### **REZONING APPLICATION**

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

APPERMATEINFORMATION	OWNERSINEORIMANION"			
NAME: Owner c/o Mahaffey Pickens Tucker, LLP	NAME: Darron Britt and Buddy Ray Johnson			
ADDRESS: 1550 North Brown Road, Suite 125	ADDRESS: 1550 North Brown Road, Suite 125			
CITY: Lawrenceville	CITY: Lawrenceville			
STATE: Georgia ZIP: 30043	STATE: Georgia ZIP: 30043			
PHONE: 770.232.0000	PHONE: 770.232.0000			
CONTACT PERSON: Shane Lanham	PHONE: 770.232.0000			
CONTACT'S E-MAIL: slanham@mpt				
OWNER'S AGENT XX PROPERTY OV				
PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: TND  LAND DISTRICT(S): LAND LOT(S): 196 & 220 ACREAGE: +/- 51.62  ADDRESS OF PROPERTY: 875 Ozora Road  PROPOSED DEVELOPMENT: Single-Family Residential Community				
RESIDENTIAL DEVELOPMENT  No. of Lots/Dwelling Units  Dwelling Unit Size (Sq. Ft.):  Gross Density:  +/-4.18 units per acre  +/-4.18 units per acre	NON-RESIDENTIAL DEVELOPMENT  No. of Buildings/Lots:  Total Building Sq. Ft.  Density:  NA			

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED BY 7

MAR 31 2020

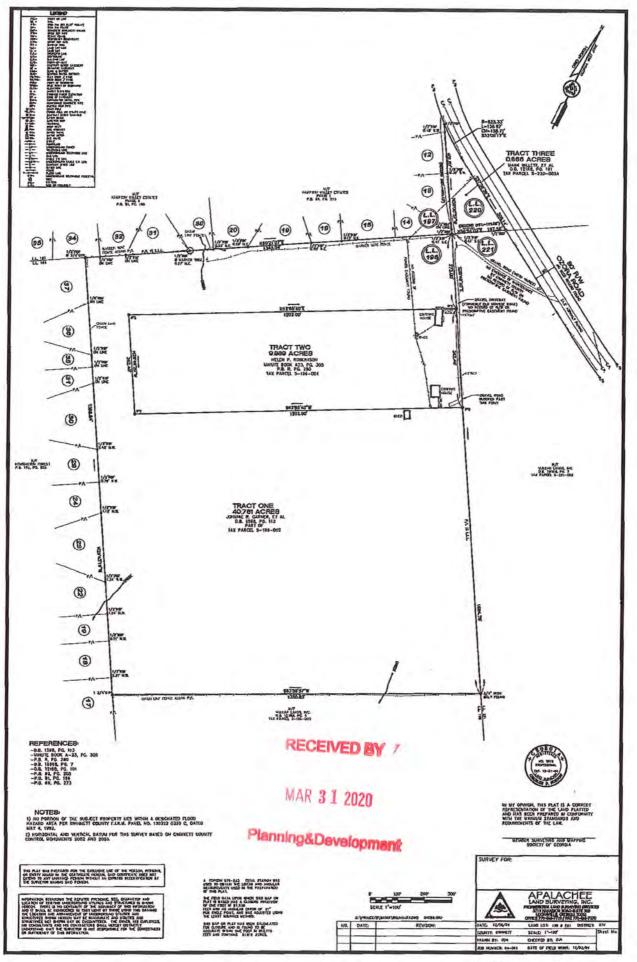
#### LEGAL DESCRIPTION

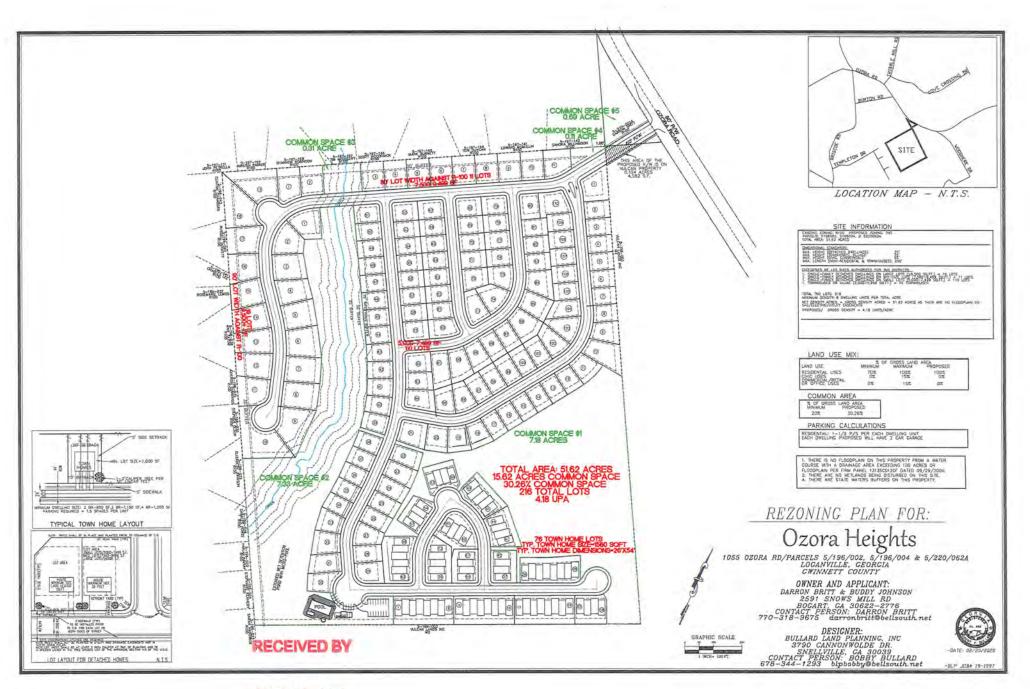
All that tract or parcel of land lying and being in Land Lots 196 and 220 of the 5th Land District, Gwinnett County, Georgia, being Tract One containing 40.761 acres, Tract Two containing 9.989 acres, and Tract Three Containing 0.866 acres (for a total of 51.616 acres) as shown on that certain Plat for Darron Britt, dated December 8, 2004, prepared by Apalachee Land Surveying, Inc., Charles D. Norton, GRLS #2872, and being more particularly described according to said survey as follows:

BEGINNING at a 1/2 inch rebar found at the corner common to Land Lots 197, 196, 220, and 221; thence running along the land lot line common to land lots 197 and 220 North 30 degrees 00 minutes 57 seconds West a distance of 401.87 feet to a 1/2 inch rebar found the right-of-way line of Ozora Road (80' R/W); thence continuing along said right-of-way line along the arc of a curve to the left, said curve having a radius of 825.33 feet, with a chord bearing of South 53 degrees 05 minutes 17 seconds East a chord length of 138.71 feet, an arc length of 138.87 feet to a point; thence South 57 degrees 36 minutes 39 seconds East a distance of 309.14 feet to a 1/2 inch rebar found; thence leaving said right-of-way line and running North 59 degrees 54 minutes 02 seconds East a distance of 197.56 feet to a point at the corner common to land lots 196, 197, 220, and 221; thence running along the land lot line common to land lots 196 and 221 South 29 degrees 49 minutes 20 seconds East a distance of 1684.78 feet to a 3/4 inch iron bolt found; thence leaving said common land lot line and running South 63 degrees 59 minutes 57 seconds West a distance of 1350.83 feet to a 1 3/4 inch open top pipe; thence North 29 degrees 43 minutes 19 seconds West a distance of 1598,84 feet to a 3/4 open top pipe; thence running along the land lot line common to land lots 196 and 197 North 60 degrees 21 minutes 07 seconds East a distance of 1345.04 feet to the corner common to land lots 197, 196, 220, and 221, said point being the POINT OF BEGINNING.

RECEIVED BY 7

MAR 31 2020





# 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.

	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
	WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY: Please see altached
	WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: Please see attached
(	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
I	WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN: Please see altached
(	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 allached

MAR 31 2020

3



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

- (A) Yes, approval of the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property is adjacent to land zoned M-2 (Heavy Industry District) and R-100 (Single Family Residence District). The proposed mixed-residential development would provide an appropriate transitional land use moving from industrial uses to single-family detached residential uses.
- (B) No, approval of the proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development will complement existing single-family development in the area
- (C) Due to the size, location, layout, topography, and adjacent land uses of the subject property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the approval of the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has convenient access to Ozora Road with access to utilities.
- (E) Yes, approval of the proposed rezoning is in conformity with the policy and intent of the Gwinnett County Land Use Plan. The Property is designated as within the Suburban Estate Character Area which encourages residential development. The proposed infill development would also provide an appropriate transitional land use from industrial to single-family detached land uses.
- (F) The Applicant submits that the subject Property's location adjacent to a large industrially-zoned quarry provides additional supporting grounds for approval of this Application.

RECEIVED BY

MAR 3 1 2020

Planning&Development



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

# LETTER OF INTENT FOR REZONING APPLICATION

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

\*Of Counsel

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning Application on behalf of the property owner (the "Applicant") for the purpose of requesting a rezoning to the TND zoning classification of an approximately 51.62-acre tract (the "Property") located on Ozora Road just south of its intersection with Tribble Mill Road. The Property is currently zoned R-100 and is adjacent to land zoned M-2 on two sides and land zoned R-100 on two sides.

The Applicant proposes to rezone the Property to the TND (Traditional Neighborhood Development District) zoning classification of the Gwinnett County Unified Development Ordinance in order to develop a single-family residential community including large contiguous areas of open space in addition to traditional neighborhood amenities such as a pool and cabana. Residents of the proposed community would also have additional recreation and socialization opportunities at dog parks and pocket parks spread throughout the development. Additionally, a creek runs through the Property and the land within the associated stream buffers could accommodate additional nature trails and pedestrian connectivity. The proposed development would also provide single-family homes with a mix of housing styles in accordance with the policies and recommendations of the Gwinnett County 2040 Unified Plan (the "2040 Plan"). Specifically, Theme 4 of the 2040 Plan is to "Provide More Housing Choice." The proposed development would provide a mix of attached single-family townhomes as well as three types of

RECEIVED BY

MAR 3 1 2020

Sugarloaf Office | 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043
NorthPoint Office | 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

detached single family lots pursuant to the UDO's requirements for the TND zoning classification. Additionally, the proposed development would provide an appropriate transition of land uses moving from the adjacent industrially-zoned Grayson Quarry to the single-family detached homes adjacent to the northwest. Moreover, the proposed development would internalize this transition by locating the proposed townhomes adjacent to the Quarry and stepping down in intensity to single-family detached homes with increasing lot sizes. Specifically, lots adjacent to the Hampton Valley Estates would be a minimum of eighty feet wide and the lots adjacent to the Kensington Forest subdivision would be a minimum of ninety feet wide. The proposed community would consist of attractive homes constructed with durable, low-maintenance building materials such as brick, stacked stone, and/or fiber cement or other cementitious shake/siding/board and batten as depicted in the building elevations submitted with the Application. Homes would include double-car garages as well as attractive architectural styles which are compatible with the surrounding area.

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 6th day of March, 2020.

MAHAFFEY PICKENS TUCKER, LLP

RECEIVED BY

Shane M. Lanham Attorneys for Applicant

MAR 3 1 2020

RZR '20 019

Planning&Development

#### **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

Date

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

Signature of Notary Public

Date

Notary Seaf OUN

RECEIVED BY

MAR 3 1 2020

#### **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.

Sighature of Applicant Date

Type or Print Name and Title

Signature of Notary Public

5/2020 Date

**RECEIVED BY** 

#### 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.

Type or Rriht Name and Title

Signature of Notary Public

Date

RECEIVED BY 7

MAR 3 1 2020

#### 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.

Signature of Property Owner O3/05/20

Buddy R. Johnson, Bortwer

Signature of Notary Public

13.05.2020

Date

RECEIVED BY

MAR 31 2020

RZR '20 019'

#### 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.

Signature of Property Owner

Signature of Notary Public

RECEIVED BY

MAR 3 1 2020

5

# 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-I, et. seq, <u>Conflict of Interest in Zoning Actions</u>, and has submitted or attached the required information on the forms provided.

SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
	7/0/-	
		M. Lanham, Attorney for Applicant
SIGNATURE OF APPLICANT'S		TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTA	TIVE	MANDA MAN
Ilmanda Mes SIGNATURE OF NOTARY PU	Plus 3/5/20	NOTA
SIGNATURE OF NOTARY PU	BLIC DATE	STOT ARY SEAC
		A BLIC
		7 3, 201 G
DISCLOS	URE OF CAMPAIGN CON	TRIBUTIONS
Have you, within the two years contributions aggregating \$250.0 member of the Gwinnett Countributions.	00 or more to a member of the	g of this application, made campaign Board of Commissioners or a
Tyes XX NO Mah	naffey Pickens Tu	cker, LLP
	YOUR NA	AME
If the answer is yes, please comp	plete the following section:	
If the answer is yes, please composition of GOVERNMENT.	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last (wo years)
NAME AND OFFICAL. POSITION OF GOVERNMENT	CONTRIBUTIONS (List all which aggregate	WAS MADE.
NAME AND OFFICAL. POSITION OF GOVERNMENT	CONTRIBUTIONS (List all which aggregate	WAS MADE.

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED BY

MAR 31 2020

Gwinnett County Planning Division Rezoning Application Last Updated 12/2015

#### CONFLICT OF INTEREST CERTIFICATION FOR REZONING

Ollyant Butt	3/5/2	TYPE OR PRINT N	TT OWN
IGNATURE OF APPLICANT '	DATE	TYPE OR PRINT N	AME AND TITL
GIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT	COOPEND TITL
IGNATURE OF NOTARY PUBLIC	3/5/202 DATE	BIOTAN	PSEAC 3
DISCLOSURE	OF CAMPAIGN	CONTRIBUTIONS	COUNT
lave you, within the two years imm	more to a member	e filing of this application, ma of the Board of Commission	de campaign ers or a
nember of the Gwinnett County Pla	nning Commission?	•	
nember of the Gwinnett County Pla	ARRON BRI	H	,
Tember of the Gwinnett County Pla	ARRON BRI	UR NAME	
YES X NO DA	ARRON BRI	UR NAME 1: NS DYATTE GONTERI	

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED BY

6

MAR 3 1 2020

Gwinnett County Planning Division Rezoning Application Last Updated 12/2015

# **CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, making application for a Rezoning, has complied with the Official Code of

IGNATURE OF APPLICANT	03/05/2000	TYREOR PRINT NAME AND TH
IGNATURE OF APPLICANT'S TTORNEY OR REPRESENTAT	DATE	TYPE OR PRINT NAME AND T
EUW SUUS IGNATURE OF NOTARY PUB	03:05:2020 LIC DATE	NOTAR SEAL
YES NO DU	Planning Commission?    Commission   Planning Commission   Plannin	NAME
NAME AND OFFICAL	CONTRIBUTIONS (List all which aggregate	DATE CONTRIBUTION  e WAS MADE  (Within last two years)
POSITION OF GOVERNMENT OFFICIAL	to \$250 or More)	(Willing asc two years)

## 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

RECEIVED BY

MAR 3 1 2020

## **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:	5	_ 196	_ 004	
(Map Reference Number)	District	Land Lot	Parcel	
			3/6/20	<del>-</del>
Signature of Applicant			Date	
Shane Lanham, At	torney for the	e Applicant		
Type or Print Name and Title				
	TAX COMMISSIO	NERS USE ONLY		
(PAYMENT OF ALL PROPER PARCEL HAVE BEEN VERIF SIGNATURE BELOW)	RTY TAXES BILLE	D TO DATE FOR T		ĒD
PARCEL HAVE BEEN VERIF SIGNATURE BELOW)	RTY TAXES BILLE FIED AS PAID CUR	D TO DATE FOR T RRENT AND CONF		ĒD
PARCEL HAVE BEEN VERIF	RTY TAXES BILLE FIED AS PAID CUR	D TO DATE FOR T RRENT AND CONF	RMED BY THE	<b>■</b> D
PARCEL HAVE BEEN VERIF SIGNATURE BELOW)  Onlie Sm., NAME	RTY TAXES BILLE FIED AS PAID CUR	D TO DATE FOR T RRENT AND CONF	TSAIL	ĒD
PARCEL HAVE BEEN VERIF SIGNATURE BELOW)	RTY TAXES BILLE FIED AS PAID CUR	D TO DATE FOR T RRENT AND CONF	TSAIL	ĒD

RECEIVED BY

MAR 3 1 2020

## 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

PARCEL I.D. NUMBER:
(Map Reference Number)

Signature of Applicant

Shane Lanham, Attorney for the Applicant

Type or Print Name and Title

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)

NAME

TITLE

3 - 4 - 2020

DATE

RECEIVED BY

RZR 20019

# Elevations - Single Family Detached



**ELEVATION A** 



**ELEVATION B** 



**ELEVATION C** 







**ELEVATION A** 



**ELEVATION B** 



**ELEVATION C** 



**ELEVATION D** 







**ELEVATION A** 



**ELEVATION B** 



**ELEVATION C** 



**ELEVATION D** 





**ELEVATION G** 



**ELEVATION H** 





RECEIVED BY
PLANNING AND DEVELOPMENT
MARCH 31, 2020
RZR2020-00019



**ELEVATION D** 



RECEIVED BY PLANNING AND DEVELOPMENT MARCH 31, 2020 RZR2020-00019

**ELEVATION E** 





# Elevations - Townhomes



26'-0" Townhomes 6-Unit Building - Front Elevation



RECEIVED BY

MAR 3 1 2020

RZR '20019









# **RECEIVED BY**

MAR 31 2020

Planning&Development

