

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
CITY: _____	CITY: _____
STATE: _____ ZIP: _____	STATE: _____ ZIP: _____
PHONE: _____	PHONE: _____
CONTACT PERSON: _____ PHONE: _____	
CONTACT'S E-MAIL: _____	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): _____ REQUESTED ZONING DISTRICT: _____

PARCEL NUMBER(S): _____ ACREAGE: _____

ADDRESS OF PROPERTY: _____

PROPOSED DEVELOPMENT: _____

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

LAND DESCRIPTION

THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 17 AND LAND LOT 23 IN THE 7TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

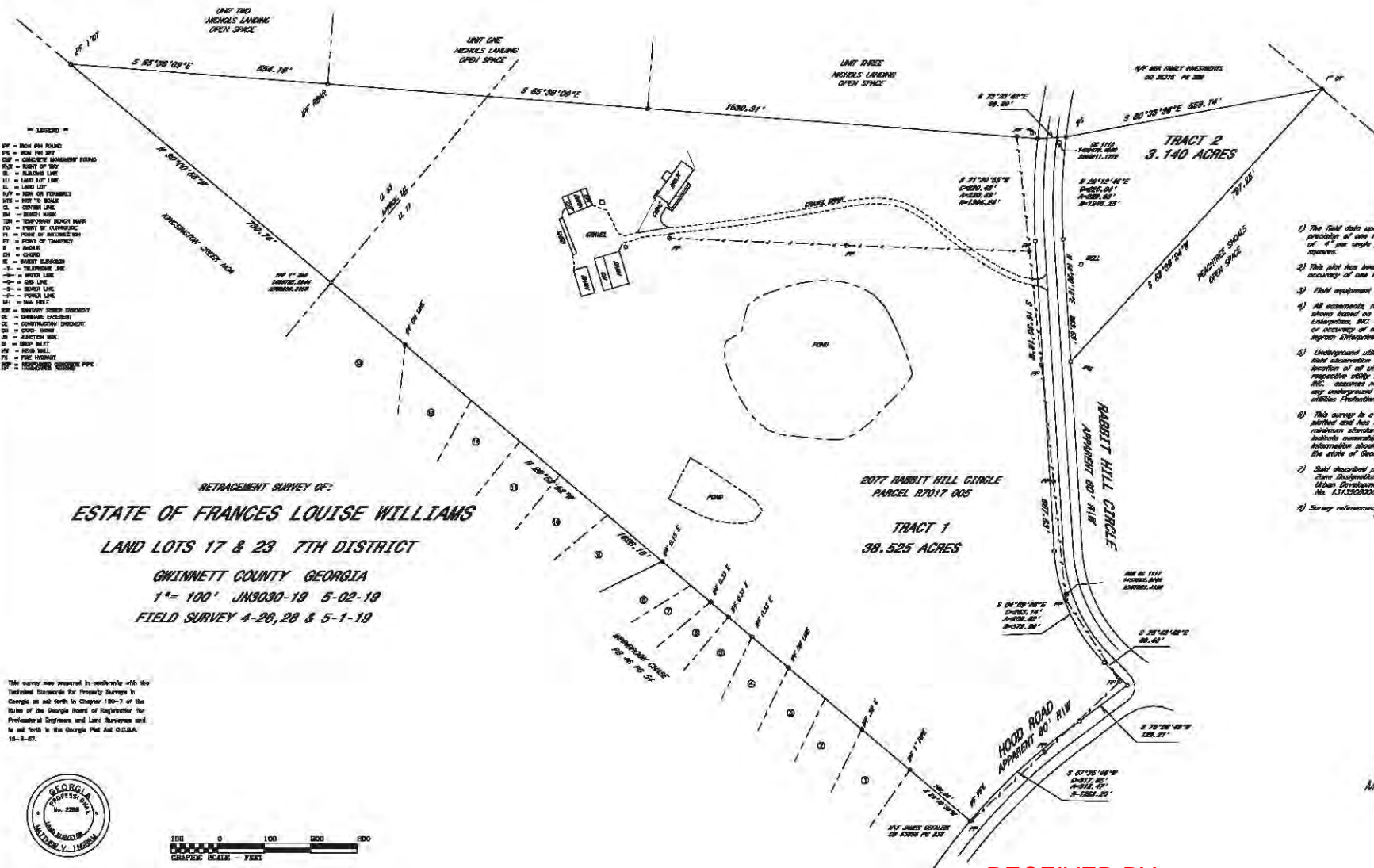
BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF HOOD ROAD (APPARENT 80' RIGHT-OF-WAY) WITH THE WESTERLY RIGHT-OF-WAY LINE OF RABBIT HILL CIRCLE (APPARENT 60' RIGHT-OF-WAY), SAID POINT BEING THE POINT OF BEGINNING.

THENCE FROM SAID POINT OF BEGINNING AND ALONG SAID RIGHT-OF-WAY LINE OF HOOD ROAD, SOUTH 73 DEGREES 06 MINUTES 49 SECONDS WEST A DISTANCE OF 129.21 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY AND A CURVE TO THE LEFT AND HAVING A RADIUS OF 1,282.20 FEET AND AN ARC LENGTH OF 318.47 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 67 DEGREES 35 MINUTES 46 SECONDS WEST A DISTANCE OF 317.65 FEET TO AN IRON PIN FOUND; THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 29 DEGREES 52 MINUTES 52 SECONDS WEST A DISTANCE OF 1,626.18 FEET TO AN IRON PIN FOUND AT THE INTERSECTION OF LAND LOT 23 AND LAND LOT 17; THENCE NORTH 30 DEGREES 00 MINUTES 55 SECONDS WEST A DISTANCE OF 730.74 FEET TO A 1" OPEN TOP PIPE FOUND; THENCE SOUTH 65 DEGREES 36 MINUTES 09 SECONDS EAST A DISTANCE OF 554.19 FEET TO AN IRON PIN FOUND; THENCE SOUTH 65 DEGREES 36 MINUTES 09 SECONDS EAST A DISTANCE OF 1,530.31 FEET TO AN IRON PIN SET ON SAID RIGHT-OF-WAY LINE OF RABBIT HILL CIRCLE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT AND HAVING A RADIUS OF 1,305.28 FEET AND AN ARC LENGTH OF 220.69 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 21 DEGREES 20 MINUTES 55 SECONDS WEST A DISTANCE OF 220.42 FEET TO A POINT; THENCE SOUTH 16 DEGREES 30 MINUTES 18 SECONDS WEST A DISTANCE OF 667.83 FEET TO A POINT; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 372.96 FEET AND AN ARC LENGTH OF 268.92 FEET, BEING SUBTENDED BY A CHORD BEARING SOUTH 04 DEGREES 09 MINUTES 06 SECONDS EAST A DISTANCE OF 263.14 FEET TO A POINT; THENCE SOUTH 25 DEGREES 43 MINUTES 42 SECONDS EAST A DISTANCE OF 69.40 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 38.525 ACRES

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This plat is a representation of an existing parcel or parcels of land and shall not be subject to or evidence of a new survey of the same. It is not a new survey. The recording information of the original survey(s) of this tract shall govern the survey of this parcel. THE SURVEYING PROFESSIONAL ENGINEER HAS NOT MADE ANY APPRAISAL OF ANY LOCAL JURISDICTION AUTHORITY OR FEDERAL COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS OF ANY GOVERNMENT BODY OR AGENCY OF THE LAND. Furthermore, the undersigned professional engineer certifies that this plat complies with the standards included elsewhere in the survey as required in Georgia and that it is the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and in any laws in G.C.L.A. Section 43-2-27.



RETRACEMENT SURVEY OF:
ESTATE OF FRANCES LOUISE WILLIAMS
 LAND LOTS 17 & 23 7TH DISTRICT
 GWINNETT COUNTY GEORGIA
 1"= 100' JNS030-19 5-02-19
 FIELD SURVEY 4-28, 28 & 5-1-19

- GENERAL NOTES:
- 1) The field data upon which this plat is based has a precision of one foot in 11,575 feet and an angular error of 4" per angle point and was adjusted using least squares.
 - 2) This plat has been calculated for closure and has an accuracy of one foot in 105,424 feet.
 - 3) Field equipment used for this survey was a Topcon GT-5002S.
 - 4) All easements, restrictions, or encroachments in this are shown based on information supplied to M.V. Ingram Enterprises, Inc. The certification as to the completeness or accuracy of any matters of title is made by M.V. Ingram Enterprises, Inc.
 - 5) Underground utilities shown on this plat were taken from field observations and from plans by others. The exact location of all utilities should be verified by the respective utility company. M.V. Ingram Enterprises, Inc. assumes no liability as to the exact location of any underground utility. For verification contact the utility Protection Center Inc. 1-800-392-7411.
 - 6) This survey is a correct representation of the land plotted and has been plotted in conformity with the minimum standards of Georgia law. It does not intend to substitute ownership of any parcel or easement. This information should be verified by an attorney licensed by the state of Georgia.
 - 7) Said described property is located within an area known as "Terra Magisteria II" by the Secretary of Housing and Urban Development on Flood Insurance Rate Map No. 1312200001 E, Date 8/28/2006.
 - 8) Survey references: Source deed Dc S2077 FC 201.

This survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and is set forth in the Georgia Plat Act O.C.G.A. 43-2-27.



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M. V. INGRAM ENTERPRISES, INC.
 LAND SURVEYING AND PLANNING
 P.O. BOX 494088
 LAWRENCEVILLE, GEORGIA 30046
 (770) 962-8891

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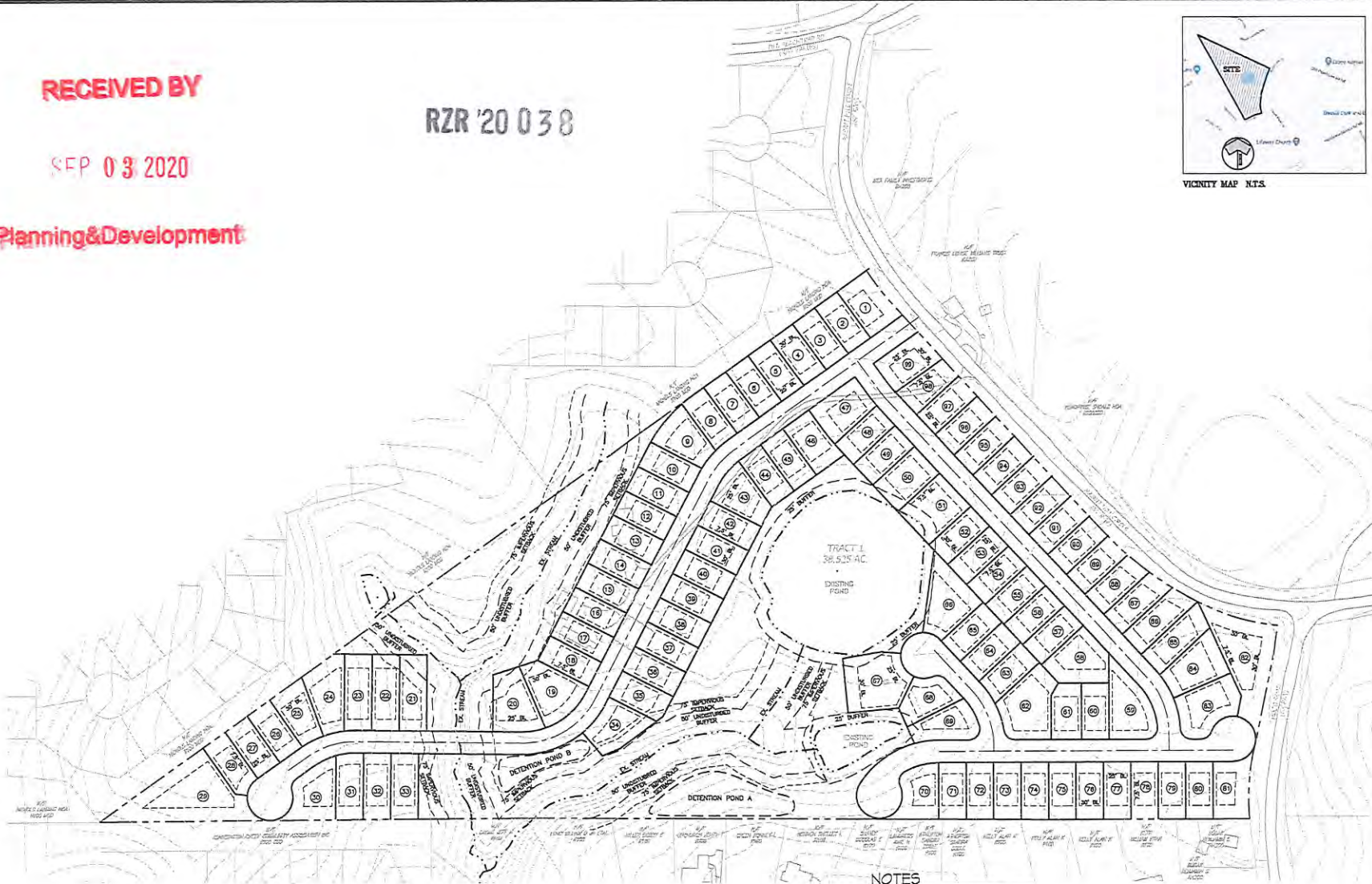
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Planning&Development

RZR '20 038

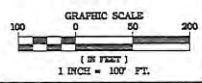


VICINITY MAP N.T.S.



NOTES

1. SITE AREA = 38.525 ACRES
2. NET AND GROSS ACREAGE = 38.525 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 LOTS = 99
7. UNITS PER ACRE = 2.60
8. BOUNDARY SURVEY PREPARED BY M.V. INGRAM ENTERPRISES, INC.
DATED MAY 2, 2020. TOPOGRAPHIC INFORMATION TAKEN FROM GC 615.



CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SITE PLANNING

P.O. BOX 816
DUBLIN, GA 30615
(770) 271-4878
(770) 265-6568 fax
www.daydesign.com

DAY
DESIGN
GROUP, Inc.

CONCEPTUAL SITE PLAN
FOR
RABBIT HILL SUBDIVISION
LOCATED IN
LANDSCAPE 15 - PARCEL 005
DUNNETT COUNTY, GEORGIA

NO.	DATE	REVISIONS PER CLIENT COMMENTS	DESCRIPTION
1	02/25/20		

DATE: 8/06/20
DRAWN BY: END
JOB NO.: 20-123

SHEET 1 OF 1

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

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

- (A) Yes, approval of 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 residential development is compatible with existing residential uses and will further diversify housing options in the surrounding area.
- (B) No, approval of the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties.
- (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 proposed development has frontage on Rabbit Hill Circle which provides convenient access to Hurricane Shoals Road and Old Peachtree Road via.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan which promotes diversifying housing types and encourages residential development on the Property.
- (F) The Applicant submits that the quality of the proposed homes and the large amounts of reserved open space provide 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 on behalf of the Applicant, J LCS Enterprises, Inc. (the "Applicant"), for the purpose of requesting the rezoning of an approximately 38.525-acre tract of land (the "Property") situated along Rabbit Hill Circle at its intersection with Hood Road. The Property is located directly across the street from Rabbit Hill Park and is currently zoned RA-200.

The Applicant is requesting to rezone the Property to the R-60 zoning classification of Gwinnett County in order to develop a single-family residential community, including 100 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. Generally, the architectural style and composition of the exterior of the homes would consist of brick, stacked stone, cedar and/or cementitious shake, siding, board and batten or combinations thereof. The proposed development would have a single entrance on Rabbit Hill Circle which would be landscaped with attractive monument signage.

The proposed development would provide attractive, high-quality housing that is compatible with surrounding land use and in conformance with the policies and intent of the Gwinnett County 2040 Comprehensive Plan (the "2040 Plan"). The surrounding area is characterized by mixed-residential developments which quickly transition into commercial nodes

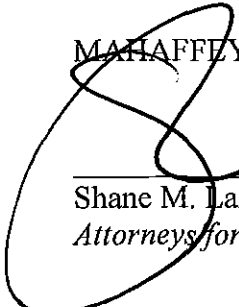
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and industrial employment centers to the east and south. To the east is a small commercial node at Old Peachtree Road and Hurricane Shoals Road which includes assorted commercial uses such as a package store and convenience store with fuel pumps. To the south, just across Rabbit Hill Park are several office-industrial uses including a large Publix distribution facility. Along Hurricane Shoals Road lie additional office/industrial uses in the Progress Center and near the airport. To the north, land uses are predominantly single-family detached homes with minor non-residential development at certain intersection nodes. The proposed residential development is compatible with surrounding residential developments and would complement nearby employment uses. Further, the Property is located in an Emerging Suburban character area as depicted on the 2040 Plan Future Development Map. Policies for this character area anticipate new development and encourage “single-family residential” and “mixed residential” land uses as potential development types.

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 7th day of August, 2020.

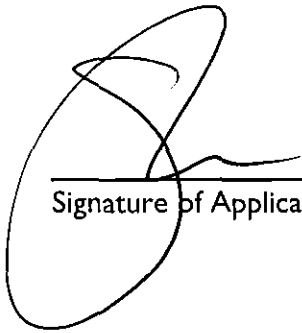
MAHAFFEY PICKENS TUCKER, LLP


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.



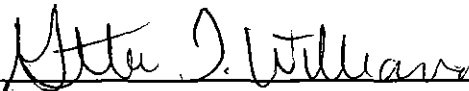
Signature of Applicant

8/6/2020

Date

Shane Lanham, Attorney for the Applicant

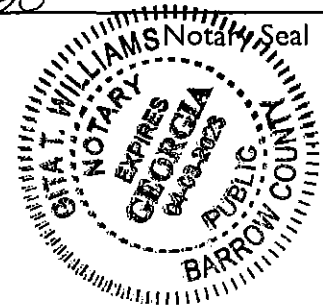
Type or Print Name and Title



Signature of Notary Public

8/6/20

Date



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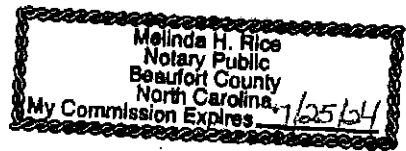
REZONING PROPERTY OWNER'S CERTIFICATION

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.

Jewell A Smith 08/07/2020
Signature of Property Owner Date

Jewell A. Smith Trustee
Type or Print Name and Title

Melinda H Rice 8/7/2020
Signature of Notary Public Date



Notary Seal

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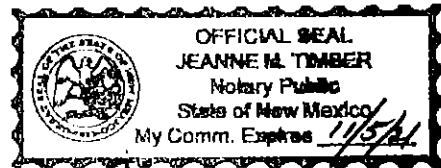
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Susan Henderson 8-7-2020
Signature of Property Owner Date

SUSAN HENDERSON
Type or Print Name and Title

Jeanne M. Tomber 8/7/2020
Signature of Notary Public Date



County 3 TADs
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.

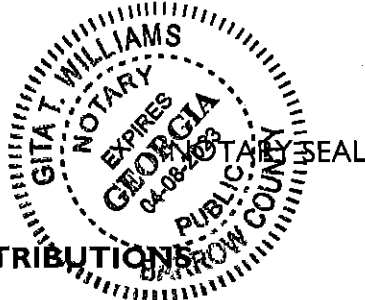
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 8/6/2020 Shane M. Lanham, Attorney for Applicant

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

 8/6/20 DATE

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)
NA		

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: 7 .017 .005
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

8/6/2020
Date

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

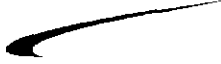
TITLE

DATE

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Check tag office wait times [here](#).

Preview the tag office COVID-19 process here: [English](#) [Spanish](#)



Chat

ACCOUNT DETAIL

[View/Pay Your Taxes / Account Detail](#)

Tax Account

Mailing Address:
FRANCIS LOUISE WILLIAMS TRUST
2554 APALACHEE RUN WAY
DACULA, GA 30019-6710
[Change Mailing Address](#)

SITUS:
2077 RABBIT HILL CIR

Tax District:
COUNTY Unincorporated

Parcel ID	Property Type	Last Update
R7017 005	Real Property	8/6/2020 1:53:50 PM

Legal Description
RABBIT HILL RD

Pay Now

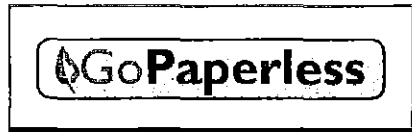
No payment due for this account.

Schedule Payments

[Schedule Future Payments](#)

.....

[View or edit your Scheduled Payments here](#)



Click [here](#) to cancel your Paperless Billing enrollment

Tax Bills

Note: Four years of tax information is available online. Email tax@gwinnettcountry.com to request other years.

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Due Date	Amount Due
2019	\$4,030.44	\$4,030.44	\$0.00	\$0.00	10/15/2019	\$0.00
2018	\$4,014.61	\$4,014.61	\$0.00	\$0.00	10/15/2018	\$0.00
2017	\$4,045.32	\$4,045.32	\$0.00	\$0.00	10/15/2017	\$0.00
2016	\$3,997.55	\$3,997.55	\$0.00	\$0.00	10/15/2016	\$0.00
Total						\$0.00



Print Tax Bill

[Click to view and print your Aug 2019 tax bill.](#)

* This bill is good through Oct 15, 2019 only.



Select Language | ▼

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