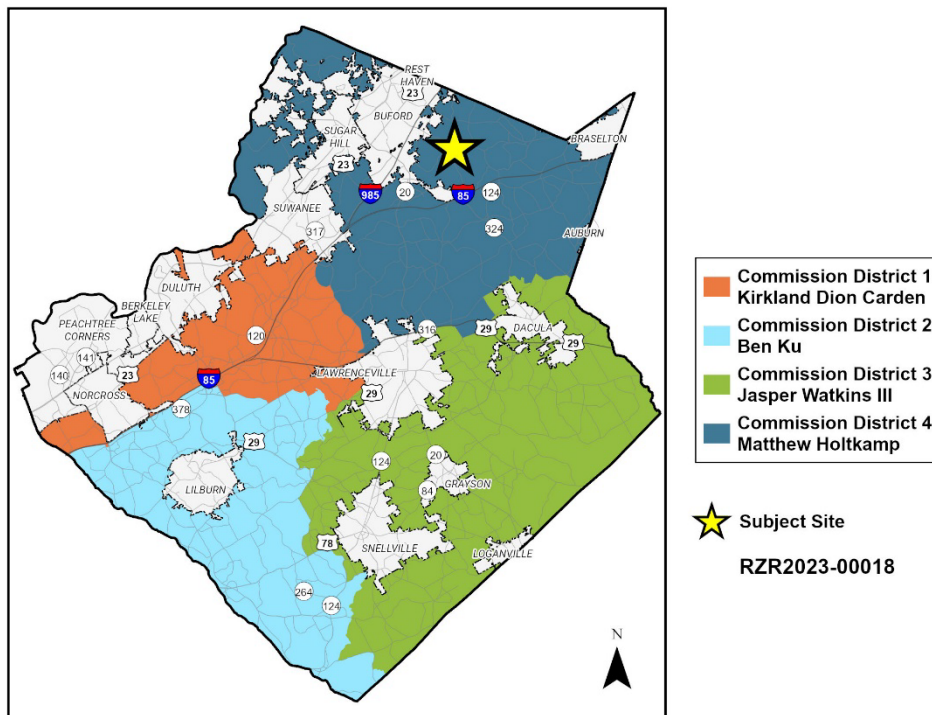


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2023-00018
Current Zoning: O-I (Office-Institutional District)
Request: Rezoning to **R-100** (Single-Family Residence District)
Overlay District: Highway 124/324/Hamilton Mill Road
Address: 3495 Hamilton Mill Road
Map Number: R7183 003B
Site Area: 0.85 acres
Square Feet: 1,448
Proposed Development: Single-Family Residence
Commission District: District 4 – Commissioner Holtkamp
Character Area: Emerging Suburban

Staff Recommendation: **APPROVAL WITH CONDITIONS**



Applicant: Timothy and Yenhua Pugh
3395 Duncan Bridge Drive
Buford, GA 30519

Owner: Yenhua Shen Pugh (YSA Hamilton, LLC)
3395 Duncan Bridge Drive
Buford, GA 30519

Contact: Timothy Pugh

Contact Phone: 706.372.6239

Zoning History

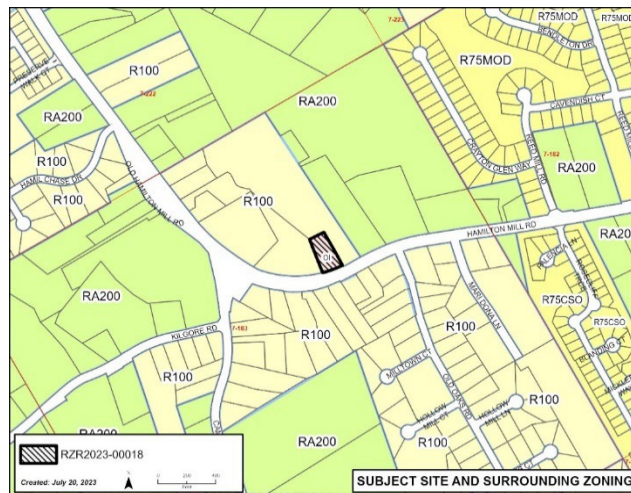
The subject property is zoned O-I (Office-Institutional District). In 2008, the property was rezoned from R-100 (Single-Family Residence District) to O-I for a chiropractic office, pursuant to RZC-08-083. A change in conditions to relocate a proposed parking lot to the front yard was approved in 2009, pursuant to CIC-09-013. In 2022, a change in conditions to expand the permitted uses to include medical and professional office was approved, pursuant to CIC2022-00004. The subject property is located within the Highway 124/324/Hamilton Mill Road Overlay District.

Existing Site Condition

The subject site is a 0.83-acre parcel located on the north side of Hamilton Mill Road, approximately 500 feet east of its intersection with Camp Branch Road. This site is developed with a single-family residential home constructed in 1964, that has previously been converted into a chiropractor office. The site gradually slopes downward from east to west. Mature vegetation is present along Hamilton Mill Road at the southern portion of the property, which screens the site from view of the right-of-way. Mature vegetation is also present along the side and rear property lines. The site is accessed from Hamilton Mill Road via a paved driveway. A parking lot with seven parking spaces (including one ADA accessible space) is located in the front of the building. Sidewalks are not present along the Hamilton Mill Road frontage. The nearest Gwinnett County transit stop is located 4.0 miles from the site.

Surrounding Use and Zoning

The subject site is surrounded by single-family residences on large lots. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.20 units per acre
North	Single-Family Residential	R-100	0.12 units per acre
East	Single Family Residential	R-100	0.12 units per acre
South	Single-Family Residential	R-100	0.93 units per acre
West	Single-Family Residential	R-100	0.33 units per acre

Project Summary

The applicant requests rezoning of a 0.83-acre property from O-I to R-100 for a single-family detached residence, including:

- An existing 1,448 square foot residence, that will remain as currently constructed.
- An existing accessory structure in the rear yard.
- Mature vegetation along the side(s) and rear of the property.
- An existing parking lot in the front of the building with seven parking spaces (including one ADA accessible space).
- A wooden privacy fence enclosing a portion of the side and rear yards.
- No exterior changes are proposed to the site.

Zoning and Development Standards

The applicant is requesting a rezoning to R-100, Single-Family Residence District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	< 35'	YES
Front Yard Setback	Minimum 50'	> 50'	YES
Side Yard Setback	Minimum 10'	> 10'	YES
Rear Yard Setback	Minimum 40'	> 40'	YES
Paved Surface	Maximum 35% of front yard	>35%	NO*
Parking Spaces	Maximum of 6 per dwelling	7	NO*

*If the rezoning request is approved, the paved surface area must be reduced to 35% of the front yard and be reduced to a maximum of six parking spaces.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit E). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined

in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

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 rezoning is suitable in view of the existing surrounding single-family residences. Prior to the 2008 rezoning request from R-100 to O-I, the property was used as a single-family residence. Rezoning the property back to R-100 makes the property's use and zoning classification consistent with the adjacent and nearby properties.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The existing use and usability of the adjacent or nearby properties would not be negatively impacted by the proposed rezoning. The request to rezone back to R-100 would result in a more compatible zoning category for the area. Additionally, a single-family residence would generate less traffic than an office use.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

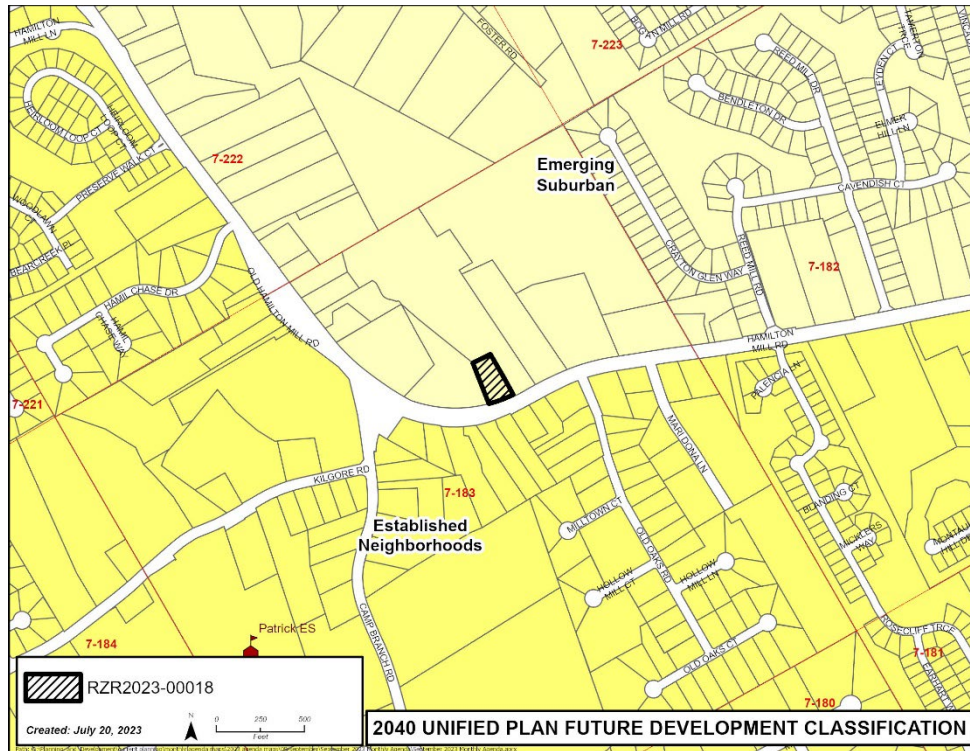
The property has a reasonable economic use as currently zoned.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An impact on public facilities is not anticipated in the form of traffic, utility demand, and stormwater runoff for the rezoning request. Minimal impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit E).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Emerging Suburban Character Area, which are currently mainly residential but have not yet matured into established communities due to relatively large amounts of remaining, undeveloped land. This Character Area is expected to experience new single-family detached residential development during the 20-year planning period. Most Emerging Suburban areas are located on local, collector, or minor arterial roads, of which Hamilton Mill Road is classified as. A single-family detached residence would be appropriate in this 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.

The property was originally developed as a single-family home and maintains the appearance of a residence except for the surface parking lot in the front of the building. Returning to R-100 would make it consistent with the adjacent uses and zoning classifications of the surrounding area. However, the parking area should be reconstructed to better conform to a residential use of the property.

Staff Recommendation

Based on the staff’s evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommendation

Based on staff’s evaluation of the request, information presented at the public hearing, and the Planning Commission’s consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions)

Approval as R-100 (Single-Family Residence District) subject to the following conditions:

1. The property shall be limited to a single-family residence and accessory uses and structures.
2. The existing parking lot shall be reconstructed to occupy no more than 35% of the front yard and shall be redesigned to be more residential in nature, subject to review and approval of the Department of Planning and Development.
3. A maximum of 6 off-street parking spaces shall be permitted.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Applicant's Response to Standards
- D. Application and Disclosure of Campaign Contributions
- E. Internal and External Agency Review Comments
- F. Maps

Exhibit A: Site Visit Photos



View from Hamilton Mill Road



Existing Parking on Site



Existing Structure on Site

Exhibit B: Site Plan

[attached]

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GENERAL NOTES:

- BOUNDARY INFORMATION TAKEN FROM SURVEY FOR "LANCE R. A. ADAMS & BROTHER, DATED 1/20/18, PREPARED BY THOMAS WOOD & ASSOCIATES. TOPOGRAPHIC INFORMATION TAKEN FROM GWINNETT COUNTY GIS, DATED 2022.
- HENRY COUNTY PERMITS MUST BE OBTAINED 24 HOURS PRIOR TO BEGINNING CONSTRUCTION AT 8:00 AM-5:00 PM.
- ALL CONSTRUCTION TO CONFORM WITH HENRY COUNTY STANDARDS AND SPECIFICATIONS.
- PERMITS CALCULATED:
1) SHALL 200 SF OFFICE
LANS 20' x 1 2/3" @ 200 SF = 7 SPACES
- PARKING PROVIDED:
6 STANDARD SPACES (8' X 18')
2 HANDICAPPED SPACES (8' X 18')
- TRAFFIC SIGNALS
- ALL EXISTING SHALL BE OUT-OFF FOR TYPE (A). NO SHALL UTILITIES SHALL BE EXPOSED.
- NO OTHER WORKING OF TRUCK, WHEEL OR CONSTRUCTION EQUIPMENT REQUIRED BY NEW OR EXISTING CONSTRUCTION FOR COMMERCIAL BUREAU POINT FOR ALL BUREAU MUST BE OBTAINED FROM GWINNETT COUNTY FIRE DEPARTMENT.
- PROPOSED USE: COMMERCIAL OFFICE
- DURING CONSTRUCTION, AND FOR PERMANENT ACCESS, ROADWAY WIDTH SHALL BE 20 FT. MINIMUM FOR INTERSECTION, FIRE CODE, 2022 EDITION, SECTION 302.2.1.
- APPROVAL OF THESE PLANS DOES NOT CONSTITUTE APPROVAL BY GWINNETT COUNTY OF ANY LAND DECISIONS ACCIDENTS WITHIN WITHIN AREAS IS IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY VIOLATION AREA DISTURBANCE.
- EACH BUILDING AND ITS LOCATION RELATIVE TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2000 SEPARATED BUILDING CODE WITH CA CODE AMENDMENTS (2022) WITH REGARD TO THE HEIGHT AND AREA REQUIREMENTS OF SEC TABLE 303 AND THE FIRE RESISTANCE AND HORIZONTAL SEPARATION REQUIREMENTS OF 2002 TABLE 603 AND 602 BASED ON OCCUPANCY CLASSIFICATION AND TYPE OF CONSTRUCTION.
- EACH BUSINESS SHALL POST AND MAINTAIN THE ADDRESS OF THE BUILDING IN A CONSPICUOUS PLACE VISIBLE FROM THE STREET NOT MORE THAN 10 FEET OFF THE CURB OR THE SIDE OF THE STREET. THE ADDRESS SHALL CONSIST OF NUMBER AT LEAST 4 INCHES HIGH ON CONTRASTING BACKGROUND FOR 24 HOUR VISIBILITY.
- RETAIN BUILDING HEIGHT: EXISTING 1-3 STORY HEIGHT
TOTAL SQUARE FOOTAGE: 1,423 SF
- A SEPARATE BUILDING POINT SHALL BE PROVIDED FOR ALL RETAINING WALLS GREATER THAN 4 FEET IN HEIGHT AND ALL RETAINING WALLS USED AS A DIAM PRIOR TO CONSTRUCTION OF THE WALLS.
- NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
- NO DRIVE-UP SHOWERS ARE TO BE INSTALLED.
- HIGH PROTECTIVE LIGHTING EQUIPMENT SHALL BE TO ADVANCED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM PUBLIC VIEW AND FROM ADJACENT RESIDENTIAL PROPERTY AND DOES NOT INTERFERE WITH TRAFFIC.
- ALL SURFACES AND WALKWAYS SHALL BE CLEARLY DEMARCATED BY PAINTING AND/OR MARKING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
- NO OUTSIDE STORAGE INCLUDING THE INCLUDES SUPPLIES, EQUIPMENT, VEHICLES, PRODUCTS, ETC.
- DOING LOCATION, HEIGHT, AND SET ARE NOT APPROVED UNDER THIS DEVELOPMENT POINT.
A SEPARATE POINT IS REQUIRED FOR EACH SET.
- NO ENCLOSURES ARE PERMITTED.
- THERE IS AN EXISTING STRUCTURE ON THE SITE.
- THERE ARE NO OVERHEAD POWER LINES ASSOCIATED WITH THE PROJECT.

ACCESSIBILITY NOTES:

- SLOPE OF CURB RAMP(S) SHALL COMPLY WITH THE REQUIREMENTS OF RULE 120-3-20-16(C), 120-3-20-18, GEORGIA ACCESSIBILITY CODE.
- CONTOURS OF CURB RAMP(S) SHALL COMPLY WITH RULE 120-3-20-16, GEORGIA ACCESSIBILITY CODE.
- THE (MINIMUM WIDTH) OF A CURB RAMP SHALL BE 36 INCHES, EXCLUSIVE OF PLACED JERSEY BARRIERS AND FLOOR SURFACING) ALONG ACCESSIBLE ROUTES AND WALKS, RAMPS, STAIRS AND CURB RAMPS, SHALL BE STABLE, FIRM, SLIP-RESISTANT, AND SHALL COMPLY WITH RULE 120-3-20-16(B), GEORGIA ACCESSIBILITY CODE.
- (CURB RAMP(S) SHALL BE LOCKED OR PROTECTED TO PREVENT THEIR OBSTRUCTION BY PARKED VEHICLES. RULE 120-3-20-16(D), GEORGIA ACCESSIBILITY CODE.
- (CROSSING) PROJECTIONS FROM WALKS, (FOR EXAMPLE, TELEPHONE) WITH THEIR LEADING EDGES (BEHIND) 27 INCHES AND 20 INCHES ABOVE THE FINISHED FLOOR SHALL PROTRUDE NO MORE THAN 4 INCHES TO WALKS, WALKS, CORRIDORS, PASSAGE WAYS OR ACCESS RULE 120-3-20-15, GEORGIA ACCESSIBILITY CODE.
- COICES OF CURB RAMP(S) SHALL BE PROVIDED FOR THE REQUIREMENT OF RULE 120-3-20-16(C), GEORGIA ACCESSIBILITY CODE.
- (CURB RAMP(S) SHALL HAVE A DETECTABLE WARNING COMPLYING WITH RULE 120-3-20-16, DETECTABLE WARNING TECHNIQUE SHALL CONSIST OF TYPICAL POWER (BRICKS) MAY BE USED INSTEAD OF GRATE. DETECTABLE WARNING SHALL BE 2 FEET WIDE AND 2 FT. DEPTH OF THE CURB RAMP. RULE 120-3-20-16 (F), GEORGIA ACCESSIBILITY CODE.

COMMERCIAL DEVELOPMENT DATA

PROJECT DATA
DEVELOPMENT TYPE: MEDICAL (COMMERCIAL) OFFICE
ZONING: (D-O) OFFICE - INSTITUTIONAL
TOTAL AREA: 0.85 ACRES
LIMITS OF DISTURBED AREA: 3000 SQ FT

PARKING SPACES:
EXISTING: 0
NEW: 7 SPACES
PARKING SURFACE TYPE: CONCRETE
REQUIRED PARKING SPACES:
OFFICE: 2 SPACES
HANDICAP: 2 SPACES
PROVIDED PARKING SPACES: 7 SPACES

BUILDING DATA:
EXISTING FLOOR AREA (GFA): 1,423
NEW FLOOR AREA (GFA): 300
TOTAL FLOOR AREA (GFA): 1,723
EXISTING BLDG (SQ FT)
NEW BLDG (SQ FT)
TOTAL (SQ FT)
HEIGHT (MAX): 1

RELATED CASES:
2023-00003

TREES:
REMOVED:
NEW/PLANTING: 30' UNDISTURBED (NEAR)
NEED TO BE LONGER (NEAR)
BUFFER TREES PLANTED: 0
NON BUFFER TREES PRESERVED: 4
NON BUFFER TREES REPLACED: 0
SANITARY SERVICES: NONE

REVISIONS

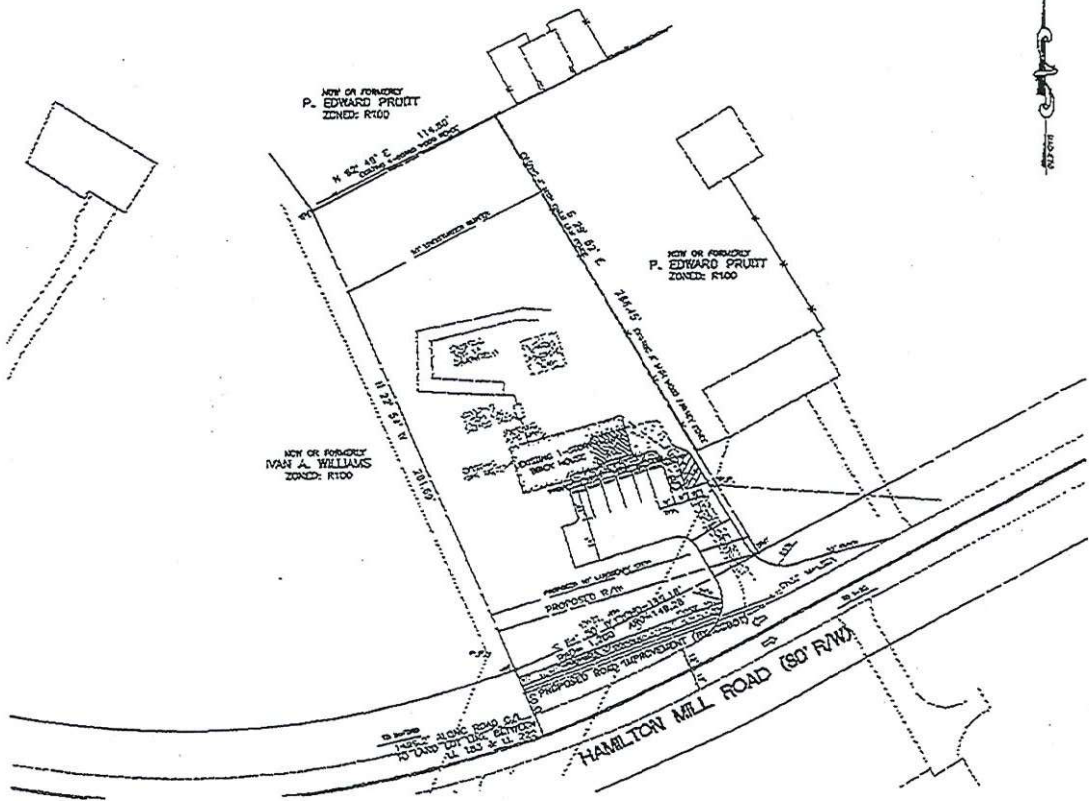
NO.	DATE	DESCRIPTION



Patterson-Bly, Inc.
100 ATLANTA STREET, SUITE 400
ATLANTA, GA 30303
TEL: 404.525.1111 FAX: 404.525.1112

SITE PLAN 104
HAMILTON MILL SPINE CENTER
7TH STREET, 1400 LOT 103, PARCEL 038
GWINNETT COUNTY, GEORGIA

SCALE: 1" = 30'
DATE: 05/06/09
PROJECT NO: 00-101



PROPERTY AREA: 0.85 ACRES
DISTURBED AREA: 0.11 ACRES
ZONING: (D-O) OFFICE - INSTITUTIONAL

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MAR 11 2009
GWINNETT PLANNING DIVISION

SITE ADDRESS:
2825 HAMILTON MILL ROAD
BURNING WOOD, GA 30529

OWNER/DEVELOPER:
HAMILTON MILL SPINE CENTER
1530 PUEBLO MILLS ROAD, SUITE 300
BURNING WOOD, GA 30529
PHONE: (770) 614-6460
CONTACT: BR. TOM POON

24-HOUR CONTACT:
DR. DAN JACOB
PHONE: (770) 614-6153

UTILITIES PROTECTION CENTER, INC.

CALL FREE THROUGHOUT GEORGIA
1-800-252-7411
IN ATLANTA: 770-252-7411

DO NOT WORKING DAYS BEFORE YOU DIG
ITS THE LAW

Exhibit C: Letter of Intent and Applicant's Response to Standards

[attached]

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REZONING APPLICANT'S LETTER OF INTENT

The Applicants, Timothy and Yenhua Pugh, request a change in zoning designation for the property in question, located at 3495 Hamilton Mill Road, Buford, GA 30519.

The existing O&I zoning designation was approved by Gwinnett County in 2009, after which time the property was used as a chiropractic clinic until the doctor retired from practice in December 2019. It has sat vacant since that time, due in part to issues related to the COVID-19 pandemic, but also due to its current O&I zoning designation.

The property has been marketed, at different times, both for sale, and for lease, without success. There have been plenty of calls; however, without exception, all of the businesses that expressed an interest in leasing the property would require it to be zoned C2, which is impossible. A number of families also inquired about renting the property for their residence; however, they had to be turned away due to the current zoning designation.

Rezoning the property to its original R100 designation would enable it to be leased within a relatively short period of time, which would be a good thing for the community. It would also greatly ease the financial hardship caused by continued expenses such as utilities, general upkeep, and commercial property taxes, at a time when the Applicants' income has been reduced to limited retirement benefits.

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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 use is suitable.

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

It will not.

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

Property has been vacant for 3 1/2 years. To date, all interested parties have had businesses that did not qualify to lease property as currently zoned (C-1).

- (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:

It will not.

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

It is.

- (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:

Yes, property has remained vacant since I retired and closed my chiropractic practice in Dec. 2019. Have been unable to find a qualified tenant under current zoning designation; however, numerous parties have expressed an interest in renting the property as a residence. AG

Exhibit D: Application and Disclosure of Campaign Contributions

[attached]

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REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Timothy and Yenhua Pugh</u>	NAME: <u>Yenhua Shen Pugh</u> <u>(DBA YSP Hamilton, LLC)</u>
ADDRESS: <u>3395 Duncan Bridge Drive</u>	ADDRESS: <u>3395 Duncan Bridge Dr.</u>
CITY: <u>Buford</u>	CITY: <u>Buford</u>
STATE: <u>GA</u> ZIP: <u>30519</u>	STATE: <u>GA</u> ZIP: <u>30519</u>
PHONE: <u>(706) 372-6239 / 0771</u>	PHONE: <u>(706) 372-0771</u>
EMAIL: <u>esp3395@gmail.com</u>	EMAIL: <u>esp3395@gmail.com</u>
CONTACT PERSON: <u>Tim Pugh</u> PHONE: <u>(706) 372-6239</u>	
CONTACT'S E-MAIL: <u>esp3395@gmail.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): 0-1 REQUESTED ZONING DISTRICT: R100

PARCEL NUMBER(S): R7183003B ACREAGE: 0.83

ADDRESS OF PROPERTY: 3495 Hamilton Mill Rd., Buford, GA 30519

PROPOSED DEVELOPMENT: Return to R100 designation for use as a residence.

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>1</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>1,448</u>	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

6/15/2023

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.

Y.S. Pugh

6/15/23

Signature of Applicant

Date

Yenhua S. Pugh

Type or Print Name and Title

afth

June 15, 2023

Signature of Notary Public

Date



Notary Seal

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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.

Yen S. Pugh

6/15/23

Signature of Property Owner

Date

Yenhua S. Pugh

Type or Print Name and Title

[Signature]

June 15, 2023

Signature of Notary Public

Date



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.

Y.S. Pugh 6/15/23 Yenhua S. Pugh
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

N/A — —
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

[Signature] June 15, 2023
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 Yenhua S. Pugh
YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL 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.

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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: R7 - 183 - 003B
(Map Reference Number) District Land Lot Parcel

Yen S. Pugh

6/15/2023

Signature of Applicant

Date

Yenhua S. Pugh

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)

Viki Schobly

TSA II

NAME

TITLE

6/15/2023

DATE

Exhibit E: Internal and External Agency Review Comments

[attached]



**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:		08.09.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		RZR2023-00018	
Case Address:		3495 Hamilton Mill Road, Buford, 30519	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Hamilton Mill Road is a minor arterial. ADT = 15,264.		
2	4.0 miles to the nearest transit facility (#2334754) Buford/SR 20 Park and Ride.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

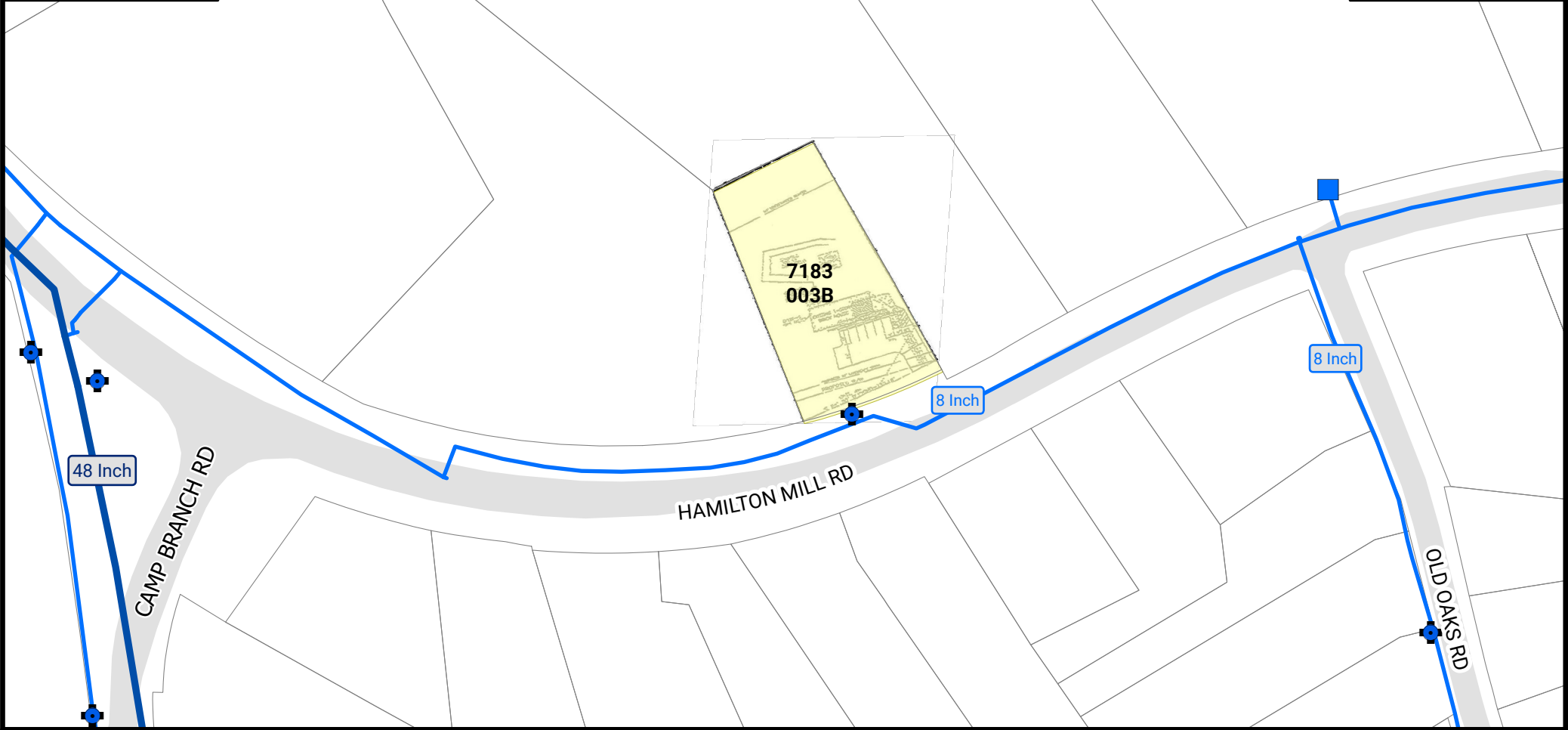
Note: Attach additional pages, if needed

Revised 7/26/2021



**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

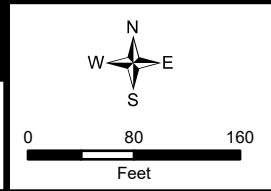
TRC Meeting Date:					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com			
Case Number:		RZR2023-00018			
Case Address:		3495 Hamilton Mill Rd			
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1	Water: GCDWR does not have comments for this Rezoning Case. The existing building is connected to public water.				
2	Sewer: GCDWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.				
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1					
2					
3					
4					
5					
6					
7					



LEGEND

- Water Main
- Hydrant
- Master Vault

3495 Hamilton Mill Rd
 O-1 to R-100
Water & Sewer
Utility Map



Water Comments: GCDWR does not have comments for this Rezoning Case. The existing building is connected to public water.

Sewer Comments: GCDWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Exhibit F: Maps

[attached]



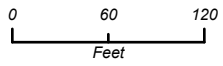
CAMP
BRANCH RD

HAMILTON MILL RD

OLD OAKS RD

 RZR2023-00018

Created: July 20, 2023



Gwinnett County GIS

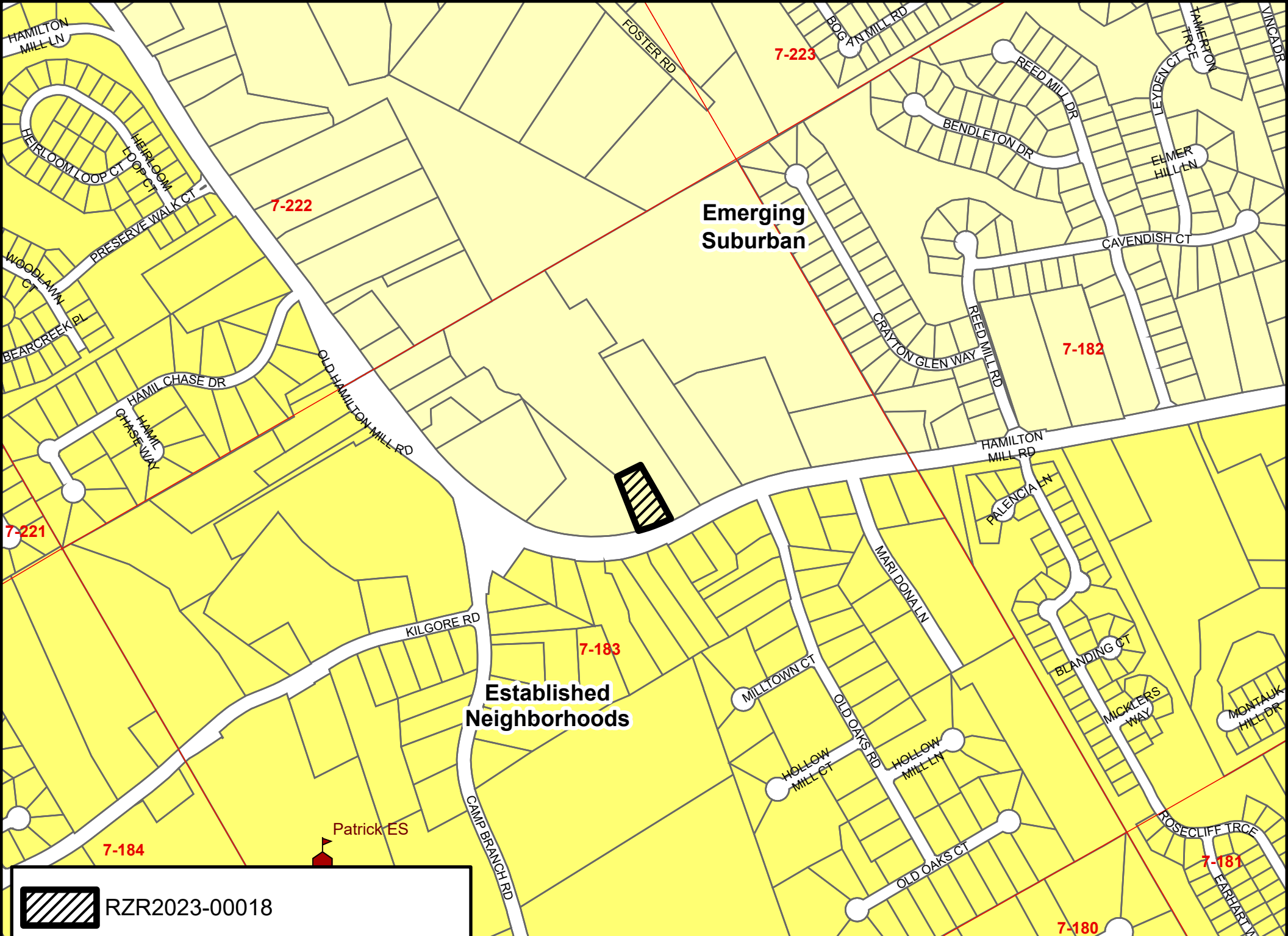


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SUBJECT SITE AND SURROUNDING ZONING

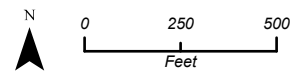


Emerging Suburban

Established Neighborhoods

 RZR2023-00018

Created: July 20, 2023



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION