

**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:
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> 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**

**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:

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

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

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- (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:

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

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- (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:

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To: Gwinnett Board of Commissioners  
Planning Commissioners  
Planning Department

From: Brushy Fork Investment Partners, LLC

Subject: Rezoning application - Brushy Fork Road and Old Loganville Road

Date: September 4, 2020

Requested is a rezoning of 21.44 acres located at Brushy Fork Road and Old Loganville Road from M-1 - Light Industry District and R-100 - Conservation Subdivision Overlay, to OSC, Open Space Conservation District. The property was rezoned to R-100 CSO in 2004. In 2015 7.02 acres was rezoned to M-1 for use as a craft brewery and a special events facility.

Proposed is a 34-lot single-family residential development on a total of 21.44 acres. The net density is 1.8 units per acre. The existing conditions of RZR-04-045 are proposed for this application and are attached for reference. One-story homes will be a minimum of 2000 square feet and two-story homes will be a minimum of 2200 square feet. Consistent with the aforementioned 2004 rezoning, the home fronts shall be primarily brick, stone, stucco, fiber cement siding, cedar shake or a combination thereof and vinyl shall be prohibited.

Additionally, we will need a variance/waiver to cul-de-sac length. Having a long, narrow strip of land being located on the inside of a curve creates some challenges. A maximum cul-de-sac length of 600 feet is stated, but due to the shape of our property and sight distance issues, we have a hardship. One of our cul-de-sacs is 750± feet long and the other less than 200 feet. We would split the difference and locate the entrance in the middle, but we are forced to locate our entrance where it is shown due to sight distance safety issues caused by the curve.

With two creeks crossing this property merging into one, much open space will be set aside. Approval of the Open Space Conservation District on this property will allow the stream buffers and the areas in between the creeks and along the western property line to be permanently preserved while allowing the development of a small subdivision with homes comparable to others in the area on its' eastern side. Combining the stream buffers and remaining undeveloped areas outside of the buffers, the provided open space totals 14.2 acres or 66 percent of the site (only 25% of total or 5.4 acres are required). Because of the location of floodplain and the footprint of the home, an administrative variance may be required for Lot 6. No others are anticipated.

Thank you in advance for support of this request. Should you have any questions or comments, do not hesitate to contact us.

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### Brushy Fork Legal Description

All that tract or parcel of land lying in and being a part of Land Lot 97 of the 5th Land District of Gwinnett County, Georgia and being more particularly described as follows:

Beginning at an iron pin set at the westernmost the end of a mitered intersection formed by the westerly right-of-way of Brushy Fork Road (right-of-way varies) and the northerly right-of-way of Old Loganville Road (right-of-way varies), said point being the POINT OF BEGINNING.

Thence along the right-of-way of Old Loganville Road the following six courses and distances: along a curve to the left having a radius of 426.98', an arc length of 393.33' and being subtended by chord bearing of North 59° 17' 55" West for a distance of 379.57' to a point; thence North 85° 41' 16" West for a distance of 76.79' to a point; thence North 01° 40' 12" East for a distance of 18.27' to a point; thence North 86° 58' 21" West for a distance of 39.46' to a point; thence South 01° 51' 50" West for a distance of 17.39' to a point; thence North 85° 41' 18" West for a distance of 55.81' to an iron pin set; thence leaving the said right-of-way North 02° 10' 55" East for a distance of 50.66' to a point; thence North 39° 46' 30" West for a distance of 429.62' to a point; thence South 61° 47' 22" West for a distance of 104.93' to an iron pin set; thence North 30° 09' 38" West for a distance of 195.74' to a point; thence North 59° 37' 04" East for a distance of 1139.85' to an iron pin set on the Brushy Fork Road right-of-way; thence along a curve to the left having a radius of 1065.00', an arc length of 263.54' and being subtended by a chord bearing South 34° 39' 46" East for a distance of 262.86' to a point; thence South 40° 51' 34" East for a distance of 222.78' to a point; thence along a curve to the right having a radius of 185.02', an arc length of 135.49' and being subtended by a chord bearing South 20° 21' 20" East for a distance of 132.48' to a point; thence along a curve to the right having a radius of 958.57', an arc length of 259.35' and being subtended by a chord bearing South 10° 50' 07" West for a distance of 258.56' to a point; thence along a curve to the right having a radius of 958.57', an arc length of 151.05' and being subtended by a chord bearing of South 23° 06' 03" West for a distance of 150.89' to a point; thence South 27° 36' 54" West for a distance of 300.12' to a point; thence along a curve to the right having a radius of 518.93', an arc length of 143.04' and being subtended by a chord bearing South 35° 30' 42" West for a distance of 142.59' to a point; thence South 89° 55' 50" West for a distance of 33.14' to an iron pin set, said point being the POINT OF BEGINNING.

Said tract measures 21.44 acres and is shown as a 7.02 acre parcel and a 14.42 acre parcel on a Survey for George P. Dillard prepared by Bullard Land Planning revised 11/5/2014.

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**LEGEND**

I/P = IRON PIN FOUND  
 I/P = IRON PIN SET  
 R/W = RIGHT OF WAY  
 CL = CENTERLINE  
 BOC = BACK OF CURB  
 R = RADIUS  
 POB = POINT OF BEGINNING  
 CH = CHORD  
 N/P = NOW OR FORMERLY  
 T = TELEPHONE LINE  
 H = FIRE HYDRANT  
 BSL = BUILDING SETBACK LINE  
 ESM = EASEMENT  
 EX = EXISTING  
 CE = CONSTRUCTION EASEMENT  
 DE = DRAINAGE EASEMENT  
 SS = SANITARY SEWER  
 CB = CATCH BASIN  
 HW = HEAD WALL  
 DI = DRAIN INLET  
 JB = JUNCTION BOX  
 OS = OUTLET STRUCTURE  
 EL = ELEVATION  
 BLDG = BUILDING  
 GARF EL = GARAGE ELEVATION  
 FE = FINAL ELEVATION  
 FTL = FINISHED FLOOR ELEVATION  
 DR = DIRT ROAD  
 PB = PLAY BOOK  
 PG = PAGE  
 SF = SQUARE FEET  
 DRF = DRAINAGE FLOW ARROW  
 EX = EXISTING FENCE  
 RBF = RETAIN FOUND

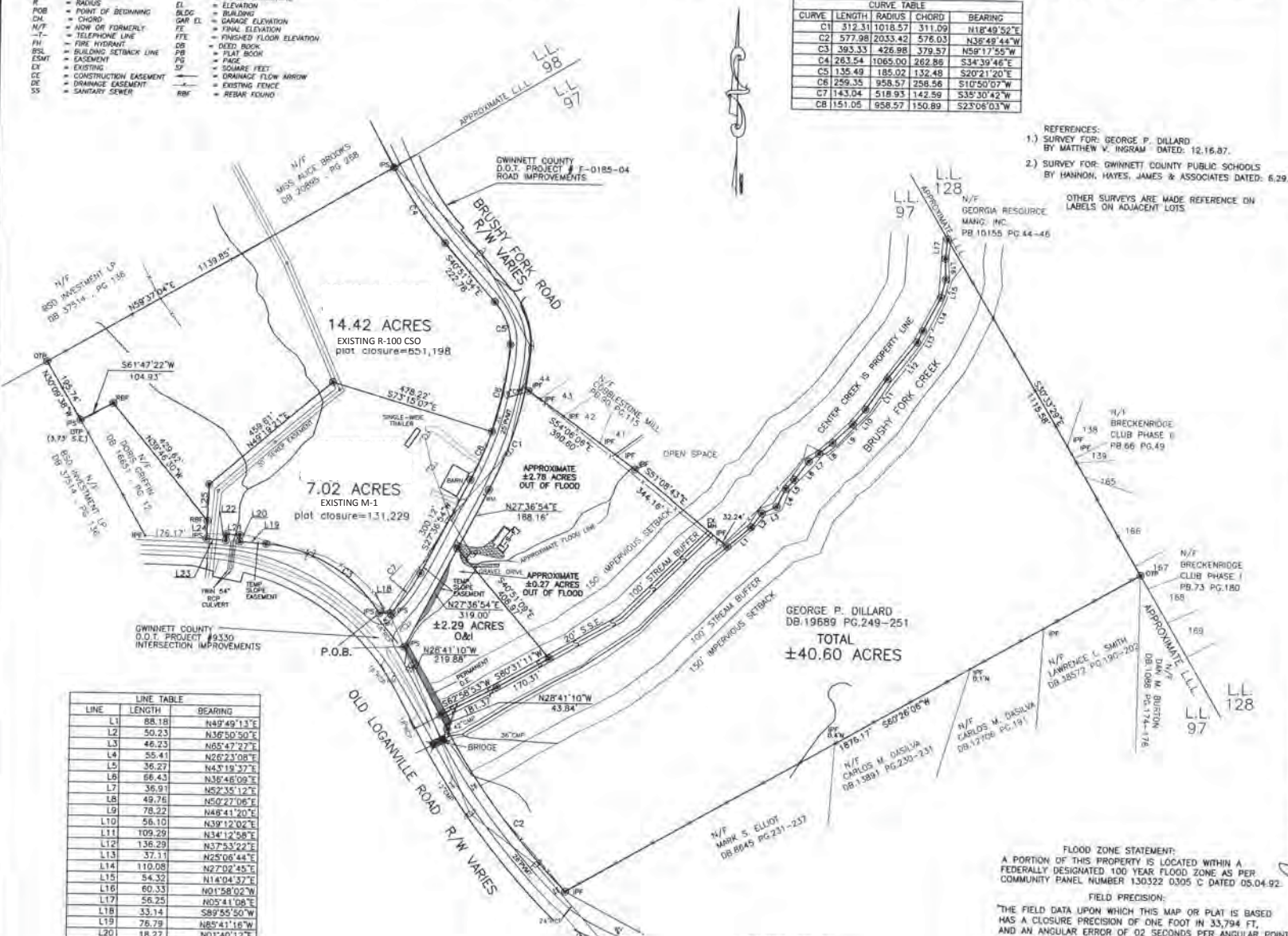
THIS SURVEY IS NOT FOR RECORDING AND SHOULD NOT BE USED TO TRANSFER TITLE. THE DIVISION OF TAX PARCELS MUST BE APPROVED BY THE EXEMPTION PLAT PROCESS FOR GWINNETT COUNTY.

REVISION #2 11/5/2014  
 REVISED DRAWING TO REFLECT P.B. 64, PG. 248 AND  
 ADDED PROPOSED 7.02 ACRE TRACT. NO ADDITIONAL  
 FIELD WORK PERFORMED.

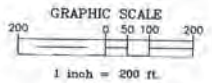
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	312.31	1018.57	311.09	N18°49'52"E
C2	577.98	2033.42	576.03	N36°49'44"W
C3	395.33	426.88	379.57	N59°17'55"W
C4	283.54	1065.00	282.86	S34°39'46"E
C5	135.49	185.02	132.48	S20°21'20"E
C6	259.35	958.57	258.26	S10°50'07"W
C7	143.04	518.93	142.59	S35°30'42"W
C8	151.05	958.57	150.89	S23°08'03"W

- REFERENCES:**
- 1.) SURVEY FOR: GEORGE P. DILLARD  
 BY MATTHEW V. INGRAM DATED: 12.16.87.
  - 2.) SURVEY FOR: GWINNETT COUNTY PUBLIC SCHOOLS  
 BY HANNON, HAYES, JAMES & ASSOCIATES DATED: 6.29.94.

OTHER SURVEYS ARE MADE REFERENCE ON  
 LABELS ON ADJACENT LOTS.



LINE	LENGTH	BEARING
L1	88.18	N49°49'13"E
L2	50.23	N36°50'50"E
L3	46.23	N65°47'27"E
L4	55.41	N26°23'08"E
L5	36.27	N43°19'27"E
L6	66.43	N36°46'09"E
L7	35.91	N62°35'12"E
L8	49.76	N52°27'06"E
L9	78.22	N48°41'20"E
L10	56.10	N39°12'02"E
L11	109.29	N34°12'58"E
L12	136.29	N37°53'22"E
L13	37.11	N25°06'44"E
L14	110.08	N27°02'45"E
L15	54.32	N14°04'37"E
L16	60.33	N01°58'02"W
L17	56.25	N03°41'08"E
L18	53.14	S89°55'50"W
L19	76.79	N85°41'16"W
L20	18.27	N01°40'12"E
L21	39.46	N86°58'21"W
L22	17.39	S01°51'50"W
L23	55.81	N85°41'18"W
L24	50.66	N02°10'55"E
L25	101.77	N02°10'55"E



**FLOOD ZONE STATEMENT:**  
 A PORTION OF THIS PROPERTY IS LOCATED WITHIN A  
 FEDERALLY DESIGNATED 100 YEAR FLOOD ZONE AS PER  
 COMMUNITY PANEL NUMBER 130322 0305 C DATED 05.04.92.

**FIELD PRECISION:**  
 "THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED  
 HAS A CLOSURE PRECISION OF ONE FOOT IN 33,794 FT.  
 AND AN ANGULAR ERROR OF 02 SECONDS PER ANGULAR POINT,  
 AND WAS ADJUSTED USING THE COMPASS RULE."

**PLAT PRECISION:**  
 "THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND  
 IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 996,225 FEET."

**EQUIPMENT:**  
 ANGULAR & LINEAR — NIKON TOTAL STATION DTM-522

**BOUNDARY SURVEY**

**SURVEY FOR:** **GEORGE P. DILLARD**

**LOCATED IN LAND LOT 97**  
**OF THE 5TH DISTRICT**  
**GWINNETT CO. GEORGIA**  
**MAY 22, 2007**  
**APRIL 3, 2008**

**SCALE AS SHOWN:** FIELD DATE: 3.18.07  
**PREPARED BY:** **BULLARD LAND PLANNING**  
**7762-B HAMPTON PLACE**  
**LOGANVILLE, GEORGIA 30052**  
**PHONE: (770) 554-8714 ~ FAX: (770) 554-8715**

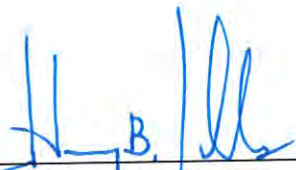
**DATE:** 4/14/08  
**DESCRIPTION:** ADDED 27 AC. TRACT  
**11.3.14 SEE REVISION NOTE**

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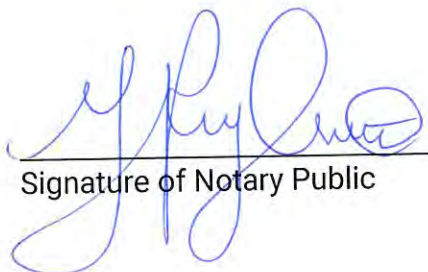
**REZONING APPLICANT'S CERTIFICATION**

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

08.24.2020  
\_\_\_\_\_  
Date

Henry B. Eubanks , Manager  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

8-24-2020  
\_\_\_\_\_  
Date



**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

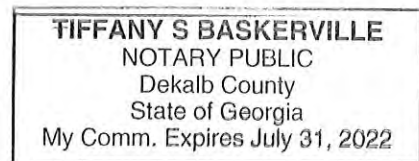
8/25/20  
\_\_\_\_\_  
Date

Stevenson Rosslow  
\_\_\_\_\_  
Type or Print Name and Title

property owner  
\_\_\_\_\_

  
\_\_\_\_\_  
Signature of Notary Public

August 25, 2020  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Notary Seal

**REZONING PROPERTY OWNER'S CERTIFICATION**

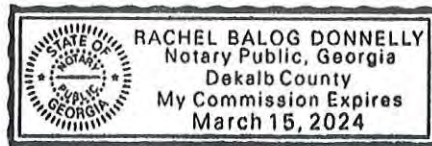
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE 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.

Robert W Sandage  
Signature of Property Owner

8/25/2020  
Date

Robert W Sandage  
Type or Print Name and Title

Owner



Rachel Balog Donnelly  
Signature of Notary Public

8-25-2020  
Date

Notary Seal



**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.

Henry B. Enbanks 08-25-2020 Henry B. Enbanks, Manager  
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

Doug Stacks 8/25/2020 Doug Stacks  
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE  
ATTORNEY OR REPRESENTATIVE

Lindsay Martin 08/25/2020  
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

Henry Enbanks / Doug Stacks  
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)

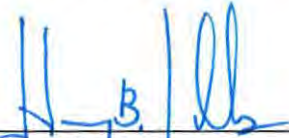
Attach additional sheets if necessary to disclose or describe all contributions.

**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      - 097      - 138  
(Map Reference Number)      District      Land Lot      Parcel

  
Signature of Applicant

08.24-2020  
Date

Henry B. Eubanks, Manager  
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)

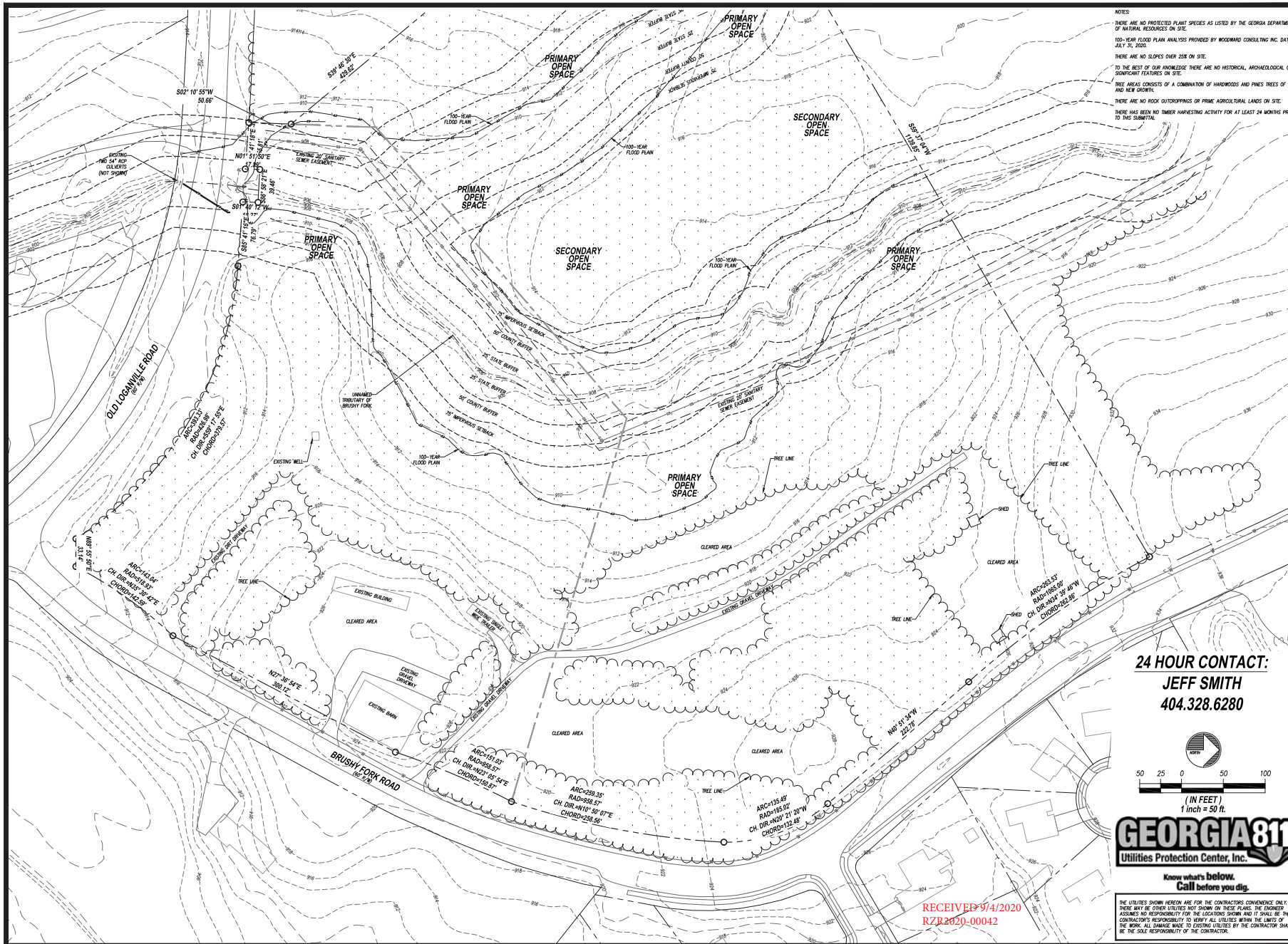
Jessilyn M. Duffre  
NAME

TSA  
TITLE

8/28/20  
DATE







NOTES:  
THERE ARE NO PROTECTED PLANT SPECIES AS LISTED BY THE GEORGIA DEPARTMENT OF NATURAL RESOURCES ON SITE.  
100-YEAR FLOOD PLAN ANALYSIS PROVIDED BY WOODWARD CONSULTING INC. DATED JULY 31, 2020.  
THERE ARE NO SLOPES OVER 25% ON SITE.  
TO THE BEST OF OUR KNOWLEDGE THERE ARE NO HISTORICAL, ARCHAEOLOGICAL OR SIGNIFICANT FEATURES ON SITE.  
TREE AREAS CONSIST OF A COMBINATION OF HARDWOODS AND PINES TREES OF OLD AND NEW GROWTH.  
THERE ARE NO ROCK OUTCROPPINGS OR PRIME AGRICULTURAL LANDS ON SITE.  
THERE HAS BEEN NO TIMBER HARVESTING ACTIVITY FOR AT LEAST 24 MONTHS PRIOR TO THIS SURVEY.



EXISTING FEATURES SITE ANALYSIS PLAN  
BRUSHY FORK  
LAND LOT 87  
5TH DISTRICT  
GWINNETT COUNTY, GEORGIA

OWNER/DEVELOPER  
LDS PARTNERS, LLC  
20 HEARDS COURT OVERLOOK  
ATLANTA, GA 30328  
PHONE: 404.915.3420

GSWCO CERTIFICATION NUMBER: 36629  
EXPIRATION DATE: 08.01.2021



REVISIONS

NO.	DATE	DESCRIPTION

EXISTING FEATURES SITE ANALYSIS PLAN

**C110**

2020 BOUNDARY SURVEY.DWG  
Copyright © 2020



Bayfield E



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BAYFIELD SIDE/REAR

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Buffington G



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BUFFINGTON SIDE/REAR

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RZR2020-00042





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CASE NUMBER RZR-04-045

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>ABSENT</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. BEAUDREAU, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from

RA-200 to R-100 CSO  
by G. DOUGLAS DILLARD for the proposed  
use of SINGLE-FAMILY CONSERVATION SUBDIVISION on a  
tract of land described by the attached legal description, which

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is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on JANUARY 25, 2005 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 25TH day of JANUARY, 2005, that the aforesaid application to amend the Official Zoning Map from RA-200 to R-100 CSO is hereby APPROVED subject to the following enumerated conditions:

1. The conceptual site plan prepared by Schmitt Engineering and amended by David Holloway which was filed with the Board of Commissioners on January 25, 2005, shall be incorporated and made a part of this rezoning.
2. A maximum of thirty-six (36) single-family lots shall be permitted if the develop plan sets aside less than fifty percent (50%) open space; and a maximum of forty (40) single-family lots shall be permitted with an open space set aside of fifty percent (50%) or greater, as defined by the guidelines of the CSO.
3. Pursuant to the Gwinnett County CSO, single-story homes will have a minimum of 2,000 square-feet of heated floor space, and two-story homes will have a minimum of 2,200 square-feet of heated floor space.

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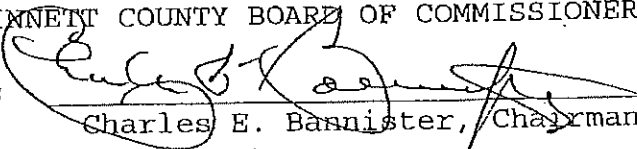
4. Home fronts shall be primarily brick, stone, stucco, cedar shake or a combination thereof, except that the described materials shall not be limited to the foundation of each home only.
5. The use of vinyl siding on the exterior of any home shall be prohibited.
6. All utilities shall be underground.
7. Each street within the subdivision shall have streetlights.
8. Sidewalks shall be provided within the subdivision and along Old Loganville road and Brusy Fork Road as shown on the above-referenced site plan. The sidewalks along the two roadways shall concept and shall be constructed concurrent with the development of RZR-04-045. No sidewalks will be required along RZC-04-061 or RZC-04-062 until said properties are developed.
9. A pavilion or gazebo shall be provided in the open area as shown on the site plan.
10. Recreational paths shall be provided throughout the subdivision and pedestrian access shall be provided to the adjacent commercial property. The recreational paths will connect to interior streets as often as possible and to the proposed sidewalk along Old Loganville Road. A "pocket park" or "green" shall be constructed according to the CSO ordinance.
11. All yards shall be sodded on the front, rear and sides.
12. The entrance to the subdivision shall be landscaped and shall have a marquis sign made of stucco, stone or brick.
13. The subdivision shall have a mandatory homeowners association.
14. Each home shall have a two-car garage.
15. The requirements of the Buffer, Landscape and Tree Ordinance regarding CSO developments shall apply, except that street trees shall be provided at least every thirty feet (30-feet) along all interior streets.

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16. The development shall provide a pedestrian crosswalk across Brushy Fork Road at the entrance of Cobblestone subdivision.
17. Development of any non-residential portions that may be approved as RZC-04-061 and/or RZC-04-062 shall be done concurrent with or subsequent to development of the residential portion. The non-residential portion will not be completed until at least seventy-five percent (75%) of the homes in the residential portion are completed.
18. The developer will provide to the elected representatives of the homeowners association for review, at least thirty (30) days prior to submittal to the County, a development plan for any non-residential development on the properties currently identified as RZC-04-061 and RZC-04-062. If the homeowners association has not yet elected officers, the developer shall provide a copy of the required development plan to the owners of the residential properties occupied at that time. If there are no occupied properties at that time, the developer shall provide a copy of the development plan to at least five adjoining and nearby property owners.
19. Except where enumerated above, the requirements of the Conservation subdivision Ordinance shall apply, and
20. The entrance into the subdivision from Brushy Fork Road shall align with the entrance to the Cobblestone subdivision.
21. There shall be a landscaped setback between the common property line with Mr. Griffin.

GWINNETT COUNTY BOARD OF COMMISSIONERS

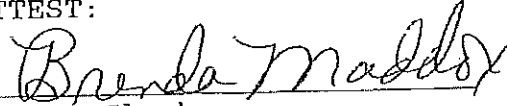
By:

  
Charles E. Bannister, Chairman

Date Signed:

February 9, 2005

ATTEST:

  
County Clerk

RECEIVED 9/4/2020  
RZR2020-00042