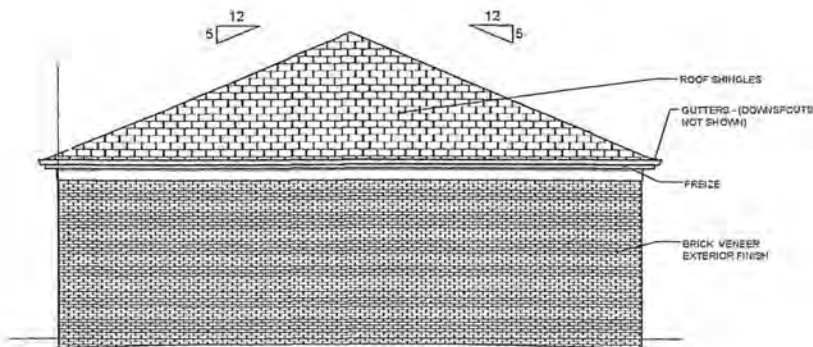
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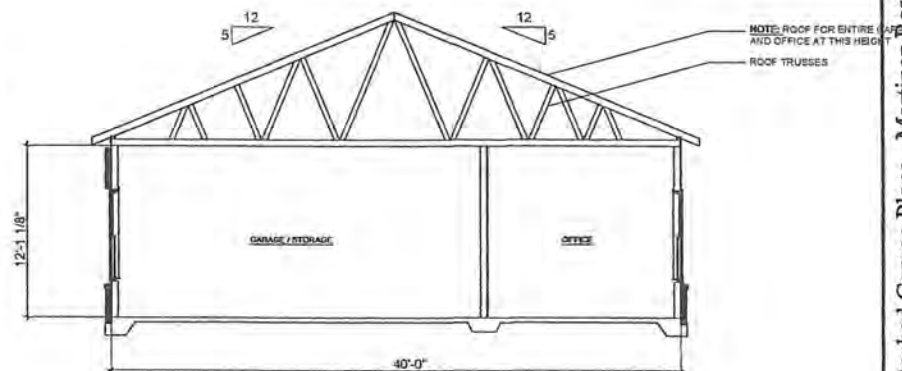
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1 BUILDING ELEVATION
SCALE: 1/4" = 1'-0"



2 BUILDING ELEVATION
SCALE: 1/4" = 1'-0"



3 BUILDING SECTION
SCALE: 1/4" = 1'-0"



ROOF SYSTEM AND STRUCTURAL MEMBER NOTES:

1. Manufactured roof truss system to be used. The Manufactured roof truss systems supplier will provide engineered layout drawings for construction purposes.
2. Any special requirements of the floor, ceiling and roof systems, along with header and beam requirements should be considered and shown on these layout drawings.
3. If the Manufactured floor truss systems supplier is unable to provide structural engineering certification on beams, headers and other structural requirements that are not specifically in floor systems, then a independent registered structural engineer should design and specify these items.

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Terry Muirheid Architect
1435 Brawley Circle, Atlanta, Georgia 30319
404 886-5601

NOT RELEASED FOR
CONSTRUCTION

Detached Garage Plans - Martinez Residence
1244 Janmar Road, Snellville, Georgia 30078

Georgia
Terry Muirheid

Date:
12/12/19

Sheet:
G2



GARAGE LOCATION

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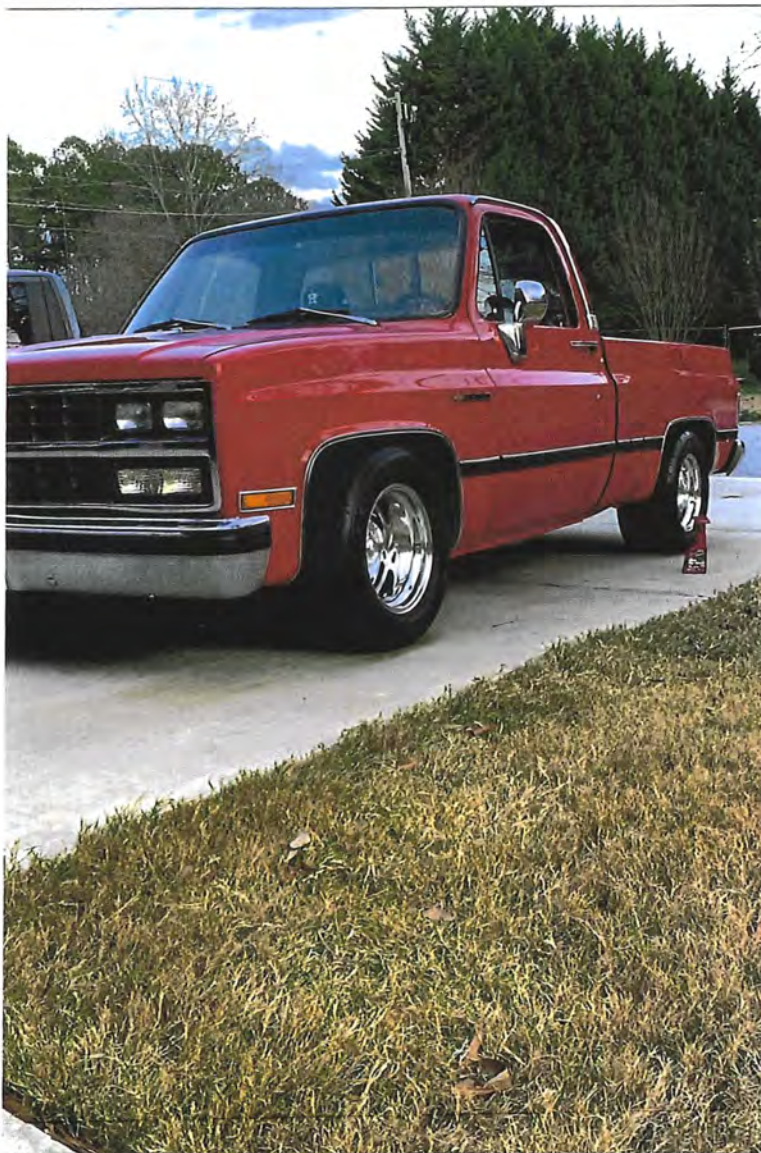
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CLASSIC
TRUCKS

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EXISTING Fence Around Property

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