

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Justin Brady</u>	NAME: <u>Justin & Mikelle Brady</u>
ADDRESS: <u>1279 Lakeview Rd</u>	ADDRESS: <u>1279 Lakeview Rd</u>
CITY: <u>Grayson</u>	CITY: <u>Grayson</u>
STATE: <u>Ga</u> ZIP: <u>30017-1009</u>	STATE: <u>Ga</u> ZIP: <u>30017-1009</u>
PHONE: <u>404-998-1857</u>	PHONE: <u>404-998-1857</u>
CONTACT PERSON: <u>Justin Brady</u> PHONE: <u>404-998-1857</u>	
CONTACT'S E-MAIL: <u>jbrady55@gmail.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

TND-

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: OSC

PARCEL NUMBER(S): 5089016, 5089020, 5089070, 5089072 ACREAGE: 46.34

ADDRESS OF PROPERTY: 1279 Lakeview Rd/Grayson Ga 30017

PROPOSED DEVELOPMENT: OSC Subdivision

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>109</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>1400-1600</u>	Total Building Sq. Ft. _____
Gross Density: <u>2.47</u>	Density: _____
Net Density: <u>2.35</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

EXHIBIT "A"
1279 Lakeview Rd.
LEGAL DESCRIPTION OF THE PROPERTY
OSC Section

ALL THAT TRACT OR PARCEL of land lying and being in District 5, Land Lot 189, Gwinnett County, Georgia, located off of Lakeview Drive, as shown on the Exhibit titled "Rezoning Plan for LAKEVIEW ESTATES, " prepared by Bullard Land Planning, Inc. Dated March 20, 2020 and more particularly described as follows:

TO LOCATE THE TRUE POINT OF BEGINNING commence at the Land Lot corner of Land Lots 72, 73, 88, and 89; thence 1376.04' in a northeasterly direction along the Land Lot line common the Land Lot 88 and 89 to a ½" OTP, That represents the P.O.B. for the overall 50.587 acre property that is the parent parcel and also the TRUE POINT OF BEGINNING that the OCS parcel will be taken out of as a part of this rezoning application. From this point head North 59 degrees 14 minutes 22 seconds East a distance of 1243.08 feet to a ½" OTP; thence South 30 degrees 57 minutes 10 seconds East a distance of 779.97 feet to a point; Thence continue along that same line South 30 degrees 57 minutes 10 seconds East a distance of 728.88 feet to a 1" OTP; Thence South 30 degrees 57 minutes 10 seconds East a distance of 200.00 feet to an iron pin recently set by Adam and Lee Surveying, Gary L. Cooper RLS# 2606. Thence South 36 degrees 28 minutes 57 seconds West a distance of 362.83 feet to an ½" RB, Thence North 31 degrees 00 minutes 59 seconds West a distance of 145.94 feet to an ½" RB; Thence South 36 degrees 30 minutes 25 seconds West a distance of 379.28 feet to an iron pin recently set by Adam and Lee Surveying, Gary L. Cooper RLS# 2606 on the Northern right-of-way of Lakeview Drive (60'R/W); Thence continuing along said Lakeview Drive R/W North 76 degrees 44 minutes 11 seconds West a distance of 54.52 feet to an 1" OTP; Thence North 75 degrees 37 minutes 24 seconds West a distance of 123.87 feet to a point along the north of said R/W; Thence North 75 degrees 37 minutes 03 seconds West a distance of 162.80 feet to a point along the north of said R/W at the beginning of a curve to the left; said curve having a radius of 5763.32 feet, a length of 215.52 feet, subtended by a chord length of 215.51 feet bearing North 75 degrees 44 minutes 47 seconds West, Thence leaving said Lakeview Road R/W North 13 degrees 10 minutes 56 seconds West a distance of 191.39 feet to a point; Thence North 48 degrees 15 minutes 46 seconds West a distance of 238.41 to a point; Thence North 73 degrees 57 minutes 29 seconds West a distance of 416.49 to a point, Thence South 08 degrees 29 minutes 30 seconds West a distance of 106.53 feet to a point: Thence North 78 degrees 10 minutes 05 seconds East a distance of 62.16 feet to a point; Thence North 07 degrees 27 minutes 00 seconds West a distance of 129.42 feet to a point; Thence North 30 degrees 36 minutes 59 seconds East a distance of 167.03 feet to a point; Thence North 33 degrees 39 minutes 42 seconds West a distance of 434.27 to a point; Thence North 28 degrees 38 minutes 49 seconds East a distance of 200.40 feet to a point; WHICH IS THE TRUE POINT OF BEGINNING. Said described tract containing 46.34 acres, more or less.

This description is taken from ALTA-SURVEY for Justin Brady by Adam and Lee Surveyors, dated December 2, 2016.

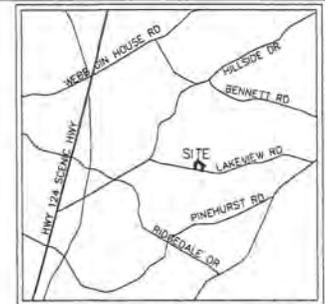
These surveys are referenced in the Warranty Deeds attached to this property.

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LOCATION MAP - N.T.S.

SITE INFORMATION

EXISTING ZONING: TND/R-100
 PROPOSED ZONING: OSC
 TOTAL AREA: 30.59 ACRES
 TOTAL AREA PROPOSED FOR OSC REZONING: 46.34 ACRES
 TOTAL LOTS: 109
 CONSERVATION SPACE DENSITY BONUS @ 38.3% = 21 DWELLINGS/ACRE
 MAXIMUM NET DENSITY = 2.50 + 0.21 DENSITY BONUS = 2.71 UNITS/ACRE MAXIMUM
 NET DENSITY PROVIDED = 46.34 ACRES - 2.16 ACRES (50% OF FLOODPLAIN AREA) = 44.18 ACRES
 109 UNITS/44.18 ACRES = 2.47 UNITS/ACRE
 PROPOSED HOUSE SIZES = 1400-1600 SQ.FT.
SETBACKS
 FRONT = 25', SIDE = 7.5', REAR = 30'
 MINIMUM HEATED FLOOR AREA = 1400 SQ.FT.
 MINIMUM COMMON AREA = 25%
 MINIMUM LOT WIDTH = 60'

CONSERVATION AREAS

PRIMARY CONSERVATION SPACE
 15.55 ACRES = 33.6%
 CONSISTS OF EX. LAKE, FLOODPLAIN AREA, STREAMS AND STREAM BUFFER AREAS AND 50 FOOT CONSERVATION SPACE STRIP
SECONDARY CONSERVATION SPACE
 2.19 ACRES = 4.7%
 CONSISTS OF RESIDENTIAL COMMUNITY AREAS
TOTAL CONSERVATION SPACE = 17.74 ACRES OR 38.3%

VARIANCES REQUESTED

1) DECREASE 50 FOOT CONSERVATION STRIP TO 30 FEET AROUND POND DAM AS SHOWN ON THIS REZONING PLAN.

REZONING PLAN:

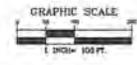
5TH DISTRICT, LAND LOT 089, PARCELS 016,018,020,070,072
 1279 LAKEVIEW RD
 CRAYSON, GA 30017
 CWINNETT COUNTY

OWNER AND APPLICANT:
 JUSTIN BRADY
 1279 LAKEVIEW RD.
 CRAYSON, GA 30012-1140
CONTACT PERSON: JUSTIN BRADY
 PHONE: 404-998-1857
 email: justinbradyjmg@gmail.com

DESIGNER:
 BULLARD LAND PLANNING, INC
 3790 CANNONWOLDE DR.
 SNELLVILLE, GA 30039
CONTACT PERSON: BOBBY BULLARD
 770-554-8714 btbobby@bellsouth.net



-DATE: 04/04/2017
 -REVISED: 06/05/2017
 -REVISED: 06/05/2020
 -BLP JOB # 17-1869

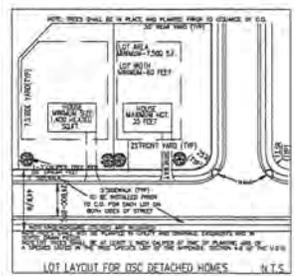


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LOT LAYOUT FOR OSC DETACHED HOMES - N.T.S.

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:

The proposed zoning of OSC is suitable in view of the use and development of adjacent and nearby properties.

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

This proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property does have current economic use.

- (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:

The proposed rezoning will not result in a use which will or could cause and excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This proposed development would create a pedestrian friendly community with abundant common space.

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

The proposed rezoning is in conformity with the policy and intent of the land use plan.

- (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:

There are no existing or changing conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposed rezoning.

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1279 Lakeview Rd.

Owners: Justin Brady & Mikelle Brady
1279 Lakeview Rd.
Grayson, Ga. 30017-1009

Gwinnett Department of Planning and Development
Planning Division
446 W. Crogan St.
Lawrenceville, Georgia 30046
678-518-6000 Of

RE: Letter of Intent
Subject Parcels **5/089/**
Parcels 016,020,070,072
June 1st, 2020

To Whom It May Concern,

Enclosed is an application for a rezoning of the above referenced subject properties. The subject properties are zoned TND and R-100. All of the adjacent parcels are zoned R-100 and R-100MOD.

This rezoning application would request a change in zoning to OSC of 46.34 acres of the 50.587 total acreage of the combined parcels. The property currently consists of an un-occupied home, a creek and lake, open grassed area, and woodlands.

This site is perfectly suited and well-adapted for this zoning classification change to an Open Space Conservation District (OSC) as one of the major features of the property is the existing Kennerly Lake and its tributary. This area will remain largely untouched and will partly comprise conservation areas that will form 38.3% of the total acreage of the property.

The applicant would also like to request the following variances:

- 1) A reduction in the required conservation space strip from 50 feet to 30 feet at the dam area of Kennerly Lake as shown on the included Rezone Plan.

Sincerely,

Justin Brady

Owner and Applicant

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PLANNING AND DEVELOPMENT
JUNE 8, 2020
RZR2020-00027

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.



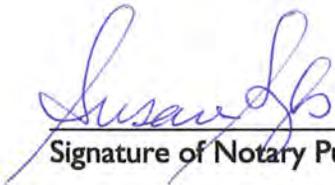
Signature of Applicant

6-3-20

Date

Justin Brady

Type or Print Name and Title



Signature of Notary Public

6/3/2020

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.

[Handwritten Signature]

6-3-20

[Handwritten Signature]

6-3-2020

Signature of Property Owner

Date

JUSTIN A. BRADY, CO-OWNER

MIKELLE BRADY, CO-OWNER

Type or Print Name and Title

[Handwritten Signature]

6/3/2020

Signature of Notary Public

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: 5 0 - 89 020
(Map Reference Number) District Land Lot Parcel

 _____
Signature of Applicant Date
Justin A. Brady
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)

Ingrid Espinal _____
NAME TITLE
06/03/2020
DATE

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MAGNOLIA

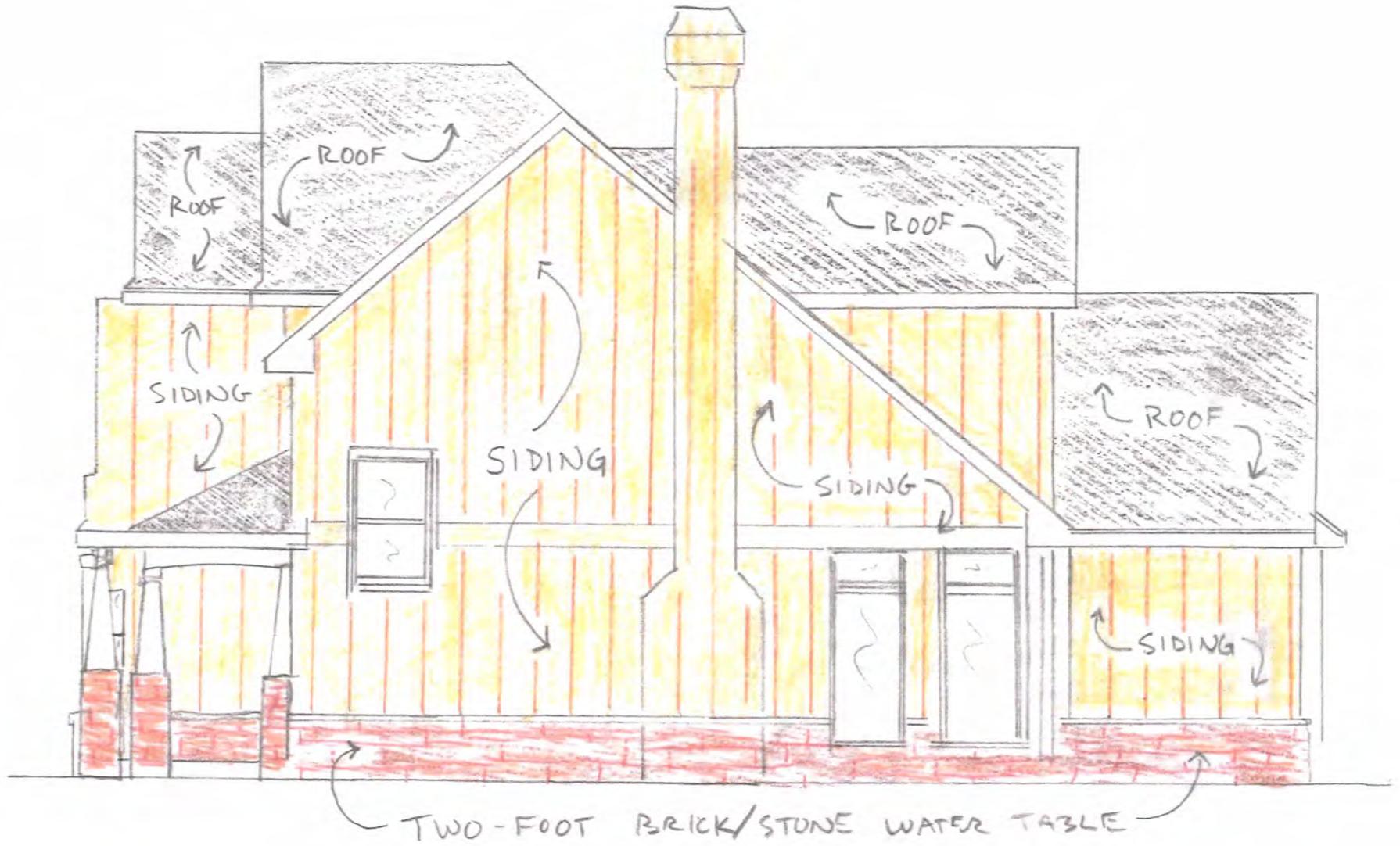
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FRONT ELEVATION
HEIGHT 27'
BASEMENT OPTIONAL

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MAGNOLIA

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RIGHT ELEVATION
HEIGHT 27'

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MAGNOLIA

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LEFT ELEVATION
HEIGHT 27'

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MAGNOLIA

REAR ELEVATION
HEIGHT 27'

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Existing Features Site Analysis Plan

1279 Lakeview Rd.

Parcels 5/089/006,016,018,020,70,72

Owners: Justin & Mikelle Brady
1442 Hillside Dr.
Grayson, Ga. 30017-1009

Plan Prepared by:
Bullard Land Planning
3790 Cannonwolde Dr.
Snellville, Ga. 30039
678-344-1293

The following is an existing features site analysis study of the above referenced subject properties. This site analysis was performed by a site visit on 02-27-2020. The site is a residential property with an un-occupied home and several accessory structures. The main features of the site are hydrologically related. The site is bisected north and south by the existing 9.16 acre Kennerly Lake and the creek that feeds it from the northwest property line and the dam and creek that leave the property on the eastern edge. The majority of the slopes on the site are in the 5-10% range with some in the 10-15% range on the southwest of the property and in some areas close to the north side of the lake. The back-side slope of the existing dam is 40-50%. The northwest portion of the site is wooded throughout and it is clear that this entire site has not been timber harvested in 40 years or more. No protected plant species were found on the site.

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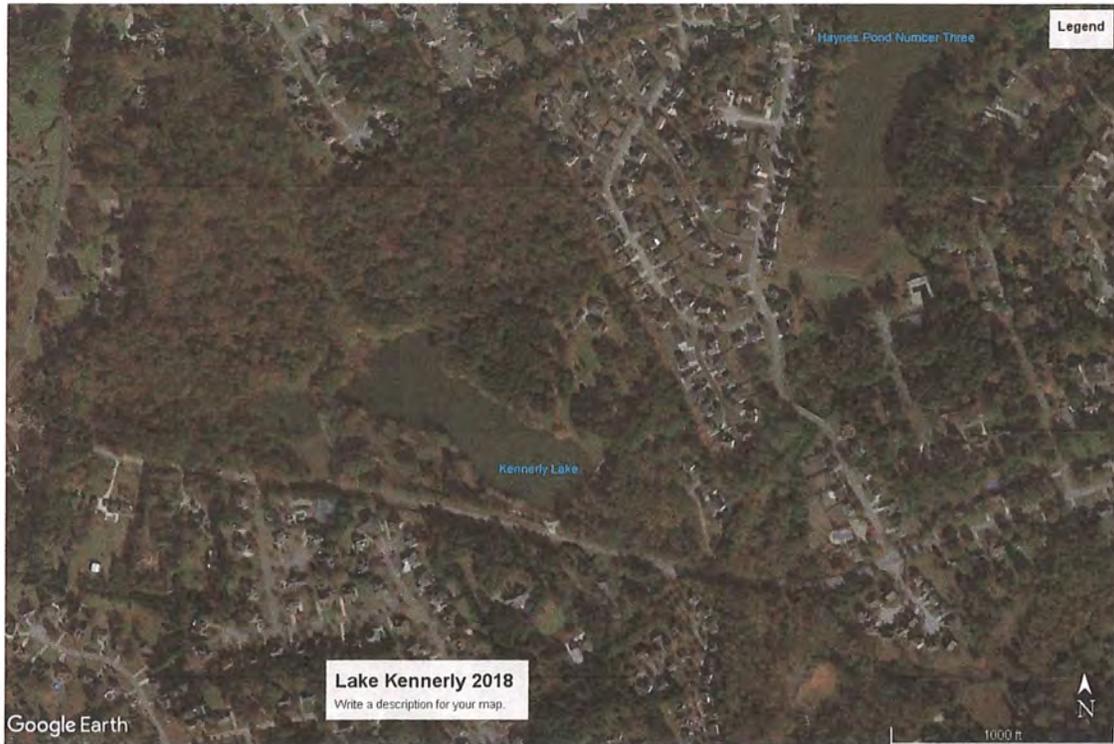
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Aerial photo-1993



Aerial photo-2018

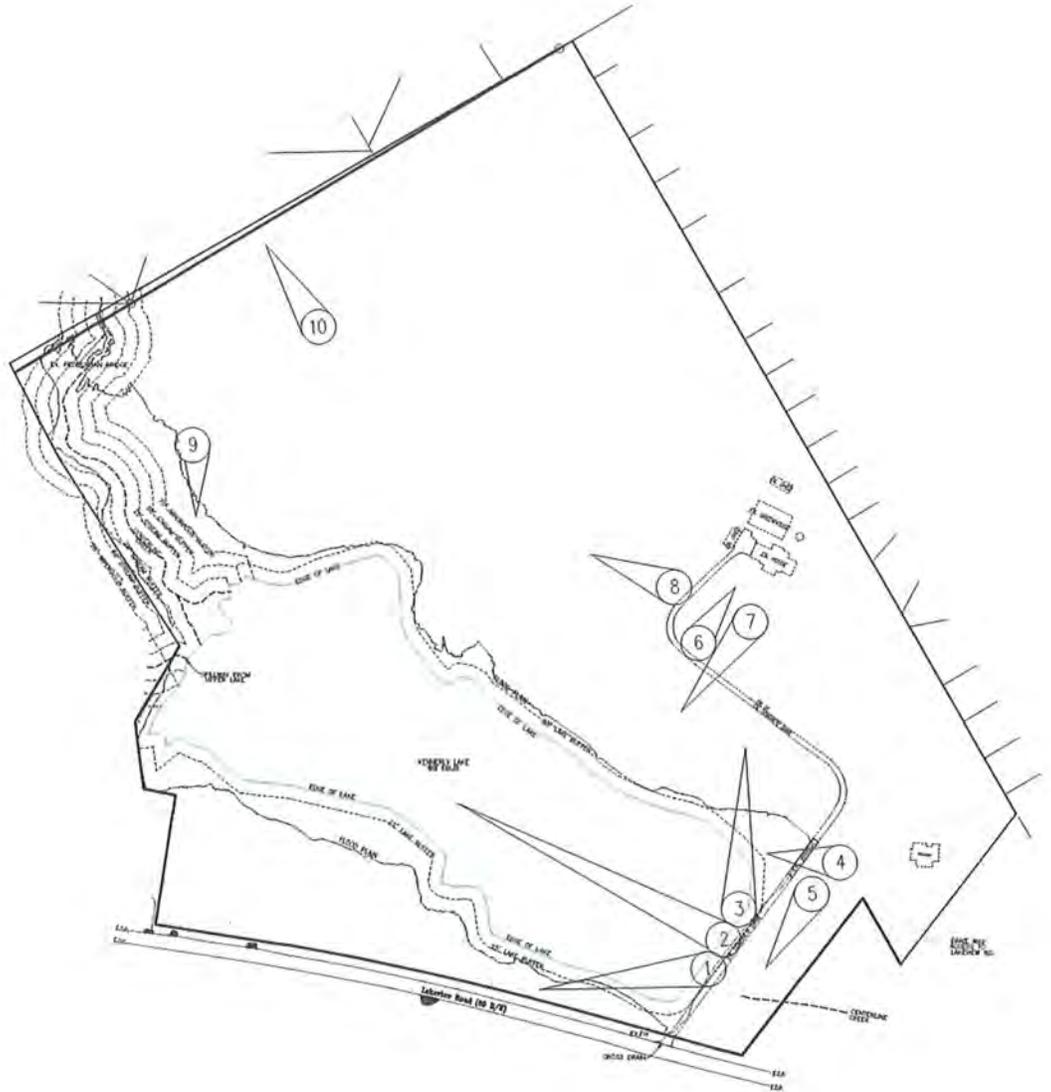
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The following is a map of the site showing where representative photographs of existing site features and the different flora and fauna ecosystems of the site were taken;



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Photo 1 – Existing dam looking towards Lakeview Road. Area between lake and Lakeview Road is mainly covered with native grasses.



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Photo 2 – Dam looking northwest at existing 9.16 acre Kennerly Lake



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Photo 3 – Dam looking toward existing un-occupied home



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Photo 4 – Existing concrete bridge over lake spillway looking west. This is a grassed area.



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Photo 5 – Spillway area looking south toward dam. This area is characterized by 40-50% slopes and a mix of pines and hardwoods.



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Photo 6 – Existing un-occupied home.



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Photo 7 – Existing home looking south towards Kennerly Lake. This area is mainly grassed with some 10-20 inch caliper Loblolly Pines



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Photo 8 – Existing home looking west. This area is characterized by larger growth Loblolly pines in the 15-25 inch caliper range.



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Photo 9 – Existing unnamed creek that flows into Kennerly Lake from the west. This area is characterized by floodplain type grasses and a mixture of Loblolly pines, Black Willow and Tulip Poplars.



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Photo 10 – Northwest wooded area looking west towards existing R-100 residential. This area is characterized by existing hardwoods.



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