

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Harborstone Properties, LLC</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>Brookside Ventures LLC</u>
ADDRESS: <u>6095 Atlanta Hwy, Suite 100</u>	ADDRESS: <u>3287 Bailey Road</u>
CITY: <u>Flowery Branch</u>	CITY: <u>Dacula</u>
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: <u>GA</u> ZIP: <u>30019</u>
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u> EMAIL ADDRESS: <u>Mitchpeevy@gmail.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
____ OWNERS AGENT	____ PROPERTY OWNER <u>X</u> CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>O & I</u> REQUESTED ZONING DISTRICT: <u>R-60</u>	
LAND DISTRICT (S): <u>2</u> LAND LOT: <u>003</u> ACREAGE: <u>19.375</u>	
ADDRESS OF PROPERTY: <u>235 Auburn Road</u>	
PROPOSED DEVELOPMENT: <u>Single Family Subdivision</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>70</u>	NO. OF BUILDINGS/UNITS: _____
DWELLING UNIT SIZE (SQ. FT.): <u>2,200</u> <u>Ranch & 2,400 Two Story</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>3.6</u>	DENSITY: _____
NET DENSITY: <u>3.6</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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09-28-2020
RZR2020-00048

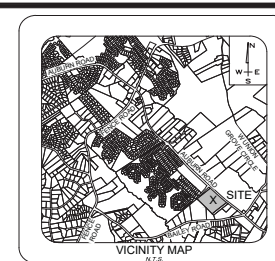
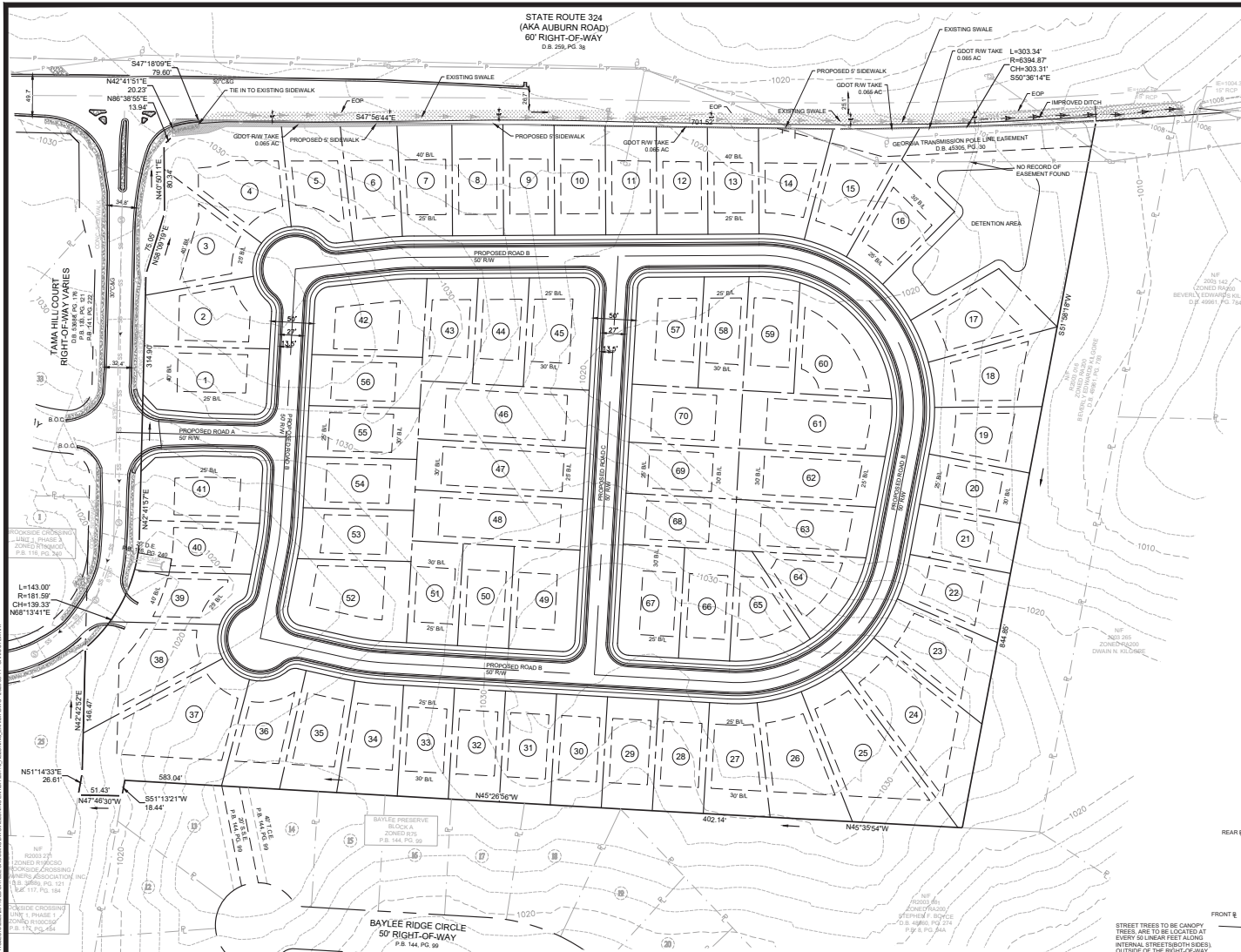
**LEGAL DESCRIPTION
OVERALL**

All that tract or parcel of land lying and being in Land Lot 3 of the 2nd District, GMD 1587, Gwinnett County, Georgia and being more particularly described as follows:

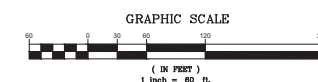
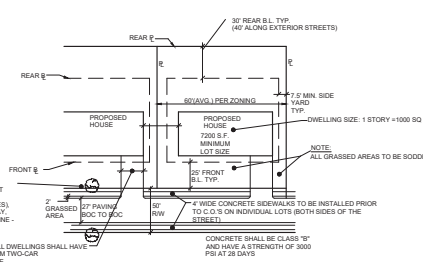
To find **The Point of Beginning**, Commence at the Intersection of the Westerly Right-of-Way of Georgia State Route 324 (a.k.a. Auburn Road, 60' R/W) and the Southeasterly Right-of-Way of Tama Hill Court (R/W Varies), said point being **THE TRUE POINT OF BEGINNING**.

THENCE from said point as thus established and continuing along said Right-of-Way the following three (3) courses and distances, South 47 degrees 18 minutes 09 seconds East for a distance of 79.60 feet to a Point; THENCE South 47 degrees 56 minutes 44 seconds East for a distance of 701.52 feet to a Point; THENCE along a curve to the left having a radius of 6394.87 feet and arc length of 303.34 feet being subtended by a chord of South 50 degrees 36 minutes 14 seconds East for a distance of 303.31 feet to a Point; THENCE leaving said Right-of-Way, South 51 degrees 58 minutes 18 seconds West for a distance of 844.85 feet to a 1/2" Rebar Found; THENCE North 45 degrees 35 minutes 54 seconds West for a distance of 402.14 feet to a 1/2" Rebar Found; THENCE North 45 degrees 26 minutes 56 seconds West for a distance of 583.04 feet to a Rock Found; THENCE South 51 degrees 13 minutes 21 seconds West for a distance of 18.44 feet to a Point; THENCE North 47 degrees 46 minutes 30 seconds West for a distance of 51.43 feet to a Point to a Point; THENCE North 51 degrees 14 minutes 33 seconds East for a distance of 26.61 feet to a Point; THENCE North 42 degrees 42 minutes 52 seconds East for a distance of 146.47 feet to a Point on the Southwesterly Right-of-Way of Tama Hill Court (R/W Varies); THENCE traveling along said Right-of-Way the following six (6) courses and distances, along a curve to the left having a radius of 181.59 feet and arc length of 143.00 feet being subtended by a chord of North 68 degrees 13 minutes 41 seconds East for a distance of 139.33 feet to a Point; THENCE North 42 degrees 41 minutes 57 seconds East for a distance of 314.90 feet to a Point; THENCE North 58 degrees 09 minutes 19 seconds East for a distance of 75.05 feet to a Point; THENCE North 40 degrees 50 minutes 11 seconds East for a distance of 80.34 feet to a Point; THENCE North 86 degrees 38 minutes 55 seconds East for a distance of 13.94 feet to a Point; THENCE North 42 degrees 41 minutes 51 seconds East for a distance of 20.23 feet to a Point at the aforesaid intersection of Georgia State Route 324 (a.k.a. Auburn Road) and Tama Hill Court, said point being **THE TRUE POINT OF BEGINNING**.

Said property contains 19.375 acres.



- NOTES**
1. CURRENT ZONING - OI
 2. PROPOSED ZONING = R-60
 3. TOTAL AREA = 19.32 ACRES
 4. NET ACREAGE = 19.21 ACRES
 5. TOTAL LOTS = 70
 6. GROSS DENSITY = 3.62 LOTS/AC
 7. NET DENSITY = 3.64 LOTS/AC
 8. MINIMUM YARD REQUIREMENTS =
FRONT = 25'
REAR = 30' (40' ALONG EXTERIOR STREETS)
SIDE = 7.5'
 9. MINIMUM LOT SIZE = 7200 S.F.
 10. THERE IS **NO** FLOODPLAIN ON THIS PROPERTY FROM A WATER COURSE WITH A DRAINAGE AREA EXCEEDING 100 ACRES PER FIRM PANEL 13135C0049G, EFFECTIVE MARCH 4, 2013.
 11. TOPOGRAPHIC INFORMATION IS FROM GWINNETT COUNTY GIS.
 12. BOUNDARY INFO FROM ALTA SURVEY BY PRECISION PLANNING, INC., DATED 04/03/2019.
 13. PROPOSED MINIMUM DWELLING SIZE:
1 STORY = 1000 S.F.



ENGINEER
PRECISION PLANNING, INC.
400 PIKE BOULEVARD
LAWRENCEVILLE, GA 30046
CONTACT: STEVE SAPPINGTON
PHONE: 770-338-8149
EMAIL: 740SS@PPI.US

OWNER / DEVELOPER
HARBORSTONE PROPERTIES, LLC
250 CONSTITUTION BLVD.
LAWRENCEVILLE, GA 30046
CONTACT: MARK RICHARDSON
PHONE: 770-931-4131
EMAIL: MARK@RHGHOMES.COM

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PRECISION PLANNING, INC.
THREE COASTAL TRAIL DRIVE, SUITE 100
LAWRENCEVILLE, GA 30046
770-338-8149
WWW.PPI.US

REGISTERED
SURVEYOR
NO. 174
STATE OF GEORGIA

STAMP

PRECISION
Planning Inc.
planners • engineers • architects • surveyors
400 Pike Boulevard, Lawrenceville, Ga 30046
770-338-8149 • www.ppi.us

BAYLEE CROSSING
Land Lot 003, District 2, Parcel 217
BAYLEE CROSSING
Dacula, GA 30017

REZONING EXHIBIT

DATE	NO. DESCRIPTION	DESIGN	DRAWN	CHECKED	SWS

SHEET TITLE

DESIGN	DRAWN	CHECKED	SWS

RELEASE

9/16/2020
DATE

R20-118
PROJECT NO.

1 OF 1

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

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

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

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

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

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

THE SUBJECT PROPERTY IS DESIGNATED AS SUBURBAN ESTATE AREA

(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:

SEE LETTER OF INTENT.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

PLANNING DIVISION USE ONLY

CASE NUMBER _____

RECEIVED BY: _____

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09-28-2020
RZR2020-00048

REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Harborstone Properties, LLC, requests a rezoning from O & I to R-60 on 19.375 acres and located on Auburn Road (Highway 324). The proposal is to build 70 homes to be known as Baylee Crossing adjacent property that is currently being developed by Harborstone Properties as Baylee Preserve. Richardson Housing Group and Labb Homes are the 2 home builders for this subdivision. The homes will be a maximum of 2 stories or 35 feet high and will each be priced from the low \$300's to the mid \$300's. The front façade of the homes will be a mixture of brick, stone with some treatments of cement siding. The sides and the rear will be the same or of concrete siding. All the homes will have at a minimum 2,200 square feet of heated space for a ranch home and 2,400 square feet for a two-story home. There is no proposed entrance onto Auburn Road, but access will be through Tama Hill Court as all other developments on this property have proposed. The property has been zoned C-2 for many years and was never developed for commercial uses as there is just no demand in the immediate area for that type of use. Last year another developer rezoned the property to OI with a Special Use Permit to allow senior housing in an attached quad building. That request was approved for 84 units with a minimum of 1,700 square feet of heated area per home. That developer dropped the project as the location was not conducive to that type of product in this area of the county. The applicant believes that with the amount of road frontage on the property, that R-60 is going to have the most value for the buyer as they are looking for a nice home with all the upgrades provided by these 2 builders AND with a low maintenance lot.

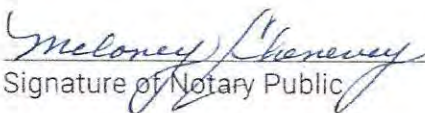

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REZONING APPLICANT'S CERTIFICATION

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.


 9/16/20
Signature of Applicant Date

Mark Richardson, Manager
Type or Print Name and Title

 9/16/20 
Signature of Notary Public Date Notary Seal

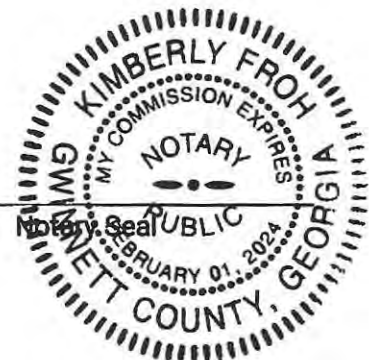
REZONING PROPERTY OWNER'S CERTIFICATION

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.


Signature of Property Owner
9/16/20
Date

PETER F BOYCE Mangru Brookside Ventures LLC
Type or Print Name and Title


Signature of Notary Public
9-16-20
Date



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] 9/16/20 Mark Richardson, Manager
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Meloney Cheney 9/16/20
SIGNATURE OF NOTARY PUBLIC DATE



NOTARY SEAL

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 Mark Richardson

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: 2 - 003 - 217
(Map Reference Number) District Land Lot Parcel

[Signature] 9/16/20
Signature of Applicant Date

Mark Richardson, 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)

Megan Kittrell Assistant Manager
NAME TITLE
9-25-2020
DATE



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