

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, LLC</small>	NAME: <u>Suzan L. Adams</u>
ADDRESS: <u>1550 N. Brown Road, #125</u>	ADDRESS: <u>1875 Highway 172 W</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Bowman</u>
STATE: <u>GA</u> ZIP: <u>30043</u>	STATE: <u>GA</u> ZIP: <u>30624-2421</u>
PHONE: <u>770-232-0000</u>	PHONE: <u>404-580-0226</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 type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICTS(S): <u>RA200</u> REQUESTED ZONING DISTRICT: <u>R60</u>	
PARCEL NUMBER(S): <u>R1002 128</u> ACREAGE: <u>14.436+/-</u>	
ADDRESS OF PROPERTY: <u>2541 Doc Hughes Road, Buford, GA 30519</u>	
PROPOSED DEVELOPMENT: <u>Residential Detached Neighborhood</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>57</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>1800 SF</u>	Total Building Sq. Ft. _____
Gross Density: <u>3.95</u>	Density: _____
Net Density: <u>3.95</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Georgia Militia District Duncan 1749 of Gwinnett county, Georgia and being more particularly decibed as follows;

To find THE TRUE POINT OF BEGINNING, begin at Southeasterly right of way of Sardis Church Road and the Northeasterly right of way of Doc Hughes Road, Thence in a Southeasterly direction along the Northeasterly right of way of Doc Hughes Road a total distance of 608 feet to a 1/2 inch rebar found on the Northeasterly right of way of Doc Hughes Road, said point being THE TRUE POINT OF BEGINNING;

Thence North 63 degrees 50 minutes 19 seconds East a distance of 419.94 feet to a point to a 5/8 inch rebar found, leaving aforesaid rightof way;

Thence North 63 degrees 50 minutes 20 seconds East a distance of 199.96 feet to a point to a 1/2 inch rebar found;

Thence North 63 degrees 47 minutes 33 seconds East a distance of 229.10 feet to a point to a 1/2 inch rebar found;

Thence South 46 degrees 21 minutes 16 seconds East a distance of 902.22 feet to a point to a point;

Thence South 68 degrees 22 minutes 39 seconds West a distance of 194.87 feet to a point to a 1/2 inch rebar found;

Thence South 58 degrees 04 minutes 23 seconds West a distance of 222.06 feet to a point to a 1/2 inch rebar found;

Thence South 52 degrees 13 minutes 53 seconds West a distance of 196.88 feet to a point to a 1/2 inch rebar found on the Northeasterly right of way of Doc Huges Road;

Thence along the Northeasterly right of way of Doc Huges Road the following (3) courses and distances,

Thence with a curve turning to the left with an arc length of 51.78 feet, a radius of 729.67 feet, a chord bearing of North 53 degrees 22 minutes 03 seconds West, a chord length of 51.77 feet to a point;

Thence North 57 degrees 49 minutes 15 seconds West a distance of 498.71 feet to a point to a point;

Thence North 58 degrees 26 minutes 46 seconds West a distance of 499.82 feet to a point to a 1/2 inch rebar found, Said point being THE TRUE POINT OF BEGINNING.

Said Parcel having an area of 628,835.77 Square Feet, 14.436 Acres

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THIS BLOCK RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

B/F
JOHN DONAPLE
DB. 50236 PG. 215
PL. 127 PG. 113
TR#1002 125

4/8
JAN LEE & DOROTHY
DB. 53653 PG. 2
77-1002 239

R/T
 ROBERT & VICKI BRUNAK
 DR. 8438 PG. 199
 PHL 22 PG. 189A
 TP#1002 185

W/T
OPEN SPACE
WILL PARC SUBDIVISION HOME
OWNERS ASSOCIATION
DB: 12921 PG: 01
PG: 75 PG: 109
TH#1002 8014

[illegible]

CLOSURE STATEMENT

CLOSURE STATEMENT

A FORMAL SIGNIFICANCE TEST FOR H₀ WAS USED TO OBTAIN THE UNBIASED ESTIMATE OF THE TREATMENT EFFECT IN THE PRESENCE OF A SECOND EFFECT.

THE RESULTS OF THE SIGNIFICANCE TEST ARE

PHOTOGRAPH BY JEFFREY M. HARRIS FOR THE NEW YORK TIMES MAGAZINE

FLOOD NOTE
NO PORTION OF THE SUBJECT PROPERTY
IS LOCATED WITHIN A FLOOD HAZARD AREA
AS PER CUYAHOGA COUNTY FIRM
COMMUNITY #146C, REG. 13175C0002C
(DATED 08/08/04, 2015)

14.436 ACRES
628,838 S.F.
OWNER OF RECORD:
SUZAN ADAMS
DB. 9713 PG. 51
TP#1002 128

GENERAL SURVEY NOTES

INCIDENTAL, ENTANGLED GEORGIA STATE PLANE WEST
KING COORDINATE SYSTEM, NORTH-AMERICAN
DATUM OF 1983 HADSD
VERTICAL DATUM IS NORTH-AMERICAN VERTICAL
DATUM OF 1983 HADSD
SOURCE OF FIELD SURVEY NOTES
ALL USED IN THIS REPORT WERE SHOWN HEREIN
RECORDED IN THE CLERK OF SUPERIOR COURTS
OFFICE IN THE GEORGIA COUNTY JETTED
THIS SURVEY WAS PREPARED WITH THE BENEFIT
OF ASSISTANCE OF FIELD SURVEYOR AND ADJUDICATOR
FOR OWNERS OF THE PROPERTY BEING SURVEYED
OBTAINED FROM LOCAL AUTHORITY TAX RECORDS
WAS NOT GUARANTEED AS TO THE ACCURACY OF
COMPLETIONS
THE INFORMATION IN THIS GUIDE OF SURVEY IS
SHOWN HEREIN ON SOME SURVEYS NOT ALL
INTERVIEW APPROVED IT MAY NOT BE SHOWN
LOCAL ONE, ACCURATE, AND WHERE

REFERENCES

1. - D.B. 9713 PG. 51
2. - P.B. 18 PG. 294

SURVEYORS CERTIFICATION

This plan is a restatement of an existing parcel of land and does not subdivide or new parcel or make any changes to any existing property boundaries. The recording information, the documents, maps, plans, or other records which created the parcel or parcels are to be shown. INCORPORATION OF THIS PLAN DOES NOT constitute an acknowledgment of the accuracy of the information shown on the plan.

INFORMATION REGARDING THE REQUESTED PRECEDENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. NO GUARANTEE OR WARRANTY IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. PER GEORGIA LAW, THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

CEYON LEE CAMP CO. B.I.C. #51123



GRAPHIC SCALE 1"=50'

Rod= 729.67'
 Arc= 51.76'
 N53°22'03"W
 Chd= 51.77'

~~RZR '20.012~~

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PREPARED FOR:

**TAYLOR
HARRIS**



**NORTHEAST LAND
SURVEYING, LLC**
A Georgia Land Surveying Firm: #1240
P.O. Box 384
Braselton, Georgia 30517
Phone: (678) 776-7494

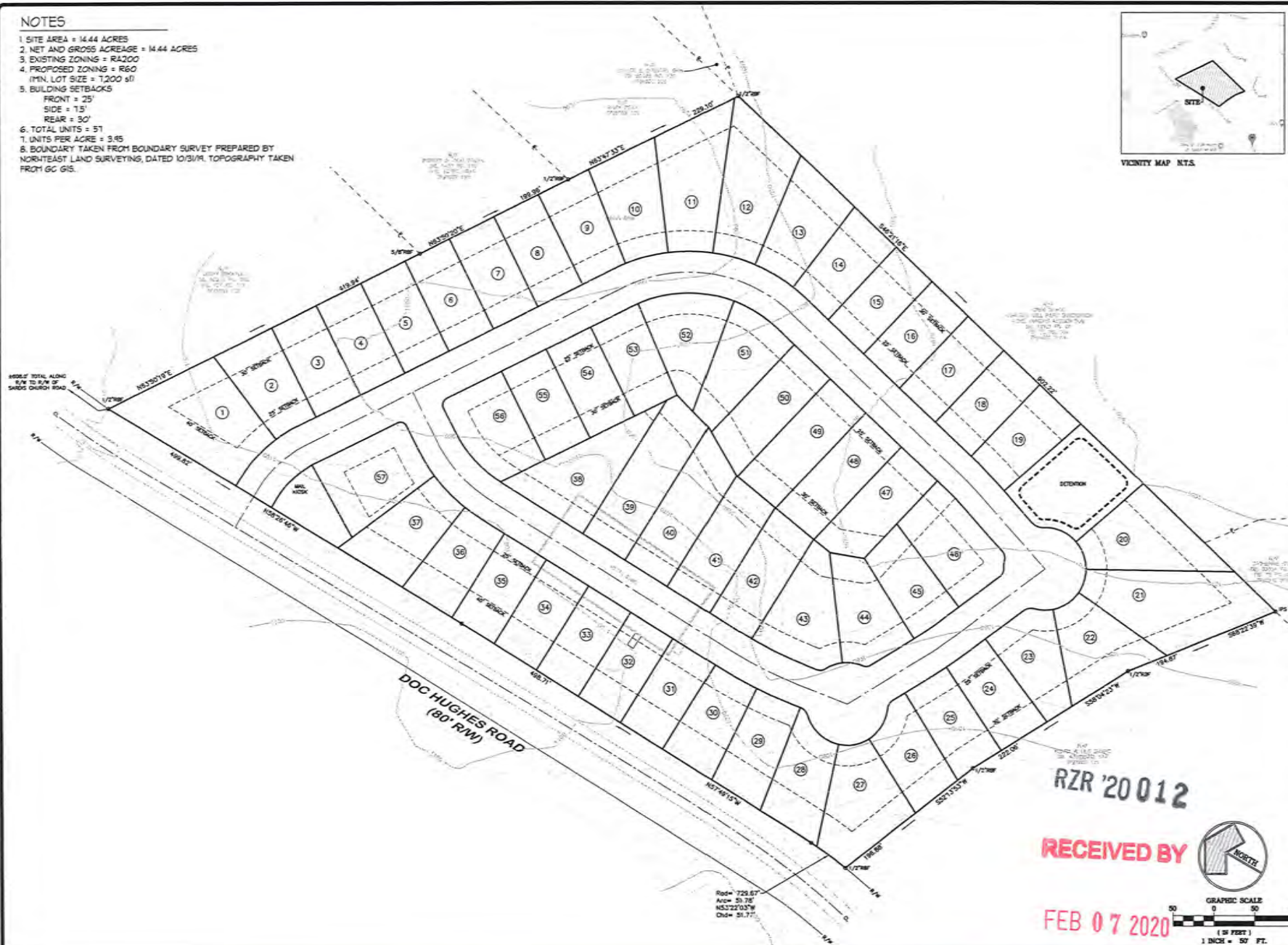
[illegible]

NOTES

1. SITE AREA = 14.44 ACRES
2. NET AND GROSS ACREAGE = 14.44 ACRES
3. EXISTING ZONING = RA200
4. PROPOSED ZONING = R60
(MIN. LOT SIZE = 1,200 S.F.)
5. BUILDING SETBACKS
FRONT = 25'
SIDE = 15'
REAR = 30'
6. TOTAL UNITS = 51
7. UNITS PER ACRE = 3.55
8. BOUNDARY TAKEN FROM BOUNDARY SURVEY PREPARED BY
NORTHEAST LAND SURVEYING, DATED 10/31/11. TOPOGRAPHY TAKEN
FROM GC GIS.



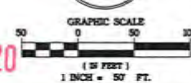
VICINITY MAP N.T.S.



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CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SITE PLANNING

DAY
DESIGN
GROUP, Inc.

CONCEPTUAL SITE PLAN
FOR
DOC HUGHES ROAD TRACT
A RESIDENTIAL SUBDIVISION
GAD DUNCAN 1746 PARCEL 1002 12R
GRANETT COUNTY, GEORGIA

NO.	DATE	DESCRIPTION	REVISIONS

DATE: 02/04/20
DRAWN BY: GMS/END
JOB NO.: 19-131

SHEET 1 OF 1

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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. Approval of the proposed development would permit a suitable use for the area in light of the uses of adjacent and nearby property. The subject property is located along the easterly side of Doc Hughes Road southeast of its intersection with Sardis Church Road. The surrounding area is characterized by residential uses including several subdivisions with 60-65 foot wide lots.
- (B) No. This rezoning will enhance the area and will not adversely affect adjacent and nearby properties.
- (C) No. In light of market conditions, site-specific topography, and the surrounding property uses, the property does not have reasonable economic use as currently zoned.
- (D) No. This property is located in an area with public water and sewer availability and convenient access to major roadways including Interstate 85. This rezoning will not cause excessive use of existing streets, transportation facilities, utilities, or schools.
- (E) Yes. The proposed rezoning is in conformity with the policy and intent of the Land Use Plan. The Property is located in an Emerging Suburban character area in close proximity to the Community Mixed-Use Character Area surrounding Hamilton mill.
- (F) Yes. The property's proximity to Interstate 85, the Community Mixed-Use Character Area, and other similar zoning classifications provides 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
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 (the "Application") on behalf of Action Technology Solutions, LLC (the "Applicant") for the purpose of requesting a rezoning to the R-60 zoning classification of an approximately 14.436-acre tract of land (the "Property") situated along Doc Hughes Road just southeast of its intersection with Sardis Church Road. The Property is currently zoned RA-200.

The Applicant proposes to develop a single-family residential community, including 57 attractive single-family detached homes. The proposed community would have a density of approximately 3.95 units per acre and would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area. The proposed development would have quick access to Sardis Church Road, which is classified as a Major Collector on the Gwinnett County Long Range Road Classification Map. Via Sardis Church Road, residents would have quick access to Hamilton Mill Road and Interstate 85 as well as to Duncan Corners to the northeast with additional shopping and commercial uses along Friendship Road (State Route 347). The proposed homes would include double-car garages with attractive architectural elements. The front facades of homes would consist primarily of brick or stacked stone with the sides and rears of the homes being the same or fiber cement siding or shake with a two-foot brick

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Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

www.mptlawfirm.com

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or stone water table. The proposed homes would include a minimum of 1,800 square feet of heated floor area.

According to the Gwinnett County 2040 Unified Plan Future Development Map, the Property is classified as within the Emerging Suburban Character Area. Potential development types set forth in the Unified Plan for this character area include “single-family residential,” “mixed residential developments,” and corner/neighborhood serving retail or institutional uses.” The Unified Plan provides that the Emerging Suburban Character Area “is expected to experience new development during the 20-year planning period contemplated by the Unified Plan.” The Unified Plan further provides that “[t]hese areas generally rely on the nearby activity centers to provide goods and services. However, corner/neighborhood serving non-residential or institutional developments/uses may be integrated into Emerging Suburban areas, where appropriate.” More specifically, the Unified Plan provides that as the Emerging Suburban area develops, “it is likely that new Neighborhood Nodes would be designated at key intersections.” While currently zoned residential, the intersection of Doc Hughes Road and Sardis Church Road could evolve into such a small-scale community node with neighborhood-facing commercial and/or retail uses. The proposed development is accordingly compatible with the land use policies and is consistent with the existing development pattern of single-family residential uses. Homes in the Sedgefield, Lake View at Hamilton Mill, Turnberry, and Beyers Landing subdivisions have homes with minimum lot widths of 60 or 65 feet. The proposed development is an appropriate infill development as the area between Sardis Church Road and Interstate 85 continues to develop.

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

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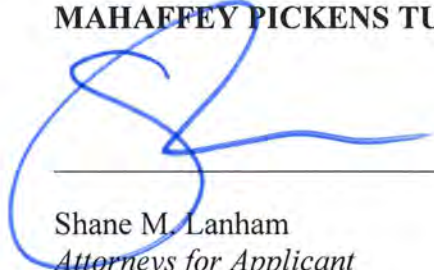
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any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 7th day of February, 2020.

MAHAFFEY PICKENS TUCKER, LLP



Shane M. Lanham
Attorneys for Applicant

RZR '20 012

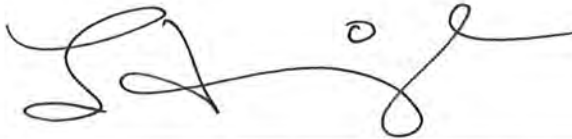
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REZONING APPLICANT'S CERTIFICATION

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.



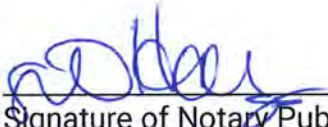
Signature of Applicant

Feb 6/2020

Date

Action Technologies Solutions, LLC

Type or Print Name and Title



Signature of Notary Public

2-6-2020

Date



RZR '20012

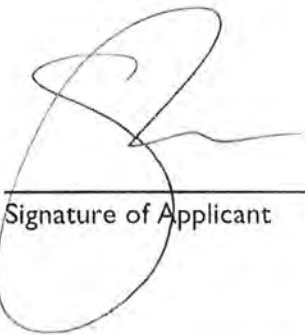
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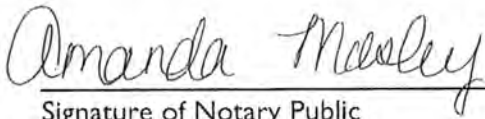
Signature of Applicant

2/6/20

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title



Signature of Notary Public

2/6/2020

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.

Suzanne Adams

Signature of Property Owner

1/23/20

Date

Suzanne L. Adams

Type or Print Name and Title

owner

Jill Haney

Signature of Notary Public

1-23-20

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 OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE



2/6/20

Shane M. Lanham, Attorney for Applicant

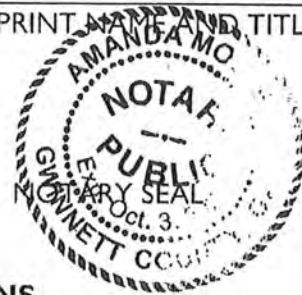
SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

Amanda Masley 2/6/2020

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

Mahaffey Pickens Tucker, LLP

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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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] 2-1-2020 Action Technology Solutions, LLC / member
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] 2-6-2020
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 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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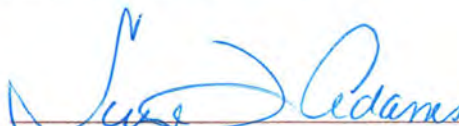
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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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.**

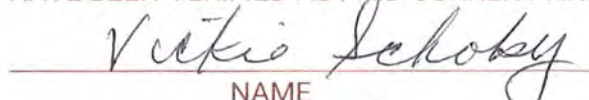
PARCEL I.D. NUMBER: R1002 128
(Map Reference Number) District Land Lot Parcel

 1/23/20
Signature of Applicant Date
Suzan L. Adams 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)

 TSA II
NAME TITLE
1/23/2020
DATE

RZR 20012

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