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CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Pedro Duenas Tovar</u>	Name: <u>Pedro Duenas Tovar</u>
Address: <u>1478 Kim Manor Way</u>	Address: <u>1478 kim manor way</u>
City: <u>Lawrenceville</u>	City: <u>Lawrenceville</u>
State: <u>GA</u> ZIP: <u>30043</u>	State: <u>GA</u> ZIP: <u>30043</u>
Phone: <u>(404) 925-2074</u>	Phone: <u>(404) 925-2074</u>
Email: <u>Pedrodt2010@hotmail.com</u>	Email: <u>Pedrodt2010@hotmail.com</u>
Contact Person: <u>Pedro Duenas</u> Phone: <u>(404) 925-2074</u>	
Contact's Email: <u>pedrodt2010@hotmail.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser	
Zoning District(s): <u>Gwinnett</u> Prior Zoning Case No.: <u>BZR2018-00033</u>	
Parcel Number(s): <u>R7055 393</u> Acreage: <u>.24</u>	
Property Address(es): <u>1478 Kim Manor Way Lawrenceville, Ga 30043</u> to remove condition 2H of RZR2018-00033	
Proposed Change in Conditions: _____	
Variance(s): _____ Waiver(s): _____	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT
No. of Dwelling Units: <u>1</u>	No. of Buildings: _____
Dwelling Unit Sq. Ft.: <u>400</u>	Total Building Sq. Ft.: _____
Density: _____	Floor Area Ratio: _____
Floor Area Ratio (LRR, MRR, HRR): _____	
MIXED-USE DEVELOPMENT	
No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

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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 attachment as necessary:

- (A) Whether a proposed change in conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property:

The shed does not block any views of nearby property

- (B) Whether a proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property:

The shed does not affect the usability of nearby property

- (C) Whether the property to be affected by a proposed change in conditions has reasonable economic use as currently zoned:

It does not, it is only used as storage

- (D) Whether the proposed change in conditions will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

It does not, it's located in the backyard of the home

- (E) Whether the proposed change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map:

It does not effect any future development map, the storage will remain in the same location

- (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 change in conditions:

It does not the only change in conditions it affects is the one we request to eliminate

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CHANGE IN CONDITIONS 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 six (6) months from the date of last action by the Board of Commissioners.

Pedro Duenas

2/21/24

Signature of Property Owner

Date

Pedro Duenas Tovar
Type or Print Name and Title

[Signature]

Signature of Notary Public

02/20/24

Date

CHINGO
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires April 10, 2026

Notary Seal

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CHANGE IN CONDITIONS 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 six (6) months from the date of last action by the Board of Commissioners.

Pedro Duenas

Signature of Applicant

3/21/24

Date

Pedro Duenas Tovar

Type or Print Name and Title

[Signature]
CHI NGO
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires April 10, 2026

Signature of Notary Public

02/21/24

Date

CHI NGO
NOTARY PUBLIC
Gwinnett County
State of Georgia
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CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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.

Pedro Duenas

2/20/22

Pedro Duenas

Signature of Applicant

Date

Type of Print Name and Title

Pedro Duenas 2/21/24

Signature of Applicant's
Attorney or Representative

Date

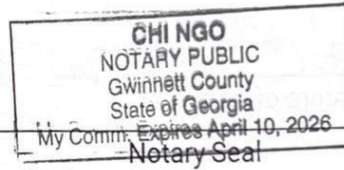
Type or Print Name and Title

Candice

Signature of Notary Public

02/21/24

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?

Yes

No

Pedro Duenas Tovar

(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.

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS**

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 Gwinnett County Tax Commissioner. In no case shall an application or reapplication for change in conditions be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE CHANGE IN CONDITIONS REQUEST.

Parcel I.D. Number: R7055 393

(Map Reference Number)

Pedro Dueñas

Signature of Applicant

2/20/22

Date

Pedro Dueñas Tovar

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. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.

TAX COMMISSIONERS USE ONLY

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

Vicki Schokky

Name

ISA II

Title

2/21/2024

Date

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Dear, To whom it may concern

I am writing to address the concern regarding the setback distance of the shed constructed in my backyard. I understand that it does not currently meet the required distance from the buffer as stipulated by local zoning regulations.

After careful consideration, I respectfully request to strike out completely the condition of providing a 25-foot wide undisturbed buffer along the perimeter of the property, adjacent to residentially-zoned properties. RA-200 to R-75 Number 2 section H.

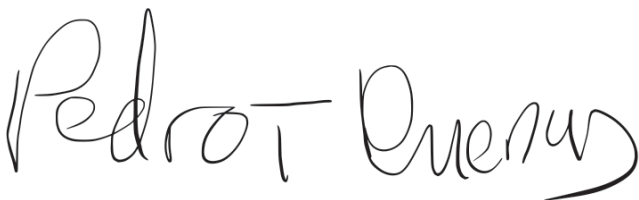
After careful consultation, I have decided to relocate the storage structure on my property. The purpose of this relocation is to follow the regulations given to me by Gwinnett County. Specifically, I intend to move the storage unit approximately five feet towards the property line. Furthermore, I have also decided to remove the fence along the retention pond side of my property. I will also be moving the fence from the opposite side ensuring it is within my property.

The shed is used as storage. It provides an area for me to store my work tools and lawn maintenance equipment and other home equipment such as bikes and holiday decor for my home. When building the storage I had careful consideration for the aesthetic of my property and nearby properties as well.

I appreciate your attention to this matter and am hopeful for a favorable resolution that allows me to retain the shed in its current position. Please let me know if there are any further steps or procedures I should follow in pursuing this process.

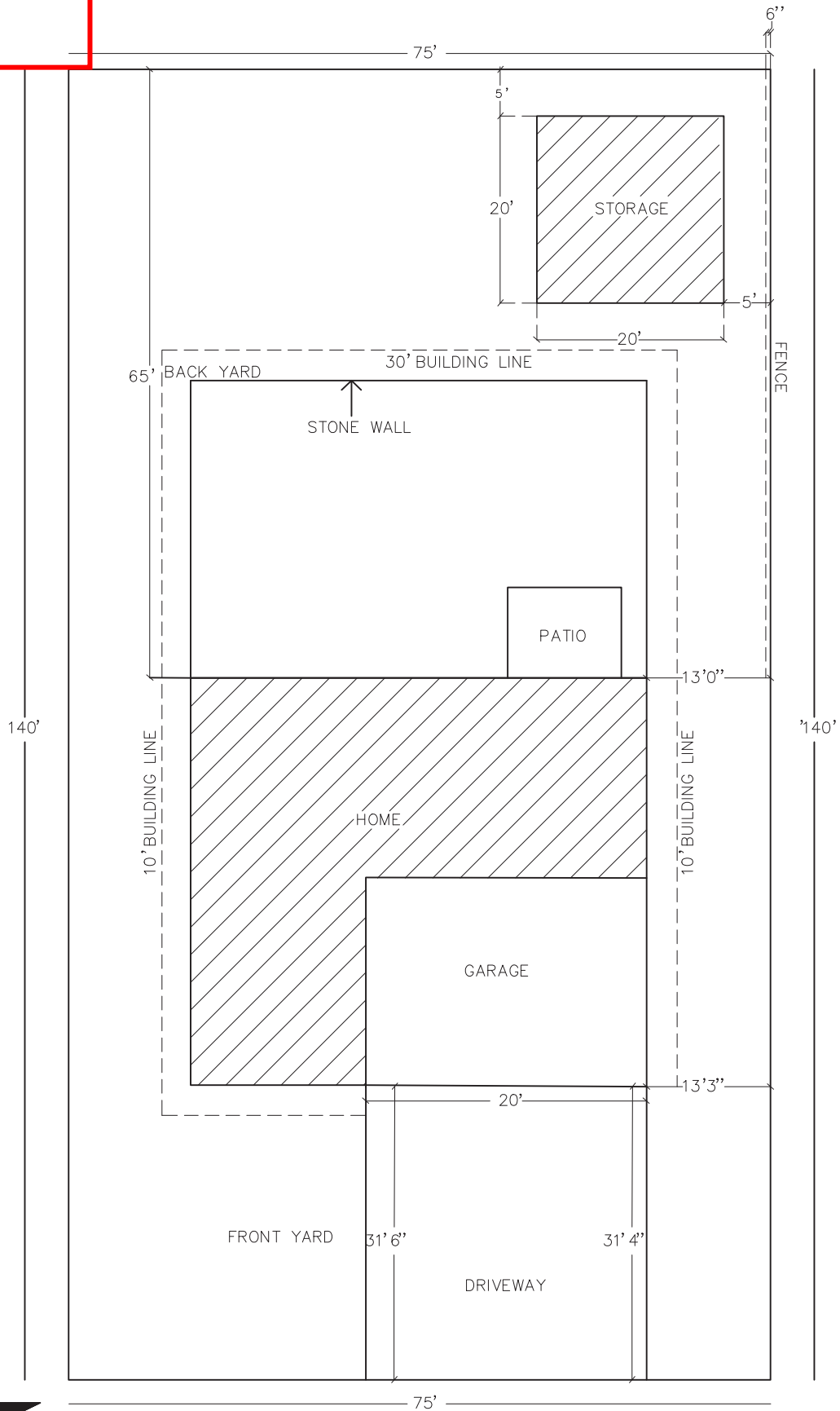
Sincerely,

Pedro Duenas Tovar

A handwritten signature in black ink that reads "Pedro Duenas". The signature is written in a cursive, flowing style.

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PEDRO DUEÑAS

KIM MANOR WAY STREET

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LEGAL DESCRIPTION

Tract 1 – 13.450 Acres

All that tract or parcel of land lying and being in Land Lot 55, 7th District, Gwinnett County, Georgia and being more particularly described as follows. Commence at the intersection of the westerly right of way of Prospect Road (right of way varies) and the southerly right of way of Prospect Church Road (80' right of way), said point being the Point of Beginning. Proceed thence, along the westerly right of way of said Prospect Road, along the arc of a curve having a radius of 2603.90 feet a distance of 122.56 feet, said arc being subtended by a chord having a bearing of South 31 degrees 07 minutes 29 seconds East and a distance of 122.55 feet; thence, along the arc of a curve having a radius of 2603.90 feet a distance of 119.87 feet, said arc being subtended by a chord having a bearing of South 28 degrees 27 minutes 27 seconds West and a distance of 119.86 feet; thence, along the arc of a curve having a radius of 1106.72 feet a distance of 84.59 feet, said arc being subtended by a chord having a bearing of South 24 degrees 49 minutes 09 seconds East and a distance of 84.57 feet; thence, along the arc of a curve having a radius of 1106.72 feet a distance of 39.20 feet, said arc being subtended by a chord having a bearing of South 21 degrees 36 minutes 53 seconds East and a distance of 39.20 feet; thence, South 20 degrees 41 minutes 44 seconds East a distance of 285.03 feet; thence, along the arc of a curve having a radius of 1181.20 feet a distance of 60.28 feet, said arc being subtended by a chord having a bearing of South 22 degrees 08 minutes 38 seconds East and a distance of 60.27 feet; thence, along the arc of a curve having a radius of 1181.20 feet a distance of 150.06 feet, said arc being subtended by a chord having a bearing of South 27 degrees 14 minutes 42 seconds East and a distance of 149.96 feet; thence, along the arc of a curve having a radius of 1181.20 feet a distance of 177.03 feet, said arc being subtended by a chord having a bearing of South 35 degrees 12 minutes 02 seconds East and a distance of 176.87 feet; thence, leaving the westerly right of way of said Prospect Road, South 60 degrees 08 minutes 08 seconds West a distance of 591.08 feet; thence, North 30 degrees 06 minutes 42 seconds West a distance of 343.11 feet; thence, North 29 degrees 50 minutes 25 seconds West a distance of 542.75 feet to a point on the southerly right of way of said Prospect Church Road, thence, along the southerly right of way of said Prospect Church Road, North 46 degrees 34 minutes 54 seconds East a distance of 74.86 feet; thence, leaving the southerly right of way of said Prospect Church Road, South 29 degrees 50 minutes 40 seconds East a distance of 209.93 feet; thence, North 47 degrees 27 minutes 55 seconds East a distance of 210.48 feet; thence, North 29 degrees 58 minutes 49 seconds West a distance of 210.13 feet to a point on the southerly right of way of said Prospect Church Road; thence, along the southerly right of way of said Prospect Church Road, North 48 degrees 17 minutes 36 seconds East a distance of 236.38 feet; thence, along the arc of a curve having a radius of 2303.50 feet a distance of 144.68 feet, said arc being subtended by a chord having a bearing of North 46 degrees 29 minutes 35 seconds East and a distance of 144.66 feet to a point on the westerly right of way of said Prospect Road, said point being the Point of Beginning. Said tract or parcel of land contains 13.450 acres and is further described as Tract 1 on a

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RFR 18033

Planning & Development

GWINNETT COUNTY
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Boundary Survey prepared by Carlan Land Surveyors for Prospect 20, dated July 13, 2018.

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Planning & Development

BZR 18 033



GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: DECEMBER 18, 2018

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

	<u>Present</u>	<u>Vote</u>
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of COMM. HEARD, which carried 5-0, 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-75 by HODGES FAMILY PROPERTIES for the proposed use of a SINGLE-FAMILY SUBDIVISION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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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 DECEMBER 18, 2018 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 18th day of DECEMBER 2018, that the aforesaid application to amend the Official Zoning Map from RA-200 to R-75 is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses, not to exceed 38 units.
 - B. The minimum heated floor area per dwelling unit shall be 2,200 square feet for one-story homes and 2,400 square feet for two-story homes.
 - C. Homes shall be constructed primarily of brick or stacked stone on front facades, with accents of fiber-cement siding or shake. The balance of the home may be the same or of fiber-cement siding with a minimum 3-foot brick or stacked stone water table.
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. The development shall abide by all applicable standards of the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of an administrative variance or by the Zoning Board of Appeals, as appropriate.
 - B. No direct lot access shall be allowed from Prospect Road or Prospect Church Road.
 - C. All grassed areas shall be sodded.

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CASE NUMBER RZR2018-00033

GCID 2018-1494

- D. All utilities shall be placed underground.
- E. Natural vegetation shall remain on the property until the issuance of a development permit.
- F. The Prospect Road and Prospect Church Road frontages shall be landscaped by the developer and maintained by the Homeowner's Association. Entrances shall include decorative masonry entrance features. Landscape and entrance feature plans shall be subject to review and approval of the Director of Planning and Development.
- G. A specimen tree concept plan and tree survey shall be required prior to the submittal of a development permit application.

H. [REDACTED]

3. Abide by the following requirements, dedications and improvements:

- A. Dedicate a 20-foot right-of-way miter at the intersection of Prospect Road and Prospect Church Road, as depicted on the miter exhibit presented at the November 7, 2018 Planning Commission public hearing.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 1/3/19

ATTEST:

Deane Kemp
County Clerk/Deputy County Clerk

