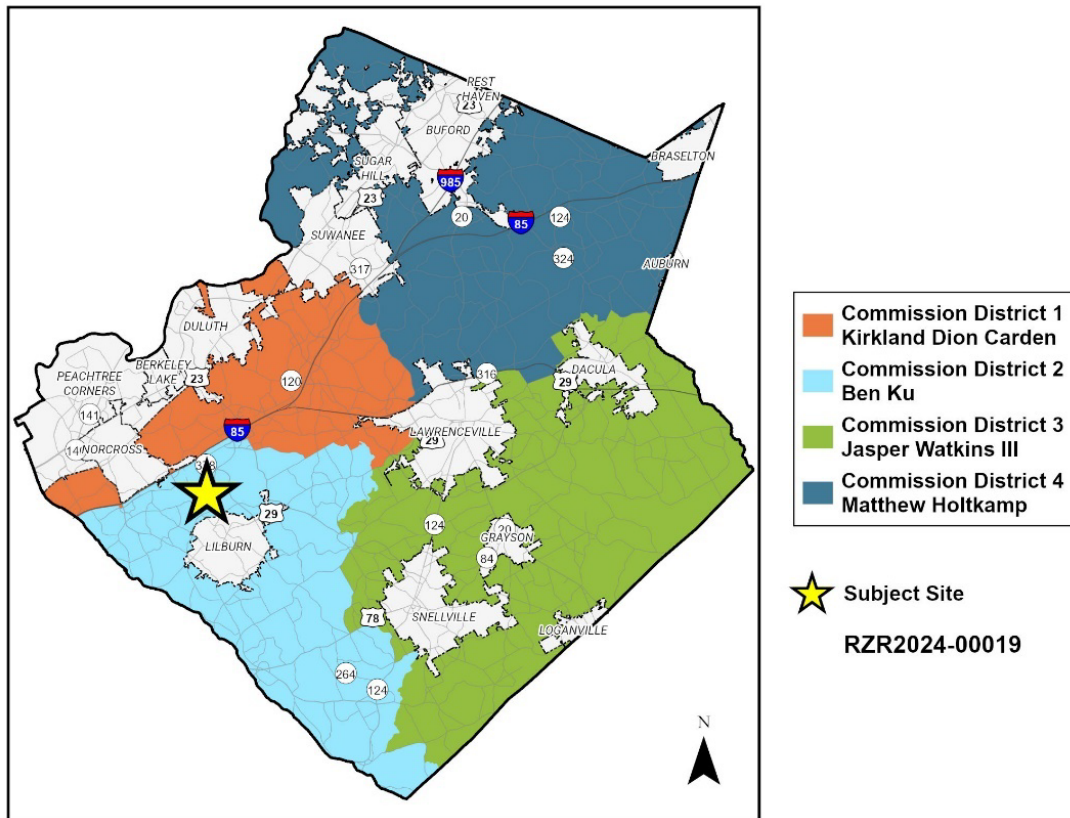


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** RZR2024-00019  
**Current Zoning:** O-I (Office-Institutional District)  
**Request:** Rezoning to R-60 (Single-Family Residence District)  
**Additional Request:** Variance  
**Address:** 1139 Falling Water Lane  
**Map Number:** R6174 518  
**Site Area:** 1.11 acres  
**Units:** 3  
**Proposed Development:** Single-Family Detached Subdivision  
**Commission District:** District 2 – Commissioner Ku  
**Future Development Type:** Neighborhood Traditional+

**Staff Recommendation:** APPROVAL WITH CONDITIONS



**Applicant:** An Van Dinh  
2368 Bellew Drive  
Bowman, GA 30624

**Owners:** An Van Dinh  
2368 Bellew Drive  
Bowman, GA 30624

**Contact:** W. Charles "Chuck" Ross, Esq.

**Contact Phone:** 770.962.0100

### Zoning History

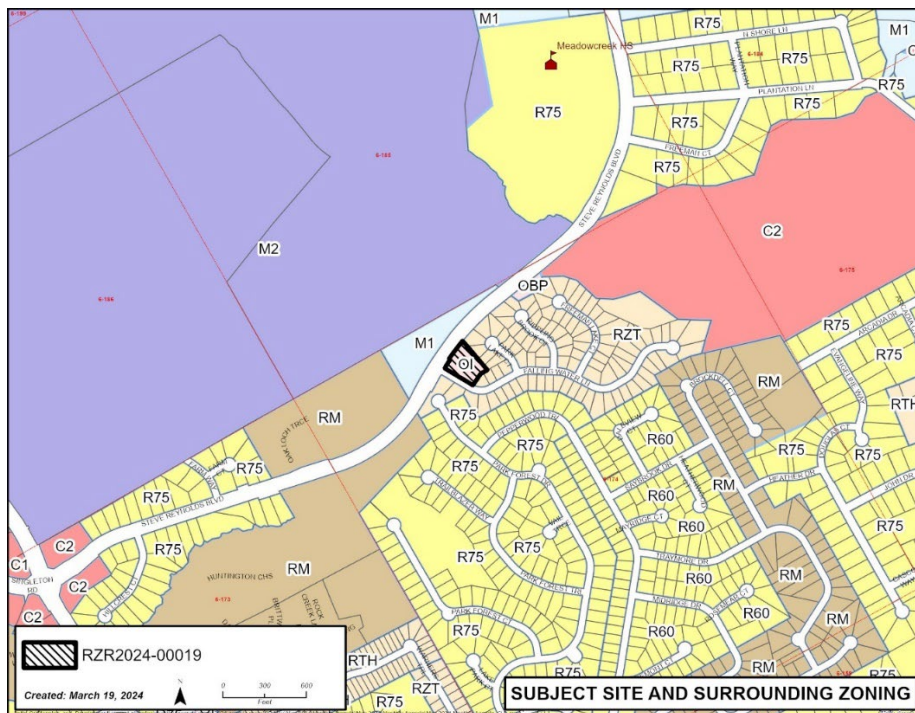
In 1991, the property was rezoned from OBP (Office-Business Park District) to O-I and a special use permit was approved for a day care center, pursuant to RZ-91-129 and SUP-91-054.

### Existing Site Condition

The subject property is a 1.11-acre undeveloped parcel located on the northeast corner of Steve Reynolds Boulevard and Falling Water Lane. The site is heavily wooded with uneven terrain throughout. There are sidewalks along Steve Reynolds Boulevard and across Falling Water Lane. The nearest Gwinnett County Transit stop is approximately 50 feet from the subject property.

### Surrounding Use and Zoning

The surrounding area is comprised primarily of residential and undeveloped commercial and industrial land. Park Lane, a single-family detached subdivision, abuts the subject property to north, east and south. Across Steve Reynolds Boulevard to the west is undeveloped industrial land and the Vulcan Quarry. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Detached Residential	R-60	2.70 units per acre
North	Single-Family Detached Residential	R-ZT	3.77 units per acre
East	Single-Family Detached Residential	R-ZT	3.77 units per acre
South	Single-Family Detached Residential	R-ZT	3.77 units per acre
West	Undeveloped	M-1	N/A

### Project Summary

The applicant requests rezoning of a 1.11-acre property from O-I to R-60 for a single-family detached subdivision, including:

- Three single-family residences on lots ranging from 14,401 square feet to 18,365 square feet, yielding a density of 2.70 units per acre.
- A minimum heated floor area of 2,900 square feet.
- Exterior building materials of brick and stone.
- Individual driveway access to each lot from Falling Water Lane.

### Zoning and Development Standards

The applicant is requesting a rezoning to R-60 for a single-family detached subdivision. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 7,200 square feet	7,200 square feet	YES
Lot Width	Minimum 60'	>60'	YES
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 5'	>5'	YES
Rear Yard Setback	Minimum 20'	>20'	YES
Street Frontage Setback	Minimum 40' 10' wide landscape strip	15'	NO*

\* The applicant is requesting a variance to provide a 15' front setback on Steve Reynolds Boulevard.

### Variance Request

In addition to the rezoning request, the applicant is seeking a variance from the following provision of Title II of the UDO:

1. Section 210-120 Dimensional Standards for Base Residential Zoning Districts

**Where the backs or sides of single-family attached or detached residential units are oriented toward an external public street, a 40-foot-wide setback with a 10-foot-wide landscape strip adjacent to the right-of-way shall be required between the property line and residential units.**

The applicant is requesting a variance to reduce the required 40-foot-wide setback to 15 feet where the side of the proposed home is oriented toward the public street.

## 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 site is surrounded by a single-family detached subdivision, and the proposed development would have comparable home sizes and density to the surrounding residences. The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

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

The proposed three single-family residences would be compatible with the existing Park Lane subdivision and will not adversely affect the 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. A minimal 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 Unified Plan's Future Development Map indicates "Neighborhood Traditional+" for the subject property. This development type envisions relatively denser residential development



with smaller footprint homes at 7-8 units per acre. Recommended land uses include single-family detached, single-family cottage, quadplexes, triplexes, duplexes, townhomes, and stacked flats.

The proposed rezoning to R-60 is a recommended zoning district in the "Neighborhood Traditional+" future development type. While the proposed density is less than recommended, the proposed is compatible with adjacent residential lots. Therefore, the proposed rezoning is in 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.**

The site was rezoned to O-I in 1991 without any development. The current zoning allows for office and accessory uses at the entrance to a single-family detached subdivision. The proposed rezoning with three single-family detached residences would be more compatible with surrounding land uses.

**Variance Request Analysis:** The standards for granting variances are outlined in Section 270-90.7 of the UDO. Staff makes the following findings related to the variance request:

A 40-foot-wide setback with a 10-foot-wide landscape strip is required when the side of a residence is oriented toward an external street. The intent is to screen the side of the residences from rights-of-way and encourage the fronts of homes to be oriented toward the street. The applicant requests a variance to reduce the 40-foot setback along Steve Reynolds Boulevard to 15 feet. Conditions of approval to improve the aesthetics of the side elevation are recommended by staff. In addition, the house is on a corner lot and it is preferable that the house be oriented toward the internal local street from which the house is accessed. Therefore, granting this variance does not circumvent the intent of the UDO.

## 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.

In addition, staff recommends **APPROVAL** of the following variance:

1. To reduce the required 40-foot-wide setback along Steve Reynolds Boulevard to 15 feet.

## Staff Recommended Conditions

Approval as R-60 (Single-Family Residence District) for a single-family detached subdivision, subject to the following conditions:

1. The development shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed three lots.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 11, 2024 and Exhibit C: Building Elevations dated received March 8, 2024, subject to the review and approval of the Department of Planning and Development.
3. The building elevation fronting Steve Reynolds Boulevard shall be constructed primarily of brick, cast stone, and/or stone, subject to the review and approval of the Department of Planning and Development.
4. The minimum heated floor area shall be 2,500 square feet.
5. Direct vehicular access to Steve Reynolds Boulevard shall be prohibited.
6. Natural vegetation shall remain on the property until the issuance of a building 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. Maps



**Exhibit A: Site Visit Photos**



View of property frontage along Falling Water Lane



View of property frontage along Steve Reynolds Boulevard





View of the intersection of Falling Water Lane and Steve Reynolds Boulevard



**Exhibit B: Site Plan**

**[attached]**



Vicinity Map (NTS)

PARCEL ID: 6174 518  
**CURRENT ZONING: O-1**  
 (PER COUNTY ORDINANCE)

FRONT: 15 FT  
 SIDE: 10 FT  
 REAR: 25 FT  
 MIN. LOT WIDTH: 50 FT  
 MIN. LOT AREA: NONE  
 MAX. HEIGHT: 35 FT

**PROP. ZONING: R-60**  
 (PER GWINNETT SECTION 216-120)

MIN. FRONT YARD: 15 FT  
 MIN. SIDE YARD: 5 FT  
 MIN. REAR YARD: 20 FT  
 MIN. LOT WIDTH: 60 FT  
 MAX. COVERAGE: 60%  
 MIN. LOT AREA: 7,200 SF (SEWER)  
 MAX. HEIGHT: 35 FT  
 MAX. DENSITY: 4.0 UNITS/ACRE  
 MIN. OPEN SPACE: 10%

**OWNER**

AN VAN DINH  
 THI DINH XUAN HANG  
 STEVE REYNOLDS BLVD - FALLING WATER LANE  
 NORCROSS, GEORGIA 30093

**SURVEYOR / ENGINEER**

BOUNDARY ZONE, INC.  
 800 SATELLITE BLVD  
 SUWANEE, GEORGIA 30024

**BUILDER / 24 HR. EMERGENCY CONTACT**

AN VAN DINH  
 2368 BELLEVUE DRIVE  
 BOWMAN, GEORGIA 30624  
 770-815-0709  
 JBANDINH@YAHOO.COM

**GENERAL NOTES:**

1. SITE LOCATION: 1139-FALLING WATER LANE, NORCROSS, GEORGIA 30093
2. THE PROPERTY IS LOCATED WITHIN THE URBAN COMMUNITIES OF GWINNETT COUNTY.
3. SANITARY SEWER IS PROVIDED BY PUBLIC SEWER SYSTEM.
4. DRAINAGE STRUCTURES DO NOT EXIST ON THIS PROPERTY.
5. CREEKS OR DRAINAGE SWALES DO NOT EXIST ON THIS PROPERTY.
6. NO NEW STORM DRAIN PIPES ARE PROPOSED.
7. THIS PROPERTY DOES NOT LIE WITHIN THE CHATTAHOOCHEE RIVER CORRIDOR.
8. THIS PROPERTY IS NOT ON OR WITHIN 200 FEET OF WATERS OF THE STATE.

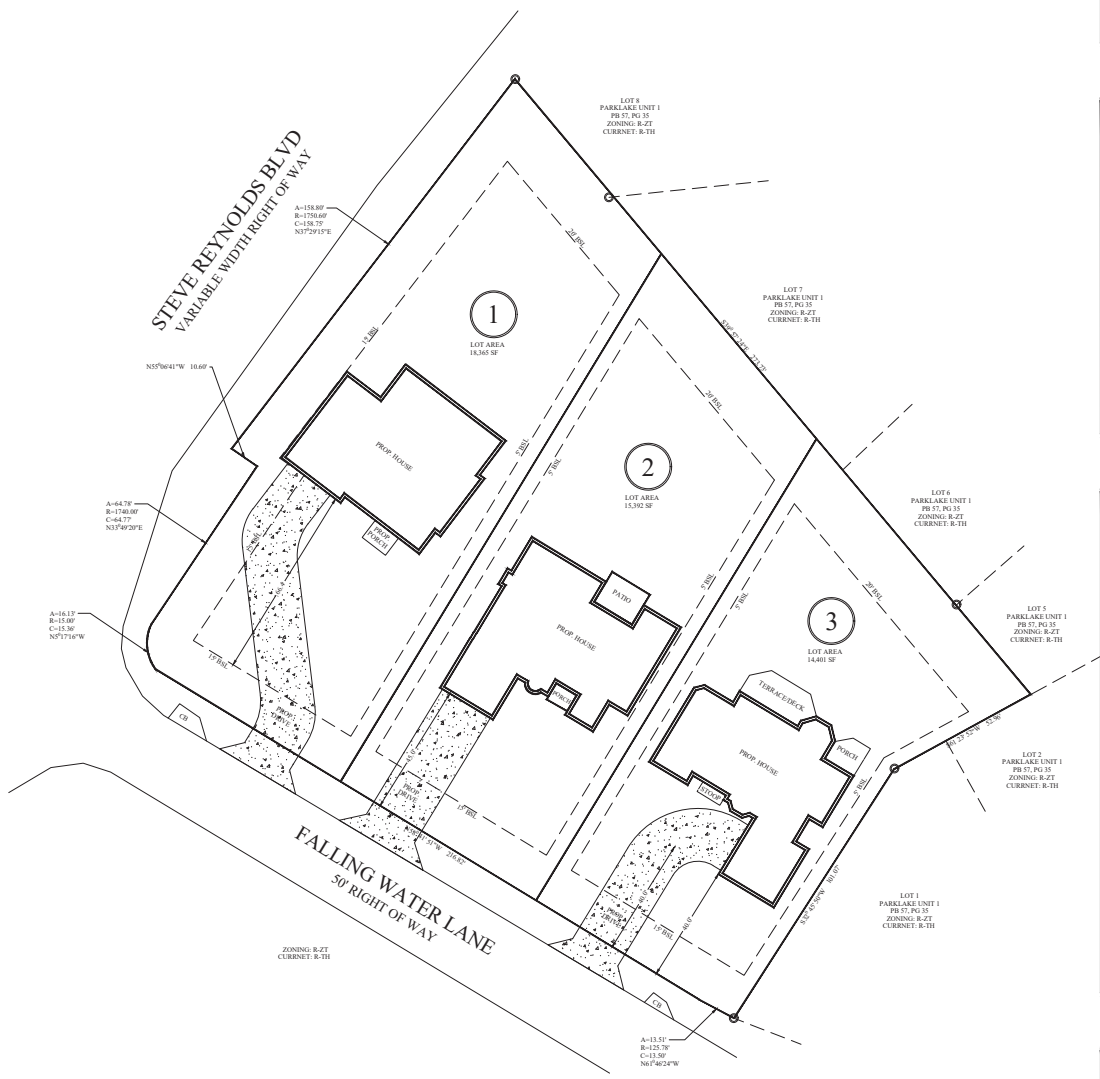
GPS LOCATION OF CONSTRUCTION EXIST: 33.916533; -84.150904  
 TOTAL SITE AREA: 48,206.53 1.11 ACRES

**LOTS PER R-60 ZONING**

LOT #	LOT WIDTH (FT)	LOT AREA (SQ FT)	BUILDABLE AREA (SQ FT)
1	89.92	18,365	11,664
2	78.88	15,292	10,863
3	78.52	14,691	9,526

BUFFER: NONE  
 (PER TABLE 216D OF GWINNETT CODE)

**GWINNETT COUNTY  
 PLANNING AND DEVELOPMENT  
 RECEIVED  
 3.11.2024**



THIS EXHIBIT IS PREPARED BASED ON SURVEY INFORMATION PROVIDED BY TERMINUS LAND SURVEYING & SERVICES. NO FIELD SURVEY DONE BY BOUNDARY ZONE, INC.

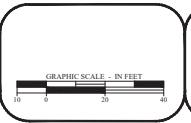


GRID NORTH  
 GEORGIA WEST ZONE  
 DATUM NAVD 1983  
 SCALE: 1"=20'

DATE	REVISION

**REZONING - EXHIBIT "A"**  
 PREPARED FOR: CHUCK ROSS  
 1139-FALLING WATER LANE  
 TRACT PARCEL ID: 6174-518  
 AN VAN DINH  
 GWINNETT COUNTY, GEORGIA - 10/9/2023

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.  
 THIS MAP OR PLAN HAS BEEN CALCULATED FOR ERROR AND IS FOUND TO ACCURATE WITHIN ONE FOOT IN 10,000 FEET.  
 THIS PLAN HAS BEEN PREPARED USING A TRIMBLE 860 ROBOTIC TOTAL STATION.  
 THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A COURSE PRECISION OF ONE FOOT IN 10,000 FEET.  
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 THIS DRAWING AND ANY REVISIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.



LEGEND	
○ PROPERTY CORNER FOUND (AS NOTED)	□ TELEPHONE BOX
□ 1/2" IRON PIPE WITH CAP SET 18" IN DIA	— W- WATER LINE
□ IRON WOODPOST	— O- OVERHEAD UTILITY LINE
□ FIRE HYDRANT	— L- LEGHOLE
□ WATER VALVE	— G- GAS LINE
□ POWER POLE	— B- BARRIERS
□ YARD DRAINS	— T- TELEPHONE LINE
□ 30" SIGN	— F- FENCE LINE
□ POWER METER	— S- SILT FENCE (TYP)
□ POWER BOX	— T- TREE PROTECTION
□ AC UNIT	
□ LEGHOLE	
□ GEN WIRE	
□ MANHOLE	
□ CLEAN OUT	
□ GAS METER	
□ GAS VALVE	
□ CABLE BOX	
	□ TELEPHONE BOX
	— W- WATER LINE
	— O- OVERHEAD UTILITY LINE
	— L- LEGHOLE
	— G- GAS LINE
	— B- BARRIERS
	— T- TELEPHONE LINE
	— F- FENCE LINE
	— S- SILT FENCE (TYP)
	— T- TREE PROTECTION
	□ TELEPHONE BOX
	— W- WATER LINE
	— O- OVERHEAD UTILITY LINE
	— L- LEGHOLE
	— G- GAS LINE
	— B- BARRIERS
	— T- TELEPHONE LINE
	— F- FENCE LINE
	— S- SILT FENCE (TYP)
	— T- TREE PROTECTION



**BOUNDARY zone inc.** PROVIDING SERVICES FOR: METRO ATLANTA, RALEIGH-DURHAM & CENTRAL FLORIDA. SURVEYORS, ENGINEERS AND LAND PLANNERS.  
 800 SATELLITE BLVD, SUWANEE, GA 30024  
 PH: 770-215-1104

PROJECT 26128.02  
 EXHIBIT A

**Exhibit C: Building Elevations**

**[attached]**

LOT 1

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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3.8.2024





GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RECEIVED**  
3.8.2024

LOT 2  
(Garage will be front entry)





**RECEIVED**

3.8.2024

LOT 3



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

**[attached]**

Tony Powell  
Brian Edwards  
Nathan Powell  
W. Charles Ross



**POWELL & EDWARDS**  
ATTORNEYS AT LAW

Jay Crowley  
Mandy Williams  
Laura Walsh  
Laura Shoop

February 22, 2024

Matt Dickison, Director  
Gwinnett County Planning & Development  
75 Langley Drive  
Lawrenceville, Georgia 30046



**RE: REZONING APPLICATION AND LETTER OF INTENT FOR AN  
VAN DINH, 1139 FALLING WATER LANE, NORCROSS.**

Dear Mr. Dickison:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of An Van Dinh (the “Applicant”) to request a Rezoning from O-I to the R-60 zoning designation to allow for three (3) single family homes to be built upon property located at 1139 Falling Water Lane in Norcross and having Gwinnett County Tax ID Number of R6174 518 (the “Property”).

The Applicant is the owner of an undeveloped 1.11-acre parcel which is currently zoned O-I. The Property is bordered by other residential properties in both R-75 and RZT zoning designations. The Applicant proposes to develop this property to allow for three (3) single family detached homes. The homes on Lots #1 and #2 will be 3,744 square feet and 2,900 square feet respectively. Both will have a stone veneer façade and the sides and back will be brick veneer. The home on Lot #3 will be 3,583 square feet and will be four-sided brick. All three homes will have architectural roofing shingles. The houses will be finished as specified under the UDO. This development would be consistent with the Vibrant Community Unified Plan designation.

The Applicant is requesting a variance to provide relief from the requirements of Section 210-120, Footnote 2. The footnote, if enforced, would require the Applicant to adhere to a 40-foot-wide side setback with a 10-foot-wide landscape strip on the street side of Lot #1. In this case, the subject lot is only 89.92 feet wide, which while being almost one and one-half times larger than the minimum lot width for the R-60 zoning district, strict adherence to the footnote would remove almost half of the lot’s overall width. The fact that the proposed house is on a corner lot already subjects the parcel to a larger setback as the side is considered a “front” yard under the UDO, thus requiring a much larger 15-foot-wide setback as opposed to a 5-foot-wide setback. The footnote does not take into account the zoning classification, but rather makes a blanket requirement across all properties regardless of classification. Such hardship is not reasonable in light of the proposed zoning and house locations.

**A PROFESSIONAL CORPORATION**

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • [powelledwards.com](http://powelledwards.com) • 770.962.0100  
*Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046*

**RECEIVED**

3.28.2024

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for Rezoning filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross  
Attorney for Applicant

## 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 rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes, the immediately adjacent properties are zoned RZT and R-75. Placing three (3) single family detached homes on the site is the most appropriate use for this parcel as opposed to the existing O-I designation.

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

No. The addition of three additional homes will have a negligible impact on any of the adjacent properties.

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

Yes. However, while the property does have a reasonable economic use as currently zoned, the proposed use is a more appropriate use for the area.

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

No. the addition of three families would create a negligible impact of the existing streets, transportation facilities, utilities or schools which are already designed to accommodate a higher capacity. The proposed use would be less intensive on infrastructure than the presently allowed uses.

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

The Property lies within Vibrant Communities Character Area of the Unified Plan which specifically encourages new development of "small lot single-family housing."

- (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. The area around this property has developed entirely residential. An O-I use would not be appropriate in the neighborhood.



**Exhibit E: Application and Disclosure of Campaign Contributions**

**[attached]**

**RECEIVED**

3.8.2024

**REZONING APPLICATION**

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


APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>An Van Dinh</u>	Name: <u>An Van Dinh</u>
Address: <u>2368 Bellew Drive</u>	Address: <u>2368 Bellew Drive</u>
City: <u>Bowman</u>	City: <u>Bowman</u>
State: <u>Georgia</u> ZIP: <u>30624</u>	State: <u>Georgia</u> ZIP: <u>30624</u>
Phone: _____	Phone: _____
Email: <u>jbandinh@icloud.com</u>	Email: <u>jbandinh@icloud.com</u>
Contact Person: <u>W. Charles "Chuck" Ross, Esq.</u> Phone: <u>770-962-0100</u>	
Contact's Email: <u>cross@powelledwards.com</u>	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser	
Current Zoning District(s): <u>O-I</u> Requested Zoning District: <u>R-60</u>	
Parcel Number(s): <u>R6174 518</u> Acreage: <u>1.11</u>	
Property Address(es): <u>1139 Falling Water Lane, Norcross, Georgia 30093</u>	
Proposed Development: <u>Three (3) single family residences</u>	
Variance(s): _____ Waiver(s): _____	
<p style="text-align: center;"><b>RESIDENTIAL DEVELOPMENT</b></p> No. of Dwelling Units: <u>3</u> Dwelling Unit Sq. Ft.: <u>9,344</u> Density: <u>.19</u> Floor Area Ratio (LRR, MRR, HRR): _____	<p style="text-align: center;"><b>NON-RESIDENTIAL DEVELOPMENT</b></p> No. of Buildings: _____ Total Building Sq. Ft.: _____ Floor Area Ratio: _____
<b>MIXED-USE DEVELOPMENT</b>	
No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

RECEIVED

3.8.2024

**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.

 2/21/2024 An Van Dinh, Owner  
Signature of Applicant Date Type of Print Name and Title

\_\_\_\_\_  
Signature of Applicant’s Attorney or Representative Date Type or Print Name and Title

 2/21/24  
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?

Yes  No An Van Dinh (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.

RECEIVED

3.8.2024

**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.

<hr/> Signature of Applicant	<hr/> Date	<hr/> Type of Print Name and Title
<i>W. Charles Ross</i>	2/22/2024	W. Charles Ross, Esquire
Signature of Applicant’s Attorney or Representative	Date	Type or Print Name and Title

<hr/> <i>Amanda DeSena</i>	<hr/> 2/22/2024
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?

Yes  No W. Charles Ross, Esquire (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)
Matthew Holtkamp, Commissioner	\$1,000.00	October 2022
Kirkland Carden, Commissioner	\$1,000.00	October 2023

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



**RECEIVED**

3.8.2024

**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 six (6) months from the date of last action by the Board of Commissioners.



Signature of Applicant

2/21/2024

Date

An Van Dinh, Owner  
Type or Print Name and Title



Signature of Notary Public

2/21/24

Date

Notary Seal






**RECEIVED**

3.8.2024

**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 six (6) months from the date of last action by the Board of Commissioners.

  
Signature of Property Owner

2/21/2024  
Date

An Van Dinh  
Type or Print Name and Title

  
Signature of Notary Public

2/21/24  
Date

Notary Seal



**RECEIVED**

3.8.2024

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

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

**Parcel I.D. Number:** R6174 518  
(Map Reference Number)

  
\_\_\_\_\_  
Signature of Applicant

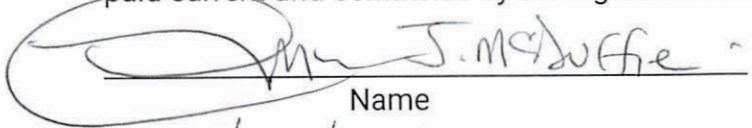
2/21/2024  
\_\_\_\_\_  
Date

An Van Dinh, Owner  
\_\_\_\_\_  
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.

  
\_\_\_\_\_  
Name  
2/22/24  
\_\_\_\_\_  
Date

TSA  
\_\_\_\_\_  
Title

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

**[attached]**



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

<b>TRC Meeting Date:</b>		03.28.2024	
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:		RZR2024-00019	
Case Address:		1139 Falling Water Lane, Norcross, 30093	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Falling Water Lane is a local street. ADT is not available.		
2	The nearest transit facility (#2335320) is located within 50' of the site at Steve Reynolds Boulevard and Falling Water Lane.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<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



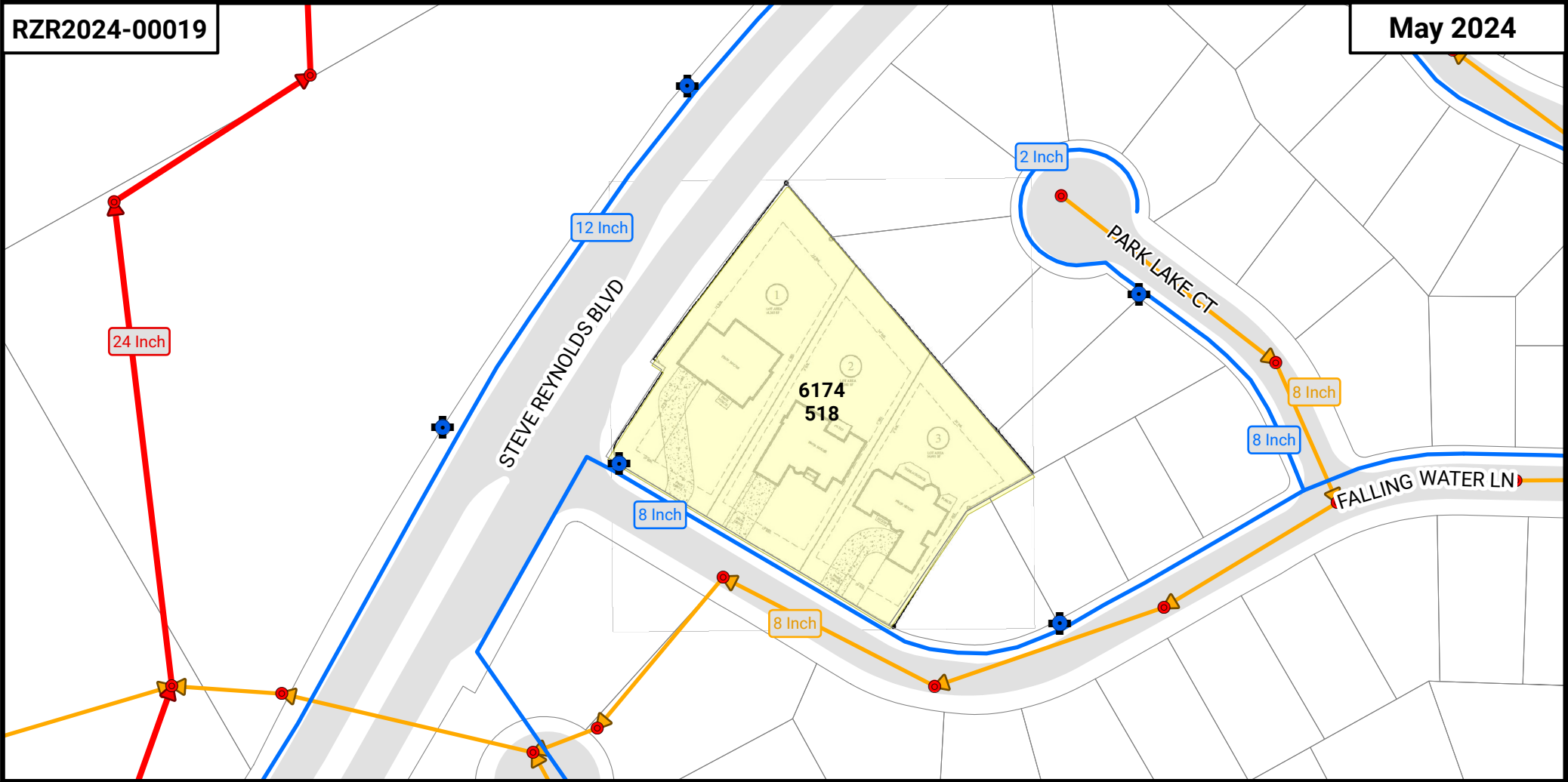


**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<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:		RZR2024-00019		
Case Address:		1139 Falling Water Lane		
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1</b>	Water: The proposed development may connect to the existing 8-inch water main along the northern right-of-way of Falling Water Lane.			
<b>2</b>	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 southern right-of-way of Falling Water Lane.			
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				

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

*Revised 7/26/2021*



**LEGEND**

- Water Main
- Hydrant
- Manhole
- Sewer Collector
- Sewer Interceptor

**1139 Falling Water Ln**  
O-1 to R-60

## Water & Sewer Utility Map

**LOCATION**

0 50 100  
Feet



**Water Comments:** The proposed development may connect to the existing 8-inch water main along the northern right-of-way of Falling Water Lane.

**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 southern right-of-way of Falling Water Lane.

**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.

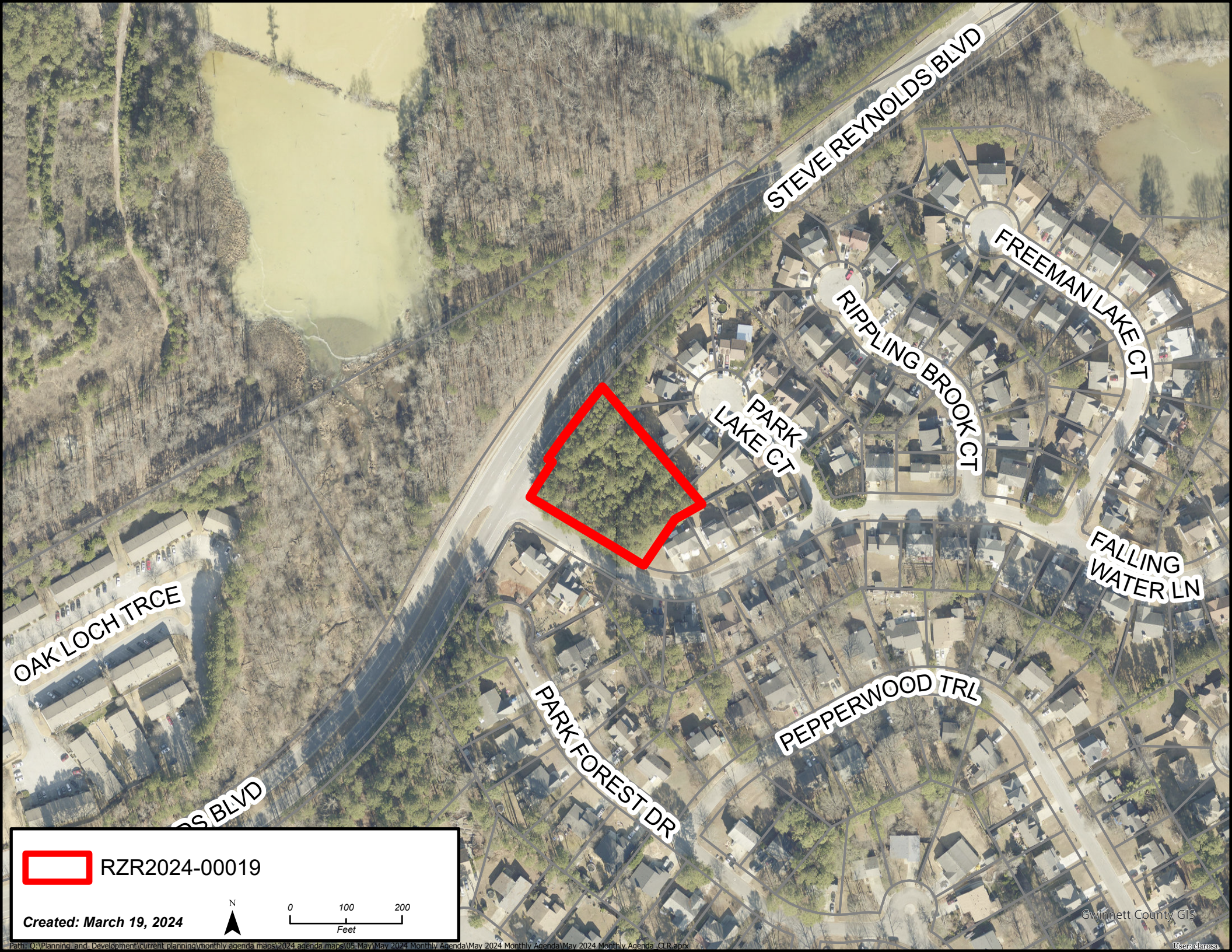
**Residential Rezoning Impact on Local Schools**  
 Prepared for Gwinnett County BOC, **May, 2024**

											Proposed Zoning
	School	2023-24			2024-25			2025-26			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZR2024-00019	<b>Meadowcreek HS</b>	2,727	2,850	-123	2,740	2,850	-110	2,705	2,850	-145	1
	<b>Radloff MS</b>	1,282	1,575	-293	1,288	1,575	-287	1,270	1,575	-305	1
	Ferguson ES	822	975	-153	830	975	-145	838	975	-137	1
RZM2024-00009	<b>Discovery HS</b>	2,763	2,525	238	2,750	2,525	225	2,740	2,525	215	6
	<b>Richards MS</b>	2,005	2,200	-195	2,025	2,200	-175	2,055	2,200	-145	4
	Alford ES	866	1,025	-159	883	1,025	-142	897	1,025	-128	7
RZR2024-00015	<b>Archer HS</b>	3,202	2,575	627	3,250	2,575	675	3,283	2,575	708	10
	<b>McConnell MS</b>	2,111	1,775	336	2,153	1,775	378	2,196	1,775	421	7
	Harbins ES	1,443	1,225	218	1,486	1,225	261	1,531	1,225	306	13
RZR2024-00009 (#'s provided on April 2024 case report)											

**Exhibit G: Maps**

**[attached]**





STEVE REYNOLDS BLVD

FREEMAN LAKE CT

RIPPLING BROOK CT

PARK LAKE CT

FALLING WATER LN

PEPPERWOOD TRL

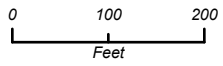
PARK FOREST DR

OAK LOCH TRCE

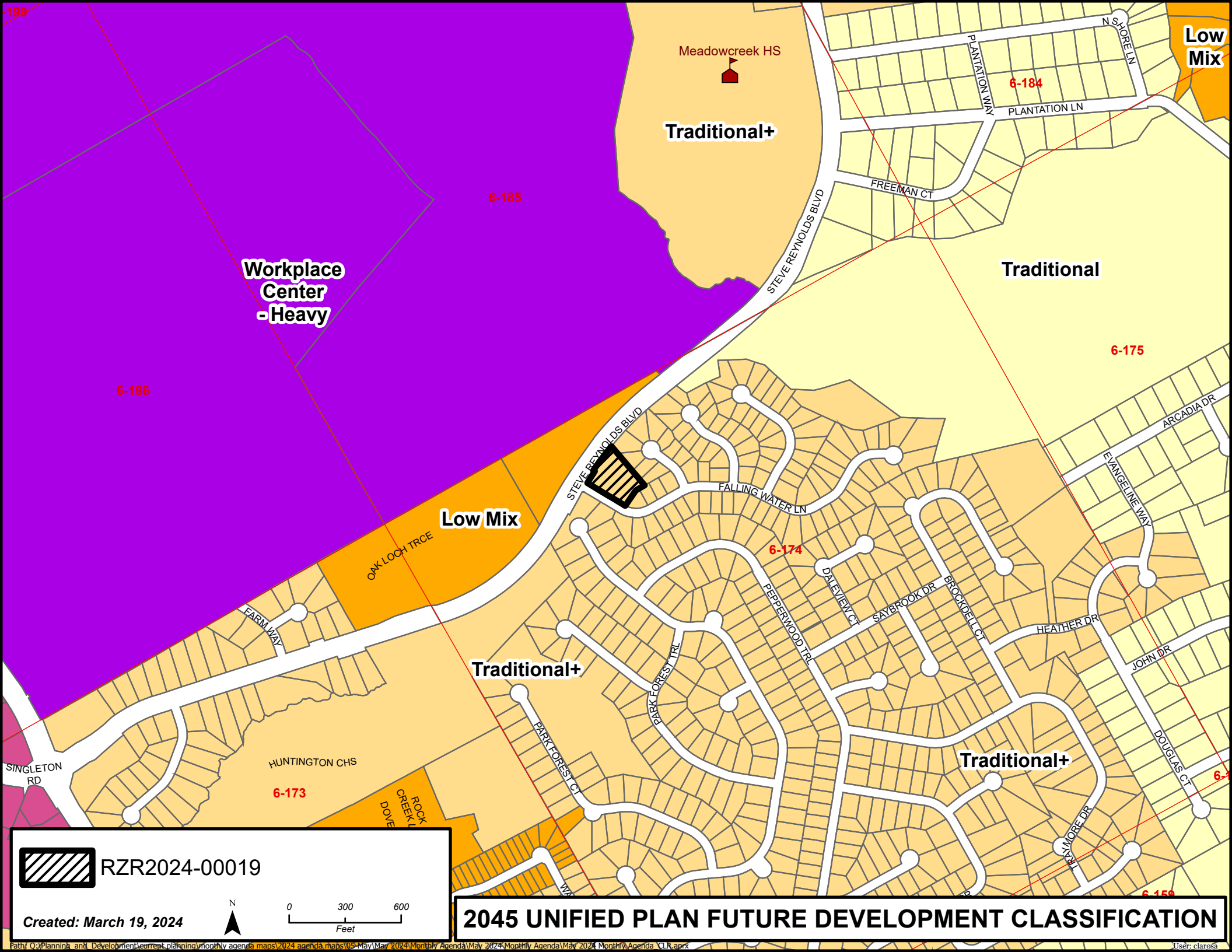
...S BLVD

 RZR2024-00019

Created: March 19, 2024

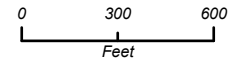




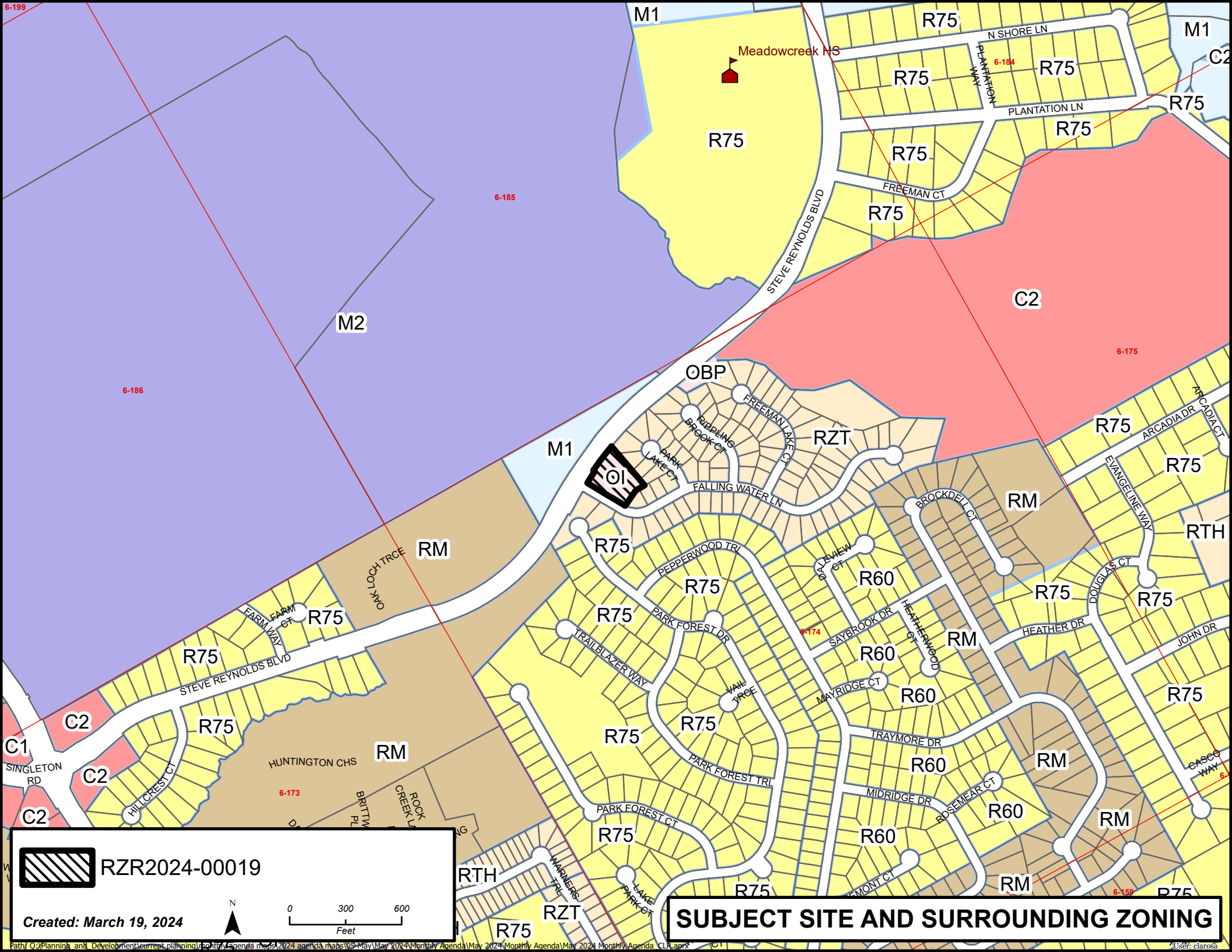


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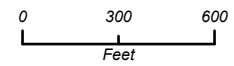


**2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**



 RZR2024-00019

Created: March 19, 2024



**SUBJECT SITE AND SURROUNDING ZONING**