

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>VDC Development Group, LLC</u> <u>c/o Alliance Engineering and Planning</u> ADDRESS: <u>4480 Commerce Drive, Suite A</u> CITY: <u>Buford</u> STATE: <u>GA</u> ZIP: <u>30518</u> PHONE: <u>770-614-6511</u>	NAME: <u>VDC Development Group, LLC</u> ADDRESS: <u>6122 Brookside Lane</u> CITY: <u>Hoschton</u> STATE: <u>GA</u> ZIP: <u>30548</u> PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u> CONTACT'S E-MAIL: <u>Mitchpeevy@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).

<p style="text-align: center;">APPLICANT IS THE:</p> <p> <input type="checkbox"/> OWNERS AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER </p> <p> PRESENT ZONING DISTRICT (S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>O & I w/SUP</u> <u>to allow Senior Housing Facility \Independent Living</u> </p> <p> LAND DISTRICT (S): <u>3</u> LAND LOT (S): <u>006</u> ACREAGE: <u>6.610</u> </p> <p> ADDRESS OF PROPERTY: <u>Thompson Mill Road</u> </p> <p> PROPOSED DEVELOPMENT: <u>Senior Housing for residents 62 and up</u> </p>	
	<p style="text-align: center; color: red;"> RECEIVED BY PLANNING & DEVELOPMENT OCTOBER 2, 2020 SUP2020-00069 </p>

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

Legal Description – TAX ID: 3006 009A

A parcel of land situated in Land Lot 6 of the 3rd District of Gwinnett County, Georgia and being more particularly described as follows:

Commence at a found capped rebar marking the easterly most corner of the property described in Plat Book 145, Page 230 in the Gwinnett County Clerk of Courts Office; thence run South 67 Degrees 32 Minutes 59 Seconds West for a distance of 695.57 feet to a point located on the northerly right-of-way of Thompson Mill Road (80' right-of-way) and said point lying on a tangent curve to the right, said curve having a radius of 1,910.00 feet, a central angle of 01 Degrees 17 Minutes 19 Seconds, a chord bearing of South 78 Degrees 41 Minutes 10 Seconds West and a chord length of 42.96 feet, said point being the POINT OF BEGINNING of the parcel herein described; thence run along the arc of said curve and of said right-of-way for a distance of 42.96 feet to a point; thence run South 79 Degrees 19 Minutes 12 Seconds West along said right-of-way for a distance of 84.06 feet to a point; thence run South 82 Degrees 23 Minutes 12 Seconds West along said right-of-way for a distance of 159.66 feet to a point; thence run South 80 Degrees 41 Minutes 12 Seconds West along said right-of-way for a distance of 337.60 feet to a found 1/2" rebar; thence leaving said right-of-way run North 10 Degrees 21 Minutes 13 Seconds West for a distance of 289.06 feet to a point; thence run South 72 Degrees 22 Minutes 19 Seconds West for a distance of 297.04 feet to a point; thence run South 08 Degrees 22 Minutes 41 Seconds East for a distance of 246.15 feet to a found capped rebar lying on the northerly right-of-way of Thompson Mill Road; thence run South 80 Degrees 40 Minutes 19 Seconds West along said right-of-way for a distance of 171.29 feet to a point; thence leaving said right of way run North 14 Degrees 45 Minutes 58 Seconds West for a distance of 279.78 feet to a point; thence run North 75 Degrees 13 Minutes 37 Seconds East for a distance of 1,114.43 feet to a point; thence run South 11 Degrees 39 Minutes 59 Seconds East for a distance of 386.00 feet to the POINT OF BEGINNING. Said parcel containing 287,921 square feet, or 6.610 acres.

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REZONING EXHIBIT

LOCATED IN
 LAND LOT 6, 3RD DISTRICT
 GWINNETT COUNTY, GEORGIA
 TAX ID: 3006 009A

MAD 83 (2011)
 GEORGIA WEST STATE PLANE
 GRID NORTH



LINE	BEARING	DISTANCE
L1	S 79°19'12" W	84.06'
L2	S 82°23'12" W	159.66'
L3	S 80°41'12" W	337.60'
L4	N 10°21'13" W	289.06'
L5	S 72°22'19" W	297.04'
L6	S 08°22'41" E	246.15'
L7	S 80°40'19" W	171.29'
L8	N 14°45'58" W	279.78'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1,910.00'	42.96'	42.96'	S 78°41'10" W	1°17'19"



SHEET 1 OF 1

REFERENCES:
 PLAT BOOK 145, PAGE 230

THIS EXHIBIT IS NOT TO SCALE

DRAFTED: 9/29/2020

BY: MCB

LEGEND

- IRON PIN FOUND
- IRON PIN SET



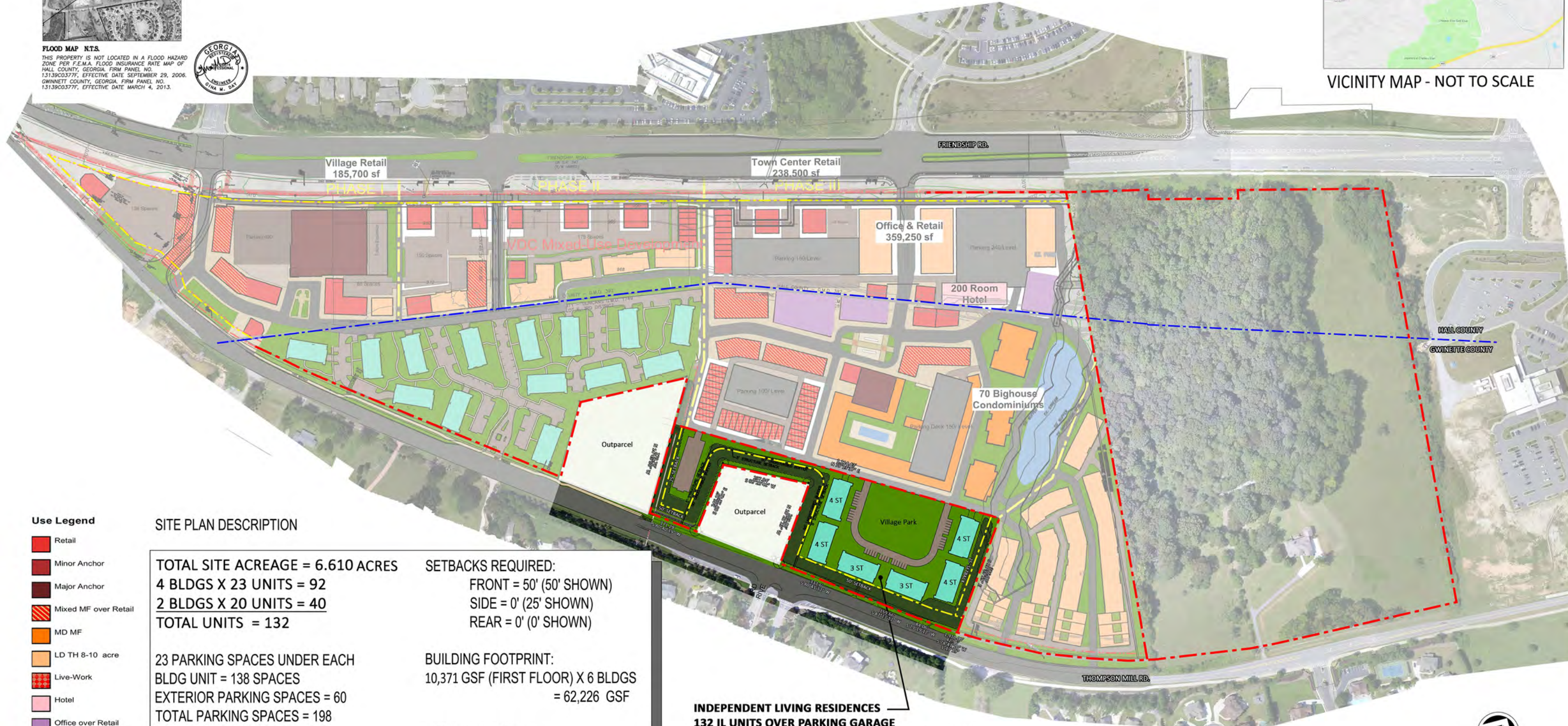
L.S.F. 1322
 6095 ATLANTA HIGHWAY SUITE 100
 FLOWERY BRANCH, GA. 30542
 678.828.9424 | www.aepatl.com



FLOOD MAP N.T.S.
 THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE PER F.E.M.A. FLOOD INSURANCE RATE MAP OF HALL COUNTY, GEORGIA, FIRM PANEL NO. 13139C0377F, EFFECTIVE DATE, SEPTEMBER 29, 2006. GWINNETT COUNTY, GEORGIA, FIRM PANEL NO. 13139C0377F, EFFECTIVE DATE MARCH 4, 2013.



VICINITY MAP - NOT TO SCALE



Use Legend

- Retail
- Minor Anchor
- Major Anchor
- Mixed MF over Retail
- MD MF
- LD TH 8-10 acre
- Live-Work
- Hotel
- Office over Retail
- Wellness
- Office/Institution Special Use

SITE PLAN DESCRIPTION

TOTAL SITE ACREAGE = 6.610 ACRES
 4 BLDGS X 23 UNITS = 92
 2 BLDGS X 20 UNITS = 40
TOTAL UNITS = 132

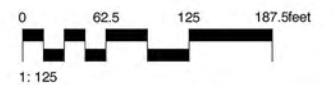
23 PARKING SPACES UNDER EACH
 BLDG UNIT = 138 SPACES
 EXTERIOR PARKING SPACES = 60
TOTAL PARKING SPACES = 198
 1.5 PARKING SPACE PER UNIT

SETBACKS REQUIRED:
 FRONT = 50' (50' SHOWN)
 SIDE = 0' (25' SHOWN)
 REAR = 0' (0' SHOWN)

BUILDING FOOTPRINT:
 10,371 GSF (FIRST FLOOR) X 6 BLDGS
 = 62,226 GSF

BUILDING AREA:
 38,925 GSF/BLDG X 6 BLDGS
 =233,550 GSF

INDEPENDENT LIVING RESIDENCES
132 IL UNITS OVER PARKING GARAGE
(2) 3 STORY BUILDING FACING THOMPSON MILL RD.;
REMAINING ARE 4 STORIES EACH



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 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 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:

YES, THE SUBJECT PROPERTY IS SHOWN AS 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 1, 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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LETTER OF INTENT

The Applicant's vision and primary focus for the area under consideration for this rezoning is to provide opportunities for housing, wellness, services and lifestyle for a segment of the senior population that is sixty-two years and older. Consequently, the Applicant—VDC Development Group, LLC—requests a rezoning from RA200 to O & I with a Special Use Permit to allow a Senior Living offering for residents 62 and older. The neighboring MUO (Mixed Use Overlay) was approved by Gwinnett County in 2008 prior to the construction of Northeast Georgia Medical Center. The subject property is surrounded by MUO (Mixed Use Overlay) property, church property and Assisted Living property (Braselton jurisdiction). Del Webb also developed two Active Adult housing communities in the immediate area—other senior housing facilities are also opening in the area. The request is to replace the current zoning to allow the Applicant to build 132 units of Independent Living space containing mostly 1- and 2-bedroom units. Additionally, the property located between the planned Assisted Living and the church property will be used for parking.

Instead of a massive multi-story building, this offering will consist of multiple buildings. **a)** The site plan depicts the number and size of the buildings; the most typical building contains 22 units. Each building will be 10,371 square feet of heated space per floor. **b)** The number of resident units per building may vary based upon market requirements and building site conditions, **c)** underground parking below each building, **d)** a large lobby area on the first floor for entertaining guests and having activities and meetings with other residents, **d)** four residence units on the first floor—six on the other floors, **e)** each building will have an elevator, **f)** the average heated space for each unit will be 1,163 sq. ft., **g)** each residence unit will have a full kitchen, dining area, living area, bedrooms, bathroom(s) with walk-in shower, outdoor patio/balcony and additional features, **h)** buildings will be modeled after large elegant homes, using French Provincial, English Manor and other architectural styles, **i)** by using an architectural review process, each building will have distinctive features and colors, complementing the neighboring buildings.

As the buildings are occupied, future plans are for **a)** a catering restaurant located in the commercial area of the MUO so residents can have a full dining experience—or can have meals delivered to them on an as-needed basis, **b)** a community Wellness/ Clubhouse facility for exercise and social group activities, **c)** optional A la Carte services offered to residents including concierge, a wellness coordinator, linen and dry cleaning service, weekly house cleaning service, transportation coordination and 3rd party healthcare services.

All residential units will be only for Independent Living residents as no assisted or memory care facilities are being proposed.

The Applicant's second request is for a height increase to a maximum height of 57 feet 10 inches—and an average height of 50 feet for the buildings throughout this proposed development.

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SPECIAL USE PERMIT 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.

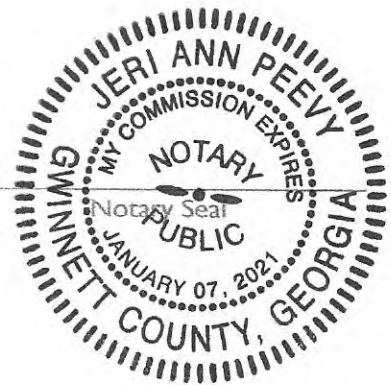
Linton N. Swindell
Signature of Property Owner

9-29-2020
Date

LINTON N. SWINDELL, MBR VDC DEVELOPMENT GROUP, LLC
Type or Print Name and Title

Jeri Ann Peavy
Signature of Notary Public

9/29/20
Date



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SPECIAL USE PERMIT 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.

Linton N. Swindell
Signature of Applicant

9-29-2020
Date

LINTON N. SWIDELL, MGR. VDC DEVELOPMENT GROUP, LLC
Type or Print Name and Title

Jeri Ann Peavy
Signature of Notary Public

9/29/20
Date



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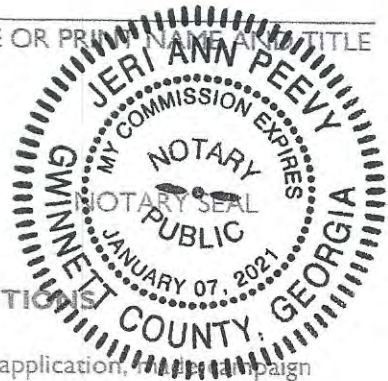
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, 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.

Linton N Swindell 9-29-2020 LINTON N. SWINDELL, MGR./OWNER
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE
VDC DEVELOPMENT GROUP, LLC

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

Jeri Ann Peavy 9/29/20
 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 Linton N Swindell
 YOUR NAME

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

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

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

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

PARCEL I.D. NUMBER: 3 - R3006 - 009 A
(Map Reference Number) District Land Lot Parcel

X Linton M. Swinick 9-29-2020
Signature of Applicant Date

LINTON M. SWINICK, MGR/OWNER
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)

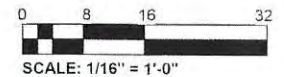
Megan Kittrell Assistant Manager
NAME TITLE
9-30-2020
DATE

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ENGLISH TUDOR-FRONT ELEVATION

PROPOSED ADDITIONAL COLOR OPTIONS
 MATERIAL AND COLOR CONCEPT FOR VDC SENIOR INDEPENDENT LIVING IS TO PROVIDE TWO ARCHITECTURAL STYLES, ENGLISH MANOR AND ENGLISH TUDOR, THAT ALLOWS STYLE VARIATION WITHIN THE SENIOR COMMUNITY AND AVOIDS THE REPETITIVE HOUSING EFFECT. THIS VARIATION IS FURTHER REINFORCED BY PROVIDING AN ADDITIONAL COLOR OPTION FOR EACH STYLE WHILE MAINTAINING THE CURRENT MATERIAL PALETTE SHOWN. THE COLOR OPTIONS FOR BOTH STYLES WOULD BE WITHIN THE SAME COLOR FAMILY AND COMPLEMENTARY TO THE PROPOSED BASE COLOR OPTION SHOWN ABOVE. THIS ADDITIONAL COLOR OPTION FOR EACH STYLE WOULD STRENGTHEN THE BUILDING VARIATION AND INCREASE A MORE VILLAGE-LIKE EXPERIENCE FOR THIS NEIGHBORHOOD WHICH TIES INTO THE OVERALL MASTER PLANNED COMMUNITY.



FOLEY DESIGN
 www.foleydesign.com

ENGLISH TUDOR-FRONT ELEVATION
VDC SENIOR INDEPENDENT LIVING
 BRASELTON, GA

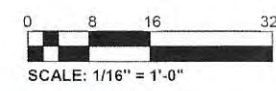
10.01.2020
 VDC Development Group LLC

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ENGLISH TUDOR-REAR ELEVATION

PROPOSED ADDITIONAL COLOR OPTIONS
 MATERIAL AND COLOR CONCEPT FOR VDC SENIOR INDEPENDENT LIVING IS TO PROVIDE TWO ARCHITECTURAL STYLES, ENGLISH MANOR AND ENGLISH TUDOR, THAT ALLOWS STYLE VARIATION WITHIN THE SENIOR COMMUNITY AND AVOIDS THE REPETITIVE HOUSING EFFECT. THIS VARIATION IS FURTHER REINFORCED BY PROVIDING AN ADDITIONAL COLOR OPTION FOR EACH STYLE WHILE MAINTAINING THE CURRENT MATERIAL PALETTE SHOWN. THE COLOR OPTIONS FOR BOTH STYLES WOULD BE WITHIN THE SAME COLOR FAMILY AND COMPLEMENTARY TO THE PROPOSED BASE COLOR OPTION SHOWN ABOVE. THIS ADDITIONAL COLOR OPTION FOR EACH STYLE WOULD STRENGTHEN THE BUILDING VARIATION AND INCREASE A MORE VILLAGE-LIKE EXPERIENCE FOR THIS NEIGHBORHOOD WHICH TIES INTO THE OVERALL MASTER PLANNED COMMUNITY.



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ENGLISH TUDOR-REAR ELEVATION
VDC SENIOR INDEPENDENT LIVING
 BRASELTON, GA

10.01.2020

VDC Development Group LLC

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ENGLISH TUDOR-LEFT ELEVATION

MANUF. STONE &
BRICK AT CHIMNEY

MANSARD ROOF W/
ARCHITECTURAL
SHINGLES

METAL GUTTERS &
DOWNSPOUTS

SINGLE-HUNG
WINDOWS

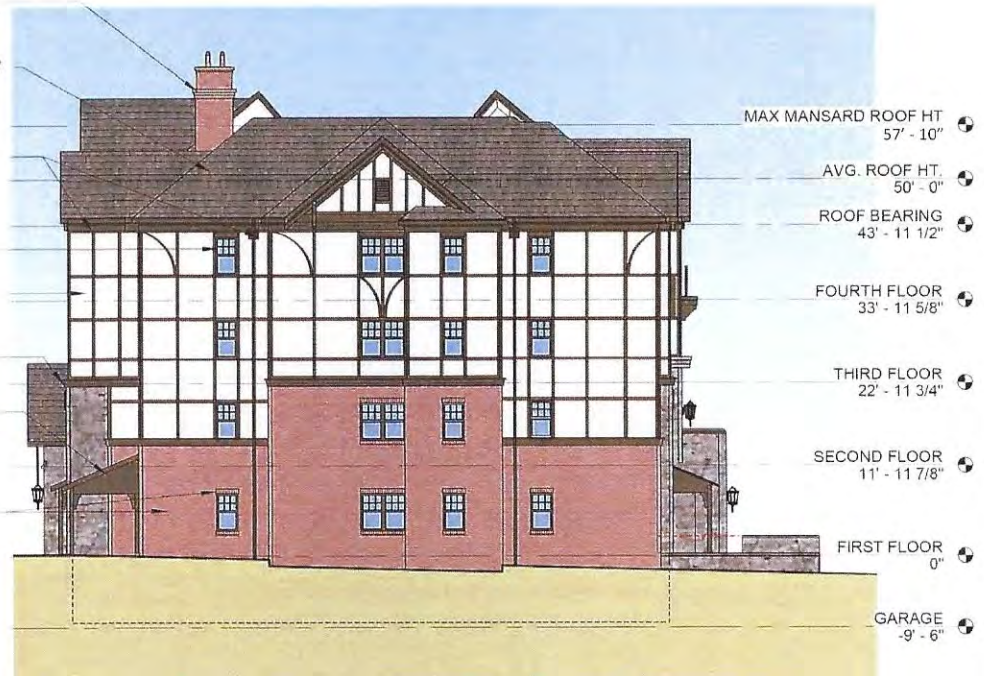
CEMENTITIOUS
BOARD & PANEL
SYSTEM

STUCCO BAND

METAL ROOF
ACCENTS OVER
TIMBER FRAMING

BRICK VENEER &
ACCENT
COURSING

TYPICAL SITE
WALL



ENGLISH TUDOR-RIGHT ELEVATION

MAX MANSARD ROOF HT
57' - 10"

AVG. ROOF HT.
50' - 0"

ROOF BEARING
43' - 11 1/2"

FOURTH FLOOR
33' - 11 5/8"

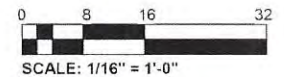
THIRD FLOOR
22' - 11 3/4"

SECOND FLOOR
11' - 11 7/8"

FIRST FLOOR
0"

GARAGE
-9' - 6"

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ENGLISH TUDOR-SIDE ELEVATIONS
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