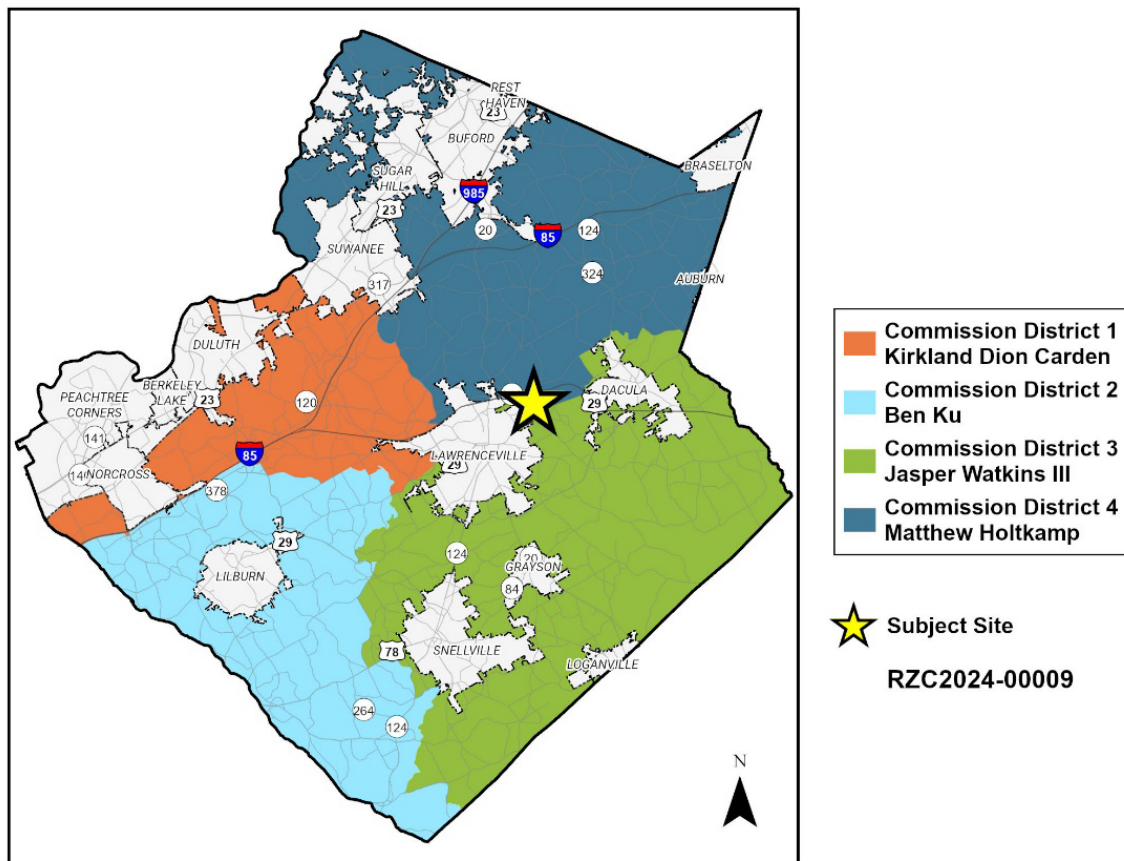


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZC2024-00009</b>
<b>Current Zoning:</b>	<b>M-2 (Heavy Industry District) and R-ZT (Single-Family Residence Zero Lot Line/Townhouse District)</b>
<b>Request:</b>	<b>Rezoning to M-1 (Light Industry District)</b>
<b>Address:</b>	<b>145 Boulderbrook Circle</b>
<b>Map Number:</b>	<b>R5210 001C</b>
<b>Site Area:</b>	<b>4.30 acres</b>
<b>Square Feet:</b>	<b>21,600</b>
<b>Proposed Development:</b>	<b>Landscaping Contractors Office</b>
<b>Commission District:</b>	<b>District 3 – Commissioner Watkins</b>
<b>Character Area:</b>	<b>Innovation District</b>
<b>Staff Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>



**Applicant:** Dexter Maxwell  
2275 Marietta Boulevard, Suite 270-402  
Atlanta, GA 30318

**Owner:** Bluteal, LLC  
2275 Marietta Boulevard, Suite 270-402  
Atlanta, GA 30318

**Contact:** Wade Hunnicutt

**Contact**  
**Phone:** 770.447.6400 Ext.101

## Zoning History

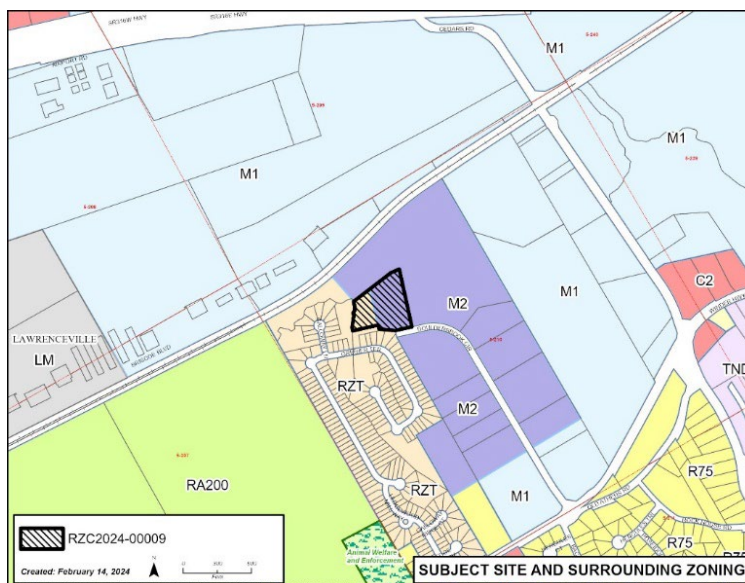
The subject property is zoned M-2 (Heavy Industry District) and R-ZT (Single-Family Residence Zero Lot Line/Townhouse District). The property was rezoned in 1991 from R-75 (Single-Family Residence District) to M-2, pursuant to RZ-91-050. The western portion of the property was rezoned from M-2 to R-ZT, pursuant to RZR-04-009.

## Existing Site Condition

The subject property is a 4.30-acre parcel located at the end of Boulderbrook Circle, a dead-end street from Winder Highway. The majority of the site is undeveloped and contains dense tree canopy. A small gravel parking area enclosed by a metal chain link fence in the front half of the property is accessed by a gravel driveway from Boulderbrook Circle. A 75-foot-wide underground pipeline easement is located along the southern property line. There is a stream with associated buffers located along the northern property line. A 20-foot-wide sewer easement runs along the northern property lines within the 75-foot-wide impervious setback. The terrain falls from the southeast to the northwest by approximately 40 feet. There are no sidewalks on Boulderbrook Circle. The nearest Gwinnett County Transit stop is approximately 3.5 miles from the subject property.

## Surrounding Use and Zoning

The site is surrounded by industrial and residential uses. Distribution centers and equipment suppliers are to the north and south along Boulderbrook Circle. Farther north is the Gwinnett County Airport. To the west is Manchester Walk, a single-family detached subdivision which is accessed by Winder Highway. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Landscaping Contractors Office	M-1	N/A
North	Industrial	M-2	N/A
East	Industrial	M-2	N/A
South	Industrial	M-2	N/A
West	Single-Family Residential	R-ZT	4.62 units per acre

## Project Summary

The applicant requests rezoning of a 4.30-acre property from M-2 and R-ZT to M-1 for a landscaping contractors office, including:

- Three buildings of approximately 21,600 square feet with overhead doors for office and warehouse space.
- Exterior facades of prefinished metal siding, which do not comply with the Architectural Design Standards of the UDO.
- 27 proposed surface parking spaces to the west of the building, including 23 spaces for vehicle parking and four spaces for truck parking.
- A stormwater management facility on the west side of the property and outside of the undisturbed zoning buffer and an underground stormwater system beneath the drive aisle between the buildings.
- Access provided by a single full-access entrance from Boulderbrook Circle.
- A 10-foot-wide landscape strip along Boulderbrook Circle and the private drive.
- A 50-foot-wide undisturbed buffer along the western and southern property lines.

## Zoning and Development Standards

The applicant is requesting a rezoning to M-1 for a landscaping contractors office. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 45'	40'	YES
Front Yard Setback	Minimum 50'	>50'	YES
Side Yard Setback	Minimum 25'	>25'	YES
Rear Yard Setback	Minimum 50'	>50'	YES
Parking (Warehouse including office)	Minimum 24 spaces Maximum 48 spaces	27 spaces	YES
Parking Dimensions	9' wide by 18' deep	9' wide by 20' deep 10' wide by 40' deep	NO*
Landscape Strip	Minimum 10'	10'	YES
Zoning Buffer	Minimum 50'	0'	NO**
Structure Setback	Minimum 5' from buffer	>5'	YES

\* The applicant must comply with the parking dimensions required by the UDO or request a variance from the Zoning Board of Appeals.

\*\* When an easement is located within a required zoning buffer, a minimum 20-foot-wide buffer shall be provided outside of the easement. It appears that this request may be satisfied during the plan review and permitting process.

## Public Participation Report

The applicant held a community meeting for the development on February 15, 2024 at Lucky Shoals Community Center in Lawrenceville. One resident attended who raised concerns with the visibility of the development during winter months. The applicant did not make any changes to the site plan as a result of the meeting. The public participation report is provided in Exhibit G.

## 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 F). 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 270-20.6. 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 would allow for a light industrial use within an existing industrial park. In addition, the proposed buildings are single-story and smaller than other industrial buildings along Boulderbrook Circle. Lastly, the use will not have any outdoor storage. The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property, if all zoning buffer standards are maintained.

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

The proposed zoning of M-1 on a portion of the property is a down zoning from the existing M-2 zoning, which allows for more intensive industrial uses. The site abuts a residential subdivision; however, zoning buffers and a 75-foot-wide pipeline easement would provide visual year round screening and separation. This development would improve the property which has been used for illegal dumping. Therefore, the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

**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.

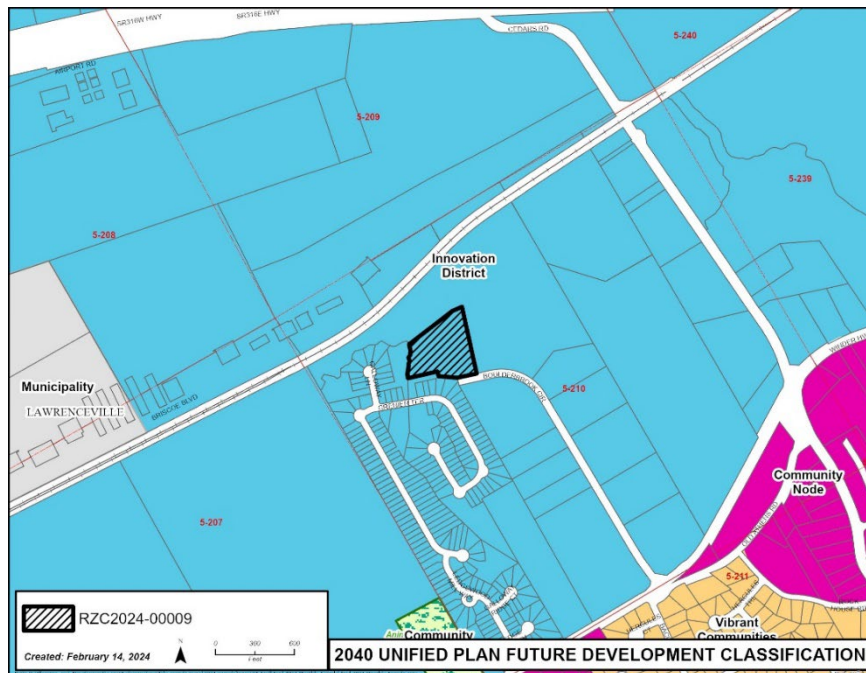


**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit F).

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

The application was received prior to the adoption of the 2045 Unified Plan, and was analyzed based on the 2040 Unified Plan. The Future Development Map of the Unified Plan indicates the subject property is within the Innovation District Character Area. This character area is intended to accommodate research and development, technological uses, and industrial parks. Although the recommended non-residential uses are anticipated to be strong employment generators, the size and location of the property constrains the site from developing into a large office or research facility. The proposed rezoning would allow a use that is compatible with surroundings uses within an existing industrial park. This development is in general conformity with the policy and intent of the Unified Plan and Future Development Map.



**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.**

There are no other conditions giving supporting grounds for either approval or disapproval of the proposed rezoning.

## 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.

## Staff Recommended Conditions

Approval as M-1 (Light Industry District) subject to the following conditions:

1. The property shall be limited to industrial uses in the M-1 Zoning District, with the following uses excluded:
  - a. Ambulance or Medical Transport Company
  - b. Stone Yard or Stone Cutting Establishment
  - c. Auction House
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received January 25, 2024, with revisions required by the Unified Development Ordinance, subject to review and approval of the Department of Planning and Development.
3. Outdoor storage shall be prohibited.
4. Temporary structures shall be prohibited.
5. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m.
6. Buildings shall be designed in accordance with the Gwinnett County Architectural Design Standards for Commercial and Non-residential Buildings.
7. Development of the site shall adhere to all zoning buffer requirements within the Unified Development Ordinance.
8. Natural vegetation shall remain on the site until the issuance of a development permit.

**Exhibits:**

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

**Exhibit A: Site Visit Photos**



View of property entrance facing west



View of pipeline easement facing west





View of property facing north



View of property facing north

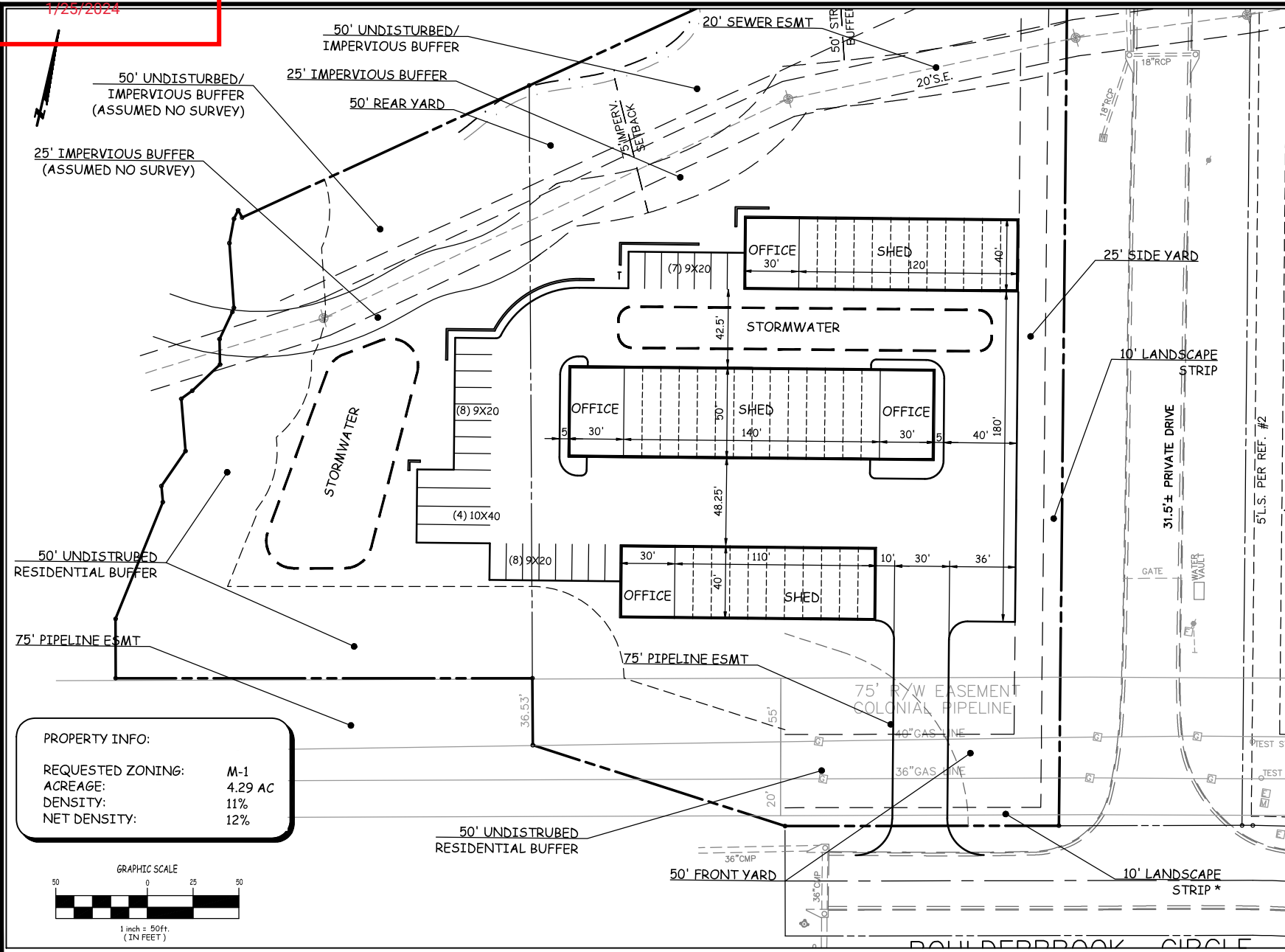
**Exhibit B: Site Plan**

**[attached]**

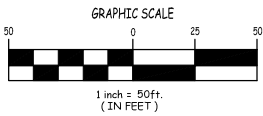


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PROPERTY INFO:  
 REQUESTED ZONING: M-1  
 ACREAGE: 4.29 AC  
 DENSITY: 11%  
 NET DENSITY: 12%



SEAL  
 Pharr  
 Engineering  
 5950 LIVE OAK PARKWAY  
 SUITE 220  
 NORCROSS, GEORGIA 30093

**BOULDERBROOK CIRCLE**  
**INDUSTRIAL DEVELOPMENT**  
 GWINNETT COUNTY  
**MAXWELL LANDSCAPE CONSTRUCTION, LLC.**  
 2275 MARIETTA BLVD., ATLANTA, GA 30318

DRAWING TITLE :  
**SCHMATIC SITE PLAN**

DATE : 12/11/23  
 PROJECT : 231520  
 DRAWING NO. :

**SK-7**  
 SEQ. OF  
 SCALE : 1" = 50'

Copyright © 2023 Pharr Engineering, Inc.

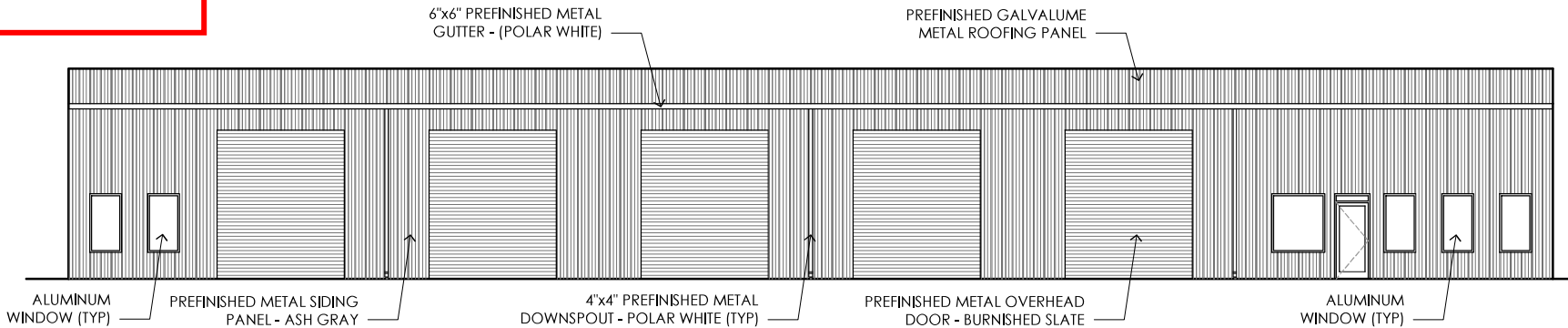
**Exhibit C: Building Elevations**

**[attached]**

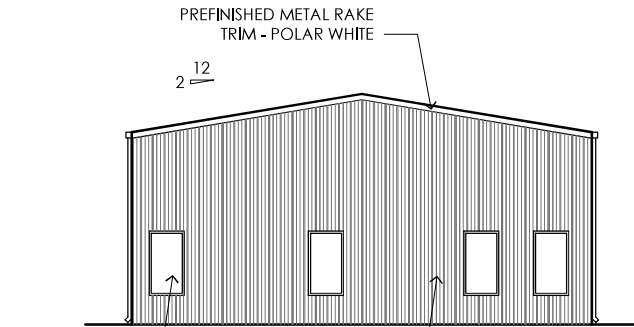
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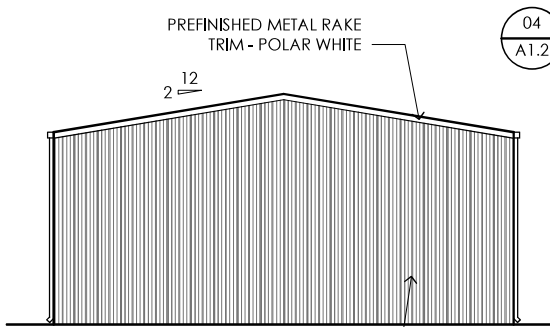
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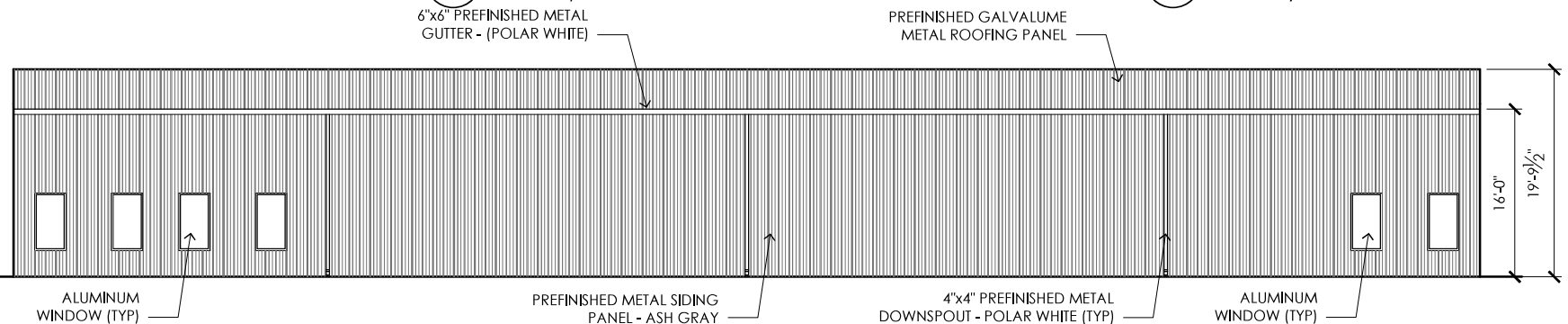
04 NORTH ELEVATION  
A1.2 SCALE: 3/32" = 1'-0"



03 WEST ELEVATION  
A1.2 SCALE: 3/32" = 1'-0"



02 EAST ELEVATION  
A1.2 SCALE: 3/32" = 1'-0"



01 SOUTH ELEVATION  
A1.2 SCALE: 3/32" = 1'-0"



REV #	DATE	DESCRIPTION

NEW BUILDINGS AT  
BOULDER BROOK CIR  
LAWRENCEVILLE, GEORGIA  
MAXWELL LANDSCAPE  
CONSTRUCTION



PLACE MAKER DESIGN  
280 INTERSTATE NORTH CIRCLE  
SUITE 510  
ATLANTA, GEORGIA 30339  
404.549.4499

ISSUE DATE	01/25/24
DRAWN BY	TMV
CHECKED BY	TMV
PMD PROJ #	24006

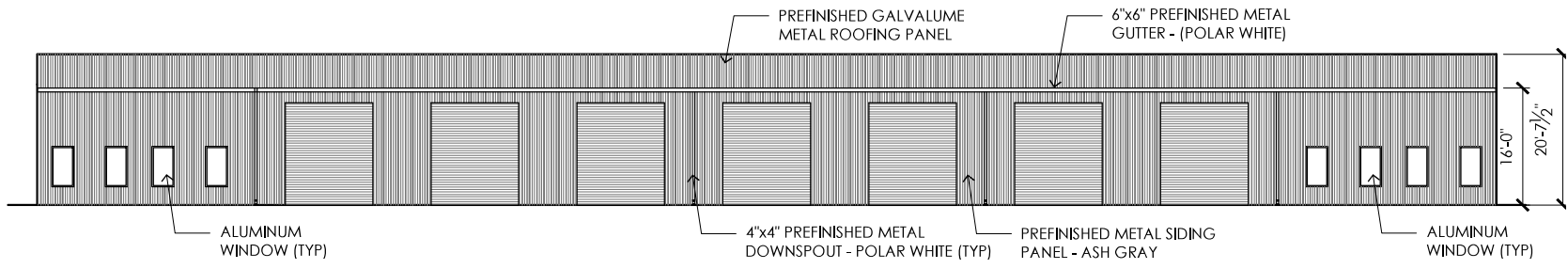
SHEET TITLE  
ELEVATIONS -  
BLDG A

SHEET #  
A1.2

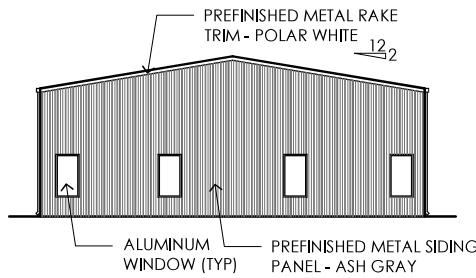
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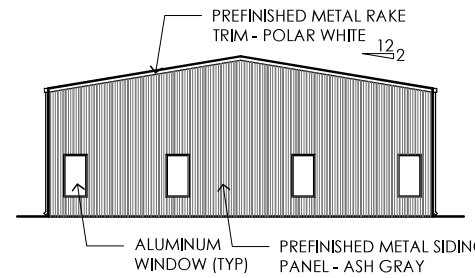
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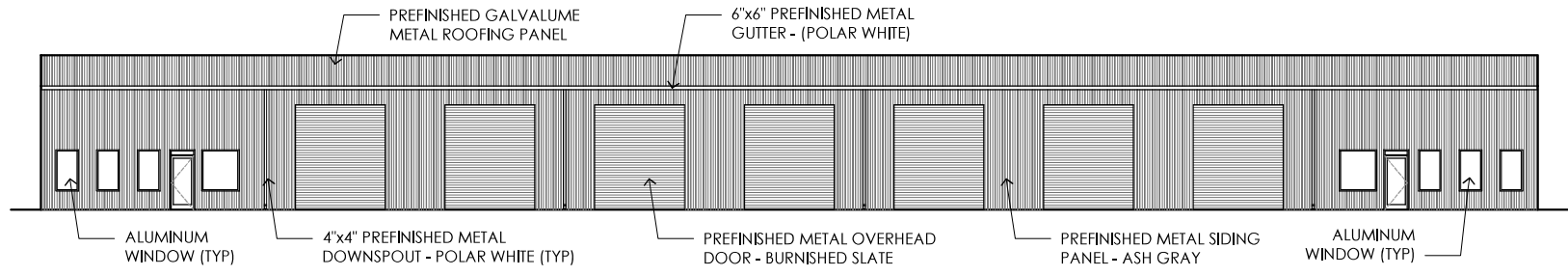
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B1.2 SCALE: 3/32" = 1'-0"



03 WEST ELEVATION  
B1.2 SCALE: 3/32" = 1'-0"



02 EAST ELEVATION  
B1.2 SCALE: 3/32" = 1'-0"



01 SOUTH ELEVATION  
B1.2 SCALE: 3/32" = 1'-0"



REV #	DATE	DESCRIPTION

**NEW BUILDINGS AT  
BOULDER BROOK CIR**  
LAWRENCEVILLE, GEORGIA  
MAXWELL LANDSCAPE  
CONSTRUCTION

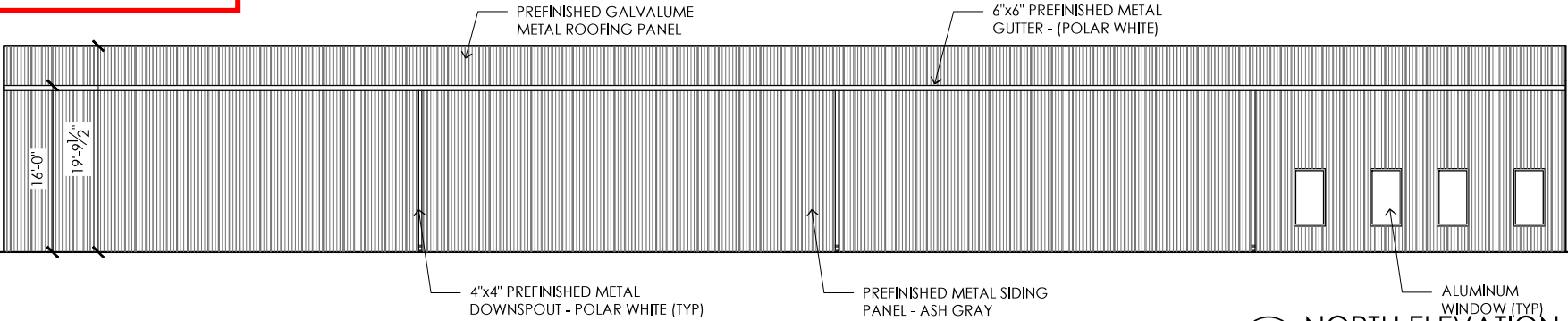


<b>PLACE MAKER DESIGN</b>	
280 INTERSTATE NORTH CIRCLE SUITE 510 ATLANTA, GEORGIA 30339 404.549.4499	
ISSUE DATE	01/25/24
DRAWN BY	BJK
CHECKED BY	TMV
PMD PROJ #	24006
SHEET TITLE <b>ELEVATIONS - BLDG B</b>	
SHEET #	<b>B1.2</b>

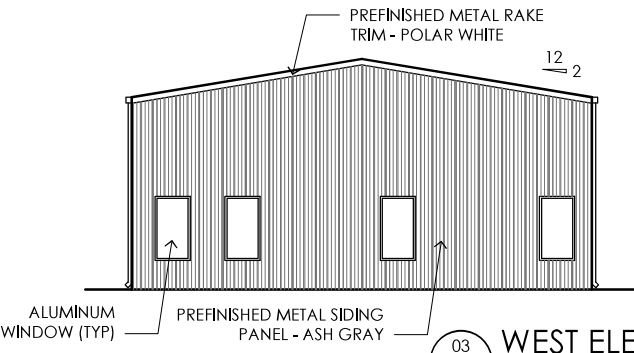
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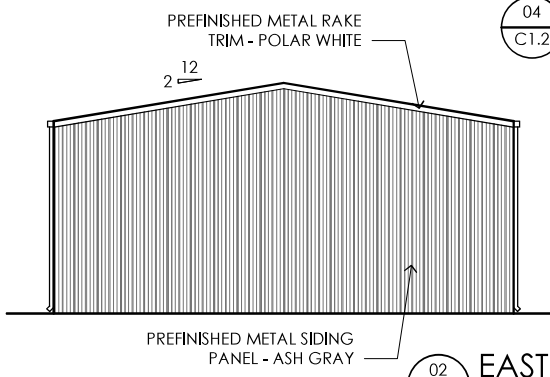
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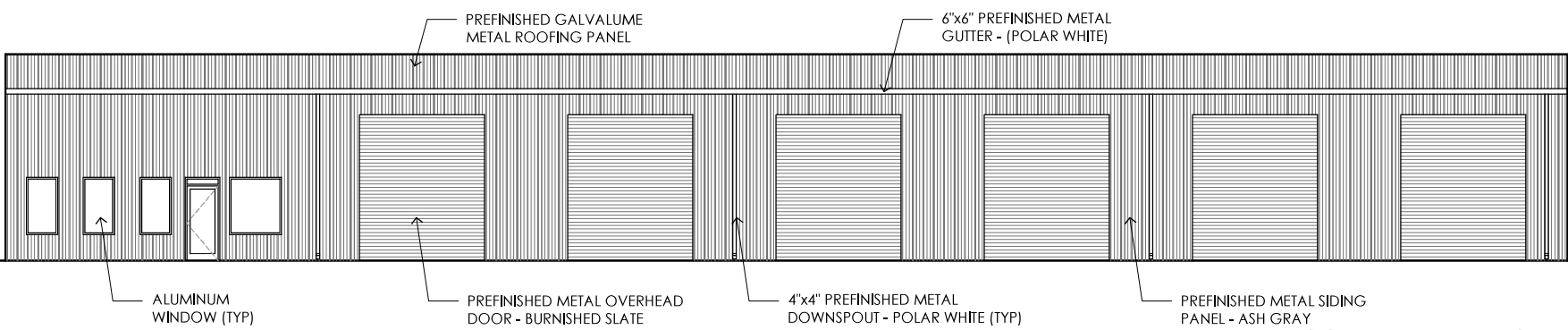
**04 NORTH ELEVATION**  
C1.2 SCALE: 3/32" = 1'-0"



**03 WEST ELEVATION**  
C1.2 SCALE: 3/32" = 1'-0"



**02 EAST ELEVATION**  
C1.2 SCALE: 3/32" = 1'-0"



**01 SOUTH ELEVATION**  
C1.2 SCALE: 3/32" = 1'-0"



REV #	DATE	DESCRIPTION

**NEW BUILDINGS AT  
BOULDER BROOK CIR**  
LAWRENCEVILLE, GEORGIA  
MAXWELL LANDSCAPE  
CONSTRUCTION

**PLACE MAKER DESIGN**  
280 INTERSTATE NORTH CIRCLE  
SUITE 510  
ATLANTA, GEORGIA 30339  
404.549.4499

ISSUE DATE	01/25/24
DRAWN BY	BJK
CHECKED BY	TMV
PMD PROJ #	24006

SHEET TITLE  
**ELEVATIONS  
- BLDG C**

SHEET #  
**C1.2**

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

**[attached]**



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pharrengineering

**FILE**

*Gwinnett County  
Rezoning Request*

**DATE** 12/11/23

**OWNER**

*Bluteal LLC  
Dexter Maxwell*

**ENGINEER**

*Pharr Engineering Associates, LLC  
Wade Hunnicutt*

**REQUEST**

**Rezoning of property from RZT and M-2 to M-1 and removal of conditions**

Approval of a Rezoning from multiple zoning districts (RZT and M-2) to a unified M-1 zoning designation along with the removal of previous conditions of zoning from the much larger tract is being requested. Additionally, a variance from the potential, additional buffer requirements between lots of M-1 and RZT zoning as specified in table 610.1, "Buffer shall increase to 75 feet in width when adjacent to truck docks or outdoor storage areas" is requested if applicable.

**PROJECT DESCRIPTION**

*The project is located at 145 Boulderbrook Circle in Lawrenceville, Georgia, within Gwinnett County. The owner would like to establish this property as a base of operations for a landscape contracting company. The company focuses on turf installations, enhancements, and maintenance as well as general landscaping installation and maintenance for residential and commercial clients.*

**EXTENUATING & UNIQUE CIRCUMSTANCES CREATING A HARDSHIP**

*The 4.29-acre tract is currently unimproved and heavily encumbered with significant stream buffers, Gwinnett County Sanitary Easements, a Colonial Pipeline Easement, and substantial setbacks. Because of these, only 42% of the property is available for use. Additionally, a portion of the tract was rezoned (CIC) in 1994 (RZ-94-095) as part of a much larger tract consisting of 102 acres. To further complicate matters, this portion of that tract requesting rezoning (3.06 acres) was combined into a single parcel with the adjoining property (1.24 acres) while never being rezoned. This creates the single parcel of 4.29 acres, with a portion being zoned M-2 with encumbrances, and a portion remaining with RZT zoning.*

**GRANTING OF VARIANCE**

*Due to the unique conditions as stated above, this variance would be needed to provide relief for ANY development on this parcel. As such, granting of the requested variance would provide the minimum relief under the code. Additionally, the development as permitted, is, and will continue to be, consistent with the general intent of the Development Code and Comprehensive Plan policies, and would in no way be detrimental to the public good, safety or welfare of the community. In addition to the 50' undisturbed buffer*

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cent to the residential tracts, there is also a 75' pipeline easement that will provide additional separation between the potential development and existing residential properties. Furthermore, the majority of the adjacent residentially zoned property to the south is a single tract owned and operated by the HOA for their stormwater usage; therefore, this creates an additional buffer between the actual residences and this property.

#### **ADDITIONAL PROPERTY INFORMATION**

Proposed Use: Contractor Office/Landscape  
Acreage: 4.29 acres  
Zoning Requested: M-1  
Number of Lots: 1  
Dwelling Units: none  
House Size: n/a  
Density: 11%  
Net Density: 12%  
Parking: 65 spaces  
Building Height: 40'

#### **RECOMMENDATION**

*It is recommended that the requested rezoning be allowed to provide a more cohesive tract of land that is able to be developed and utilized by the property owner and still maintain sufficient separation from the adjacent neighbors. This will remedy the existing single-parcel, multiple-zoned, property and allow the development of the property without the ambiguity that now exists for this tract within the Universal Development Code.*

Engineer of Record: Wade Hunnicutt, P.E.  
Pharr Engineering Associates, LLC  
5825 Live Oak Parkway  
Suite 2D  
Norcross, GA 30093  
[whunnicutt@pharrengeering.com](mailto:whunnicutt@pharrengeering.com)  
770-447-6400 x 101

Attachments: Legal Description  
Survey  
Schematic Site Plan  
Building Elevations

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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:

Proposed development is currently allowed on only a portion of the property. With this rezoning, all portions will be allowed to be utilized. This landscaping office will be of use, and serve, the surrounding communities.

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

Proposed rezoning will not adversely affect adjacent properties as majority of property is adjacent to similarly zoned tracts and an airport. Additionally, there is substantial buffers, easements, and setbacks between the development and the existing residential tracts.

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

The property currently has two separate zoning classifications for a single property. This would clean up this prior issue and allow the property to be properly utilized by any owner. The owner would be unable to fully utilize the property if it remained as it currently is with multiple zoning classifications.

- (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. Property is located at the end of an industrial road with minimal traffic. This would not significantly change. Additionally, having a development at this location would help to alleviate the illegal dumping and trailer parking that is currently ongoing on the public roads.

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

It is not in conformity with Future Land Use Plan but is a development to work in conjunction with, and support, the businesses within this district.

- (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 multiple zoning for a single property, along with previous conditions in zoning for a much larger tract, make this property extremely difficult for any owner to use and the situation will be greatly improved through the requested rezoning. Additionally, without this, and the prevalence of existing easements and buffers (natural gas, county sewer, stream buffers, setbacks), make this property extremely difficult to fully utilize.

**Exhibit E: 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>Dexter Maxwell</u>	NAME: <u>Bluteal LLC</u>
ADDRESS: <u>2275 Marietta Blvd. * Suite 270-402</u>	ADDRESS: <u>2275 Marietta Blvd. * Suite 270-40;</u>
CITY: <u>Atlanta</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30318</u>	STATE: <u>GA</u> ZIP: <u>30318</u>
PHONE: <u>678-414-7173</u>	PHONE: <u>678-414-7173</u>
EMAIL: <u>dexter@mlcatlanta.com</u>	EMAIL: <u>dexter@mlcatlanta.com</u>
CONTACT PERSON: <u>Wade Hunnicutt</u> PHONE: <u>770-447-6400 x 101</u>	
CONTACT'S E-MAIL: <u>whunnicutt@pharrencengineering.com</u>	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>M2/RZT</u> REQUESTED ZONING DISTRICT: <u>M1</u>	
PARCEL NUMBER(S): <u>5210 001C</u> ACREAGE: <u>4.29</u>	
ADDRESS OF PROPERTY: <u>145 Boulderbrook Circle * Lawrenceville, GA 30045</u>	
PROPOSED DEVELOPMENT: <u>Landscape/Contractor Office &amp; Vehicle Storage</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>3 bldgs on 1 lot</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>up to 30,000 sf</u>
Gross Density: _____	Density: <u>up to 16%</u>
Net Density: _____	

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**



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1/25/2024

**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

10/26/23  
Date

Dexter Maxwell

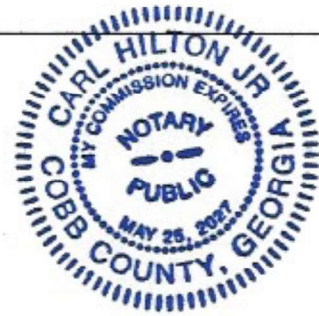
Type or Print Name and Title



Signature of Notary Public

26 OCT 2023

Date



Notary Seal



**RECEIVED**

1/25/2024

**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

10/24/23  
Date

Dexter Marshall  
Type or Print Name and Title

President



Signature of Notary Public

26 OCT 2023  
Date



Notary Seal

**RECEIVED**

1/25/2024

**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 - 210 - 001C  
(Map Reference Number) District Land Lot Parcel

Signature of Applicant

Date

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)

Kathy Hyles  
NAME

TSA  
TITLE

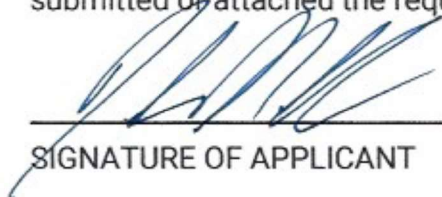
11/30/2023  
DATE

**RECEIVED**

1/25/2024

**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.


10/26
Dexter Maxwell Auer

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SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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


26 OCT 2023

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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

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.

**Exhibit F: Internal and External Agency Review Comments**

**[attached]**



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

<b>TRC Meeting Date:</b>		03.01.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>	
Case Number:		RZR2024-00009	
Case Address:		145 Boulderbrook Circle, Lawrenceville, 30045	
<b>Comments:</b>		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Boulderbrook Circle is a local road. ADT is not on file.		
2	3.5 miles to the nearest transit facility (#2334968) located at Grayson Highway and Lawrenceville Square Plaza.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

Revised 7/26/2021



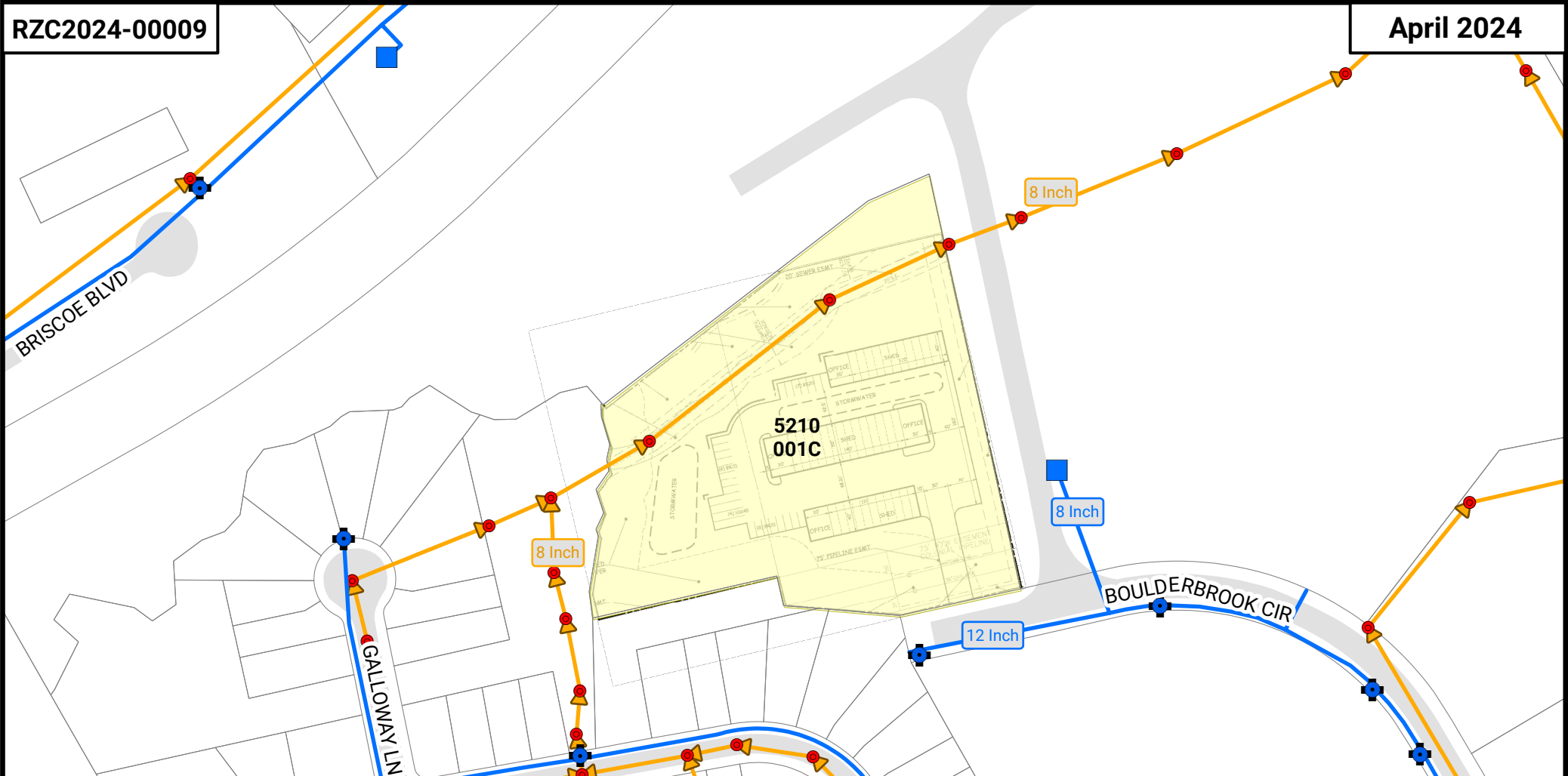
**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcountry.com">Michael.pappas@gwinnettcountry.com</a>		
Case Number:		RZC2024-00009		
Case Address:		145 Boulderbrook Circle		
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The proposed development may connect to an existing 12-inch water main along the southern right-of-way of Boulderbrook Circle.			
2	Sewer: A Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit. The proposed development may connect to an existing 8-inch gravity sewer located on the northern portion of the subject site.			
3				
4				
5				
6				
7				
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*





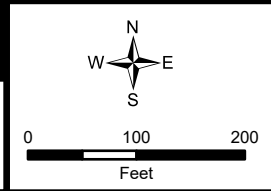
LEGEND

- Water Main
- Hydrant
- Master Vault
- Manhole
- Sewer Collector

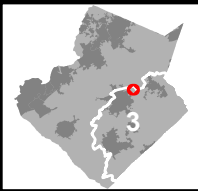
### 145 Boulderbrook Cir

M-2/RZT to M-1

## Water & Sewer Utility Map



LOCATION



**Water Comments:** The proposed development may connect to an existing 12-inch water main along the southern right-of-way of Boulderbrook Circle.

**Sewer Comments:** A Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit. The proposed development may connect to an existing 8-inch gravity sewer located on the northern portion of the subject site.

**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 G: Public Participation Plan and Report**

**[attached]**

## Public Participation Plan

**1. Who do you intend to contact in addition to property owners within 1,000 feet of the site, if any?**

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**2. Where do you plan to host the Public Participation Meeting? Ensure that the meeting is held in person at a convenient location for interested parties.**

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**3. What date and time do you plan to host the Public Participation Meeting? Ensure that the meeting is held at a convenient time for interested parties, e.g. not during typical work hours on weekdays.**

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**4. What is your method for providing opportunities for discussion with interested parties at the Public Participation Meeting?**

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Public Participation Report

- 1. List all groups that you notified of the requested application. Include a copy of the notification package and stamped Postal Service Form 3877 (attached) with itemized name and address of each addressee.

Required residents within 1,000 feet of property from Gwinnett County provided list

- 2. Provide the date, time, and location of all meeting(s) that the applicant and/or representative attended to discuss an application with interested parties.

Thursday 2/29/24 at 6:00pm at Lucky Shoals Community Center \* 4651 Britt Road \* Norcross, GA

30093

- 3. Provide the number of people who participated in the meeting(s). Include the sign-in sheet(s) with meeting date, time, location, and attendee names.

Engineer (presenter), Owner, & 1 resident (Stephen Mitchell)

- 4. What issues and concerns were expressed by attendees at the meeting(s)?

View development might provide in winter.

- 5. What are the applicant's responses to the issues and concerns that were expressed at the meetings? What changes to the development will be made?

All developments in Gwinnett County are required to provide landscaping as part of the Land

Disturbance Permitting Process. In addition to this landscaping, the buildings would be simple in

design and of a color in an attempt to better blend in with the natural environment.

**Exhibit H: Maps**

**[attached]**






BRISCOE BLVD

GALLOWAY LN

GRENIER TER

BOULDERBROOK CIR

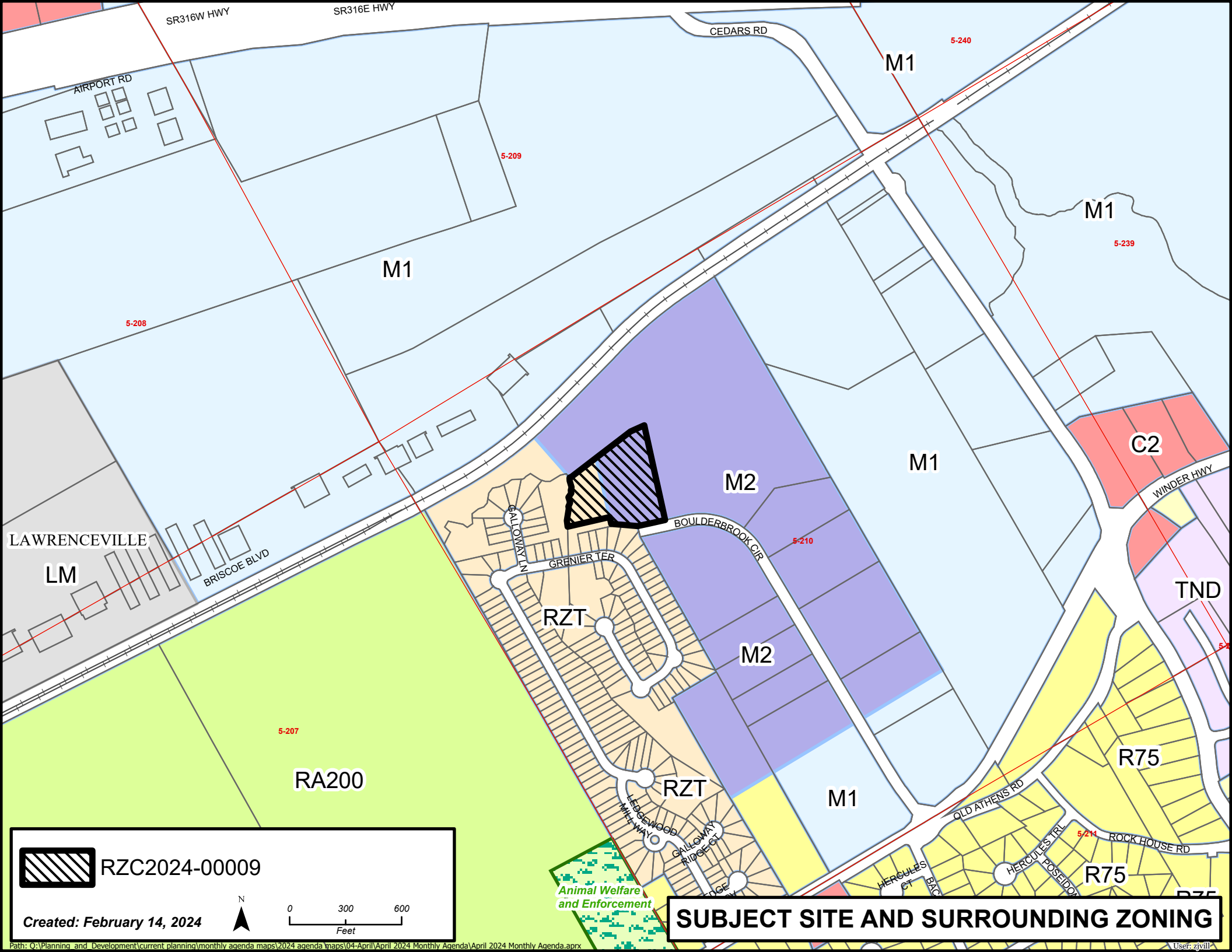
 RZC2024-00009


Created: February 14, 2024



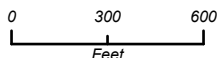
0 100 200  
Feet





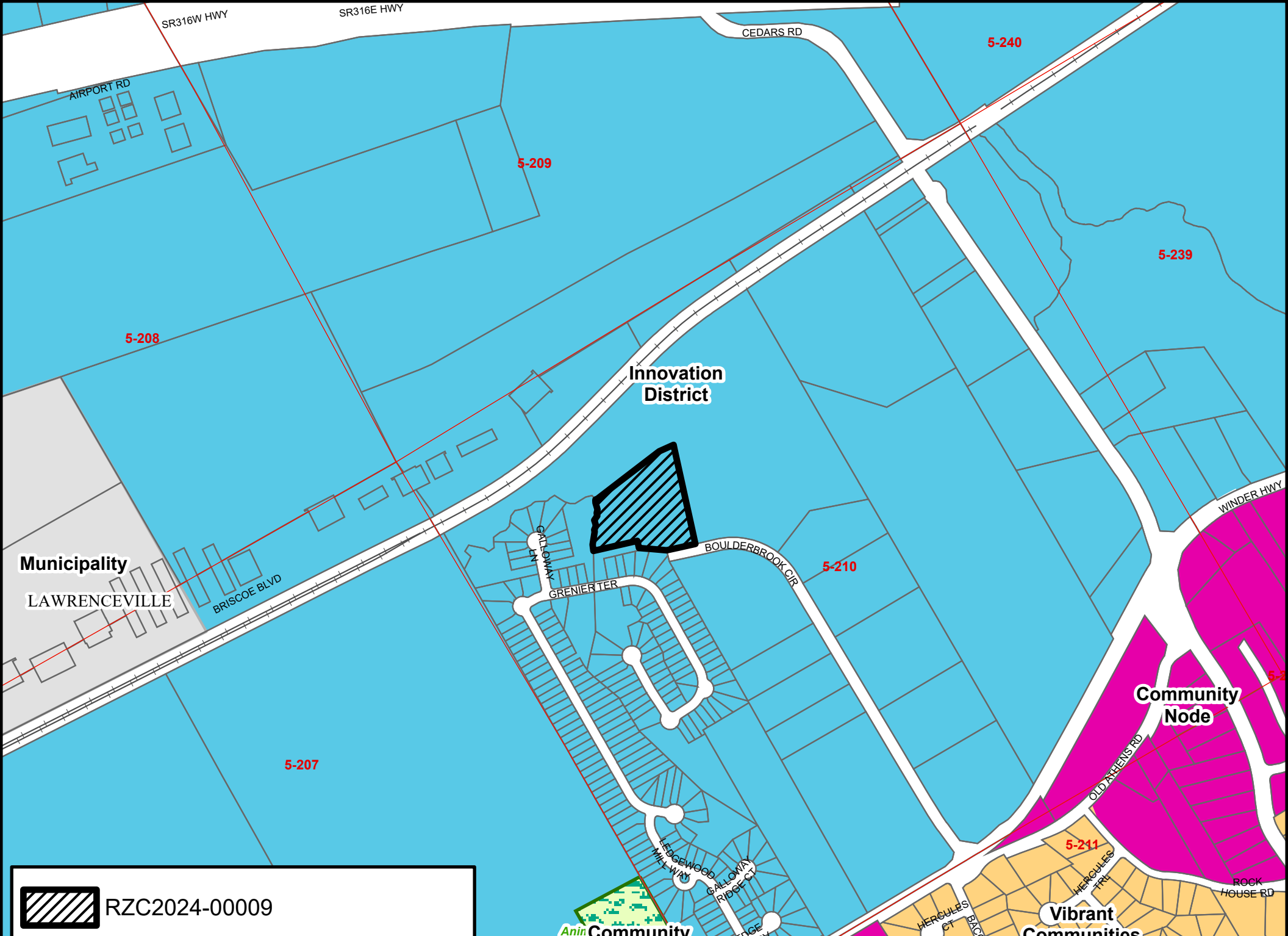
 RZC2024-00009

Created: February 14, 2024



**SUBJECT SITE AND SURROUNDING ZONING**

Animal Welfare and Enforcement



 RZC2024-00009

Created: February 14, 2024

N

0 300 600  
Feet

**2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**