

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Healing Grace Counseling Center</u> <u>c/o Mill Creek Consulting</u>	NAME: <u>Buckeye Burchfield Reserve LLC</u> <u>c/o Mill Creek Consulting</u>
ADDRESS: <u>4480 Commerce Dr., Suite A</u>	ADDRESS: _____
CITY: <u>Buford</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: _____ ZIP: _____
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u>	
APPLICANT'S E-MAIL: <u>millcreekconsulting@gmail.com</u>	

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

APPLICANT IS THE:		
____ OWNERS AGENT	<u>X</u> PROPERTY OWNER	____ CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>O & I</u>		PRIOR ZONING CASE: <u>RZC-07-051</u>
LAND DISTRICT (S): <u>3</u>	LAND LOT (S): <u>001</u>	ACREAGE: <u>2.82</u>
ADDRESS OF PROPERTY: <u>2090 and 2100 Gravel Springs Rd</u>		
PROPOSED DEVELOPMENT: <u>Counseling Center</u>		
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: _____ DWELLING UNIT SIZE (SQ. FT.): _____ GROSS DENSITY: _____ NET DENSITY: _____	NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: <u>2</u> TOTAL GROSS SQUARE FEET: <u>11,000</u> DENSITY: <u>3,900 sq. ft./acre</u>	

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LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 001A of the 3rd district, Gwinnett County, Georgia and being more particularly described as follows:

To find the True Point of Beginning commence at the southwesterly intersection of the right-of-way of Braselton Hwy - Hwy124 (apparent 80' right-of-way) and Gravel Springs Road - Hwy 324 (apparent 80' right-of-way); THENCE following along said right-of-way in a northwesterly direction on Hwy 324 for a distance of 1560.59' to a point; THENCE continuing along said right-of-way in a northeasterly direction for a distance of 10.41' to a point; said point being THE TRUE POINT OF BEGINNING; THENCE leaving said right-of-way in the direction South 43 degrees 03 minutes 44 seconds West for a distance of 440.00' to a point; THENCE North 01 degrees 52 minutes 03 seconds West for a distance of 226.32' to a point; THENCE North 45 degrees 00 minutes 00 seconds West for a distance of 265.48' to a point; THENCE North 57 degrees 35 minutes 50 seconds East for a distance of 289.00' to a point; THENCE traveling along the right-of-way of Hwy 324 in the direction South 45 degrees 29 minutes 00 seconds East for a distance of 192.74' to a point; THENCE South 45 degrees 29 minutes 01 seconds East for a distance of 160.00' to a point; said point being THE TRUE POINT OF BEGINNING

Said property contains 2.82 +/- acres.

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PROJECT CONTACT: JOHN PURCELL, PLANSOUTH, INC - 404 202 8888

1. BOUNDARY SURVEY PROVIDED BY LAND ENGINEERING & SURVEY
 2. ALL PROPOSED IMPROVEMENTS SHOWN ON THIS CONCEPTUAL SITE PLAN WILL MEET THE COMMUNITY CODED DEVELOPMENT ORDINANCE AT THE TIME OF COMMERCIAL DEVELOPMENT PERMITTING.
- GENERAL NOTES:**
 THE LANDSCAPE LAYOUT SHOWN ON THIS CONCEPTUAL PLAN IS FOR ILLUSTRATIVE PURPOSES. THE FINAL LANDSCAPE LAYOUT WILL BE DETERMINED BY THE COMMUNITY CODED DEVELOPMENT ORDINANCE AND ZONING/MANAGEMENT REGULATIONS AT THE TIME OF COMMERCIAL DEVELOPMENT PERMITTING.

SITE DATA

PREVIOUS ZONING CASE	NC 07-051
CURRENT ZONING	04
FRONT YIELD SETBACK	15 FT
SIDE YIELD SETBACK	10 FT
REAR YIELD SETBACK	40 FT
BACK YIELD SETBACK	40 FT
ZONING BUFFER (EXISTING)	50 FT
ZONING BUFFER (PROPOSED WITHOUT 5 FT STRUCTURAL SETBACK)	10/25 FT
1. 2500 SQUARE FEET MINIMUM	
PROPOSED AREA	1.46 AC
PROP. BUILDING AREA	29 AC
EX. BLDG SQUARE FOOTAGE	3,000 SF
PROP. USE OF PROPERTY	COUNSELING CENTER
2. 2500 SQUARE FEET MINIMUM	
PROPOSED AREA	1.25 AC
PROP. BUILDING AREA	1 AC
PROP. BLDG SQUARE FOOTAGE	2,000 SF
PROP. USE OF PROPERTY	COUNSELING CENTER

PARKING SUMMARY

PARKING REQUIREMENT FOR COUNSELING CENTER

1. EXISTING LOT OF OFFICE BUILDING

MAXIMUM PARKING REQUIREMENT
 1 SPACE PER 225 SF THEORETICAL MAX. REGD. PARKING
 = (5000/225) = 22 (22) SPACES

MINIMUM PARKING REQUIREMENT
 1 SPACE PER 500 SF THEORETICAL MAX. REGD. PARKING
 = (5000/500) = 10 SPACES

2. PROPOSED LOT OF OFFICE BUILDING

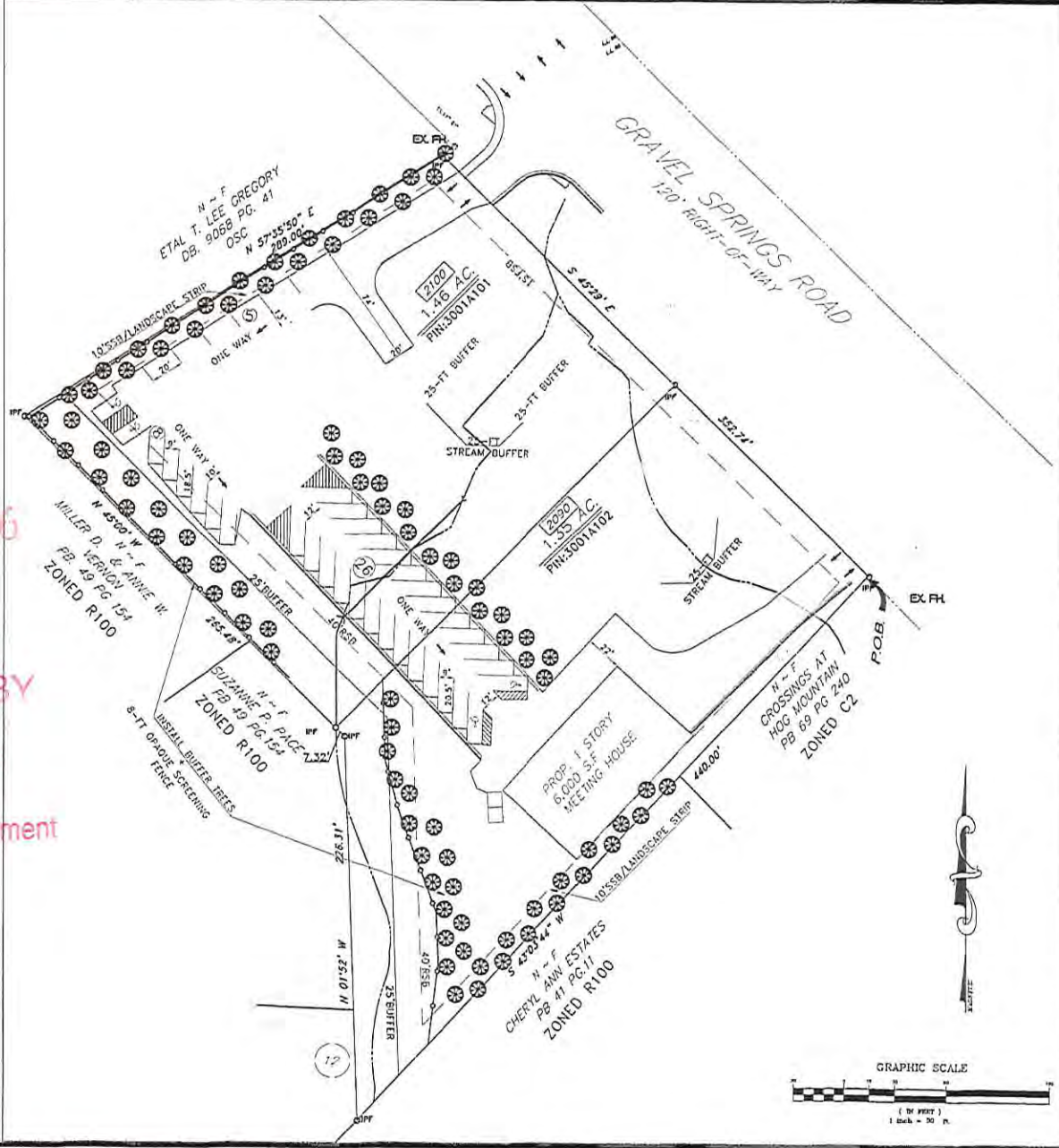
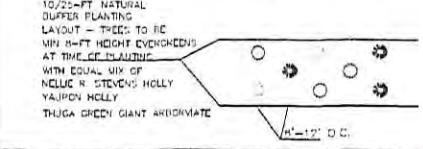
MAXIMUM PARKING REQUIREMENT
 1 SPACE PER 225 SF THEORETICAL MAX. REGD. PARKING
 = (6000/225) = 27 (27) SPACES

MINIMUM PARKING REQUIREMENT
 1 SPACE PER 500 SF THEORETICAL MAX. REGD. PARKING
 = (6000/500) = 12 SPACES

3. TOTAL REQUIREMENT

MAXIMUM PARKING REQUIREMENT 23 + 27 = 50 SPACES
 MINIMUM PARKING REQUIREMENT 10 + 12 = 22 SPACES

MAXIMUM PARKING REQUIREMENT (INCLUDING 4 HANDICAP SPACES)



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EL MINA INCORPORATED
504 OLD BRIDGEWAY
 SPANVILLE, GEORGIA 30588

HEALING GRACE COUNSELING CENTER
 2000/2000 GRAVEL SPRINGS RD
 ALFORD, GA 30099
 CHITTEN COUNTY, GEORGIA

CONCEPTUAL SITE PLAN SHEET TITLE

DATE	BY	CHECKED	DATE

DATE: 11/01/2014
 DATE:
 JOB NUMBER:

CPI

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY, OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

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

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

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

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE WITHOUT THE CHANGE IN CONDITIONS.

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

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

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

THE SUBJECT PROPERTY IS DESIGNATED AS EXISTING/EMERGING SUBURBAN.

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

SEE LETTER OF INTENT.

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

.....
PLANNING DIVISION USE ONLY

CASE NUMBER _____

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REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Healing Grace Counseling Center, requests a Change in Conditions for the purpose of developing a faith based family counseling center. The subject property is located at 2090 and 2100 Highway 324. The existing 5,000 square foot home is to be brought up to commercial code and used for the main counseling area to start with. The proposed 6,000 new building will be built once the business needs demand more space.

This property was rezoned for commercial uses in 2007 and at that time the applicant agreed to a 50 foot buffer along the rear of the property. There was no user for the property at that time and the extent of the streams on the property was not field located as they have been now. Because of that issue the applicant is requesting a Change in Conditions for RZC-07-051:

2.A. *Buffers shall be per the submitted site plans.* The applicant is proposing that the rear buffer be reduced from a 50 foot undisturbed buffer to a 25 foot enhanced and replanted buffer with an 8 foot high opaque fence along the rear property line except in the stream buffer area.

All other conditions are acceptable and will be complied with.

The typical hours of operation are Monday through Friday 9am to 9pm and some Saturday mornings. There will be no outside activities that would disturb our neighbors to the rear.

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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 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.

Douglas P Burchfield 12-23-14
Signature of Applicant Date

Douglas P. Burchfield Financial manager BBR LLC.
Type or Print Name and Title

[Signature] 12/23/14 [Seal]
Signature of Notary Public Date Notary Seal



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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 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.

Douglas P. Bunchfield 12-23-14
Signature of Property Owner Date

Douglas P Bunchfield Financial manager BBR LLC.
Type or Print Name and Title

[Signature] 12/23/14 [Notary Seal]
Signature of Notary Public Date Notary Seal



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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.

Douglas P. Burchfield 12-23-14 Douglas P. Burchfield Financial Manager
 Signature of Applicant Date Type of Print Name and Title BBR LLC

 Signature of Applicant's Date Type or Print Name and Title
 Attorney or Representative

[Signature] 12/23/14
 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 Douglas P. Burchfield
 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 CHANGE IN CONDITIONS**

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: 3 - 001A - 101
(Map Reference Number) District Land Lot Parcel

Douglas P Burchfield 12-23-14
Signature of Applicant Date

Douglas P Burchfield Financial Manager BBR LLC
Type or Print Name and Title

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)

Rhonda Smalley TSAIT
NAME TITLE

1-2-15
DATE

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

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: 3 - 001A - 102
(Map Reference Number) District Land Lot Parcel

Douglas P Burchfield 12-23-14
Signature of Applicant Date

Douglas P Burchfield Financial Manager BBR LLC.
Type or Print Name and Title

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)

Rhonda Jewberry TSA II
NAME TITLE
1-2-15
DATE

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