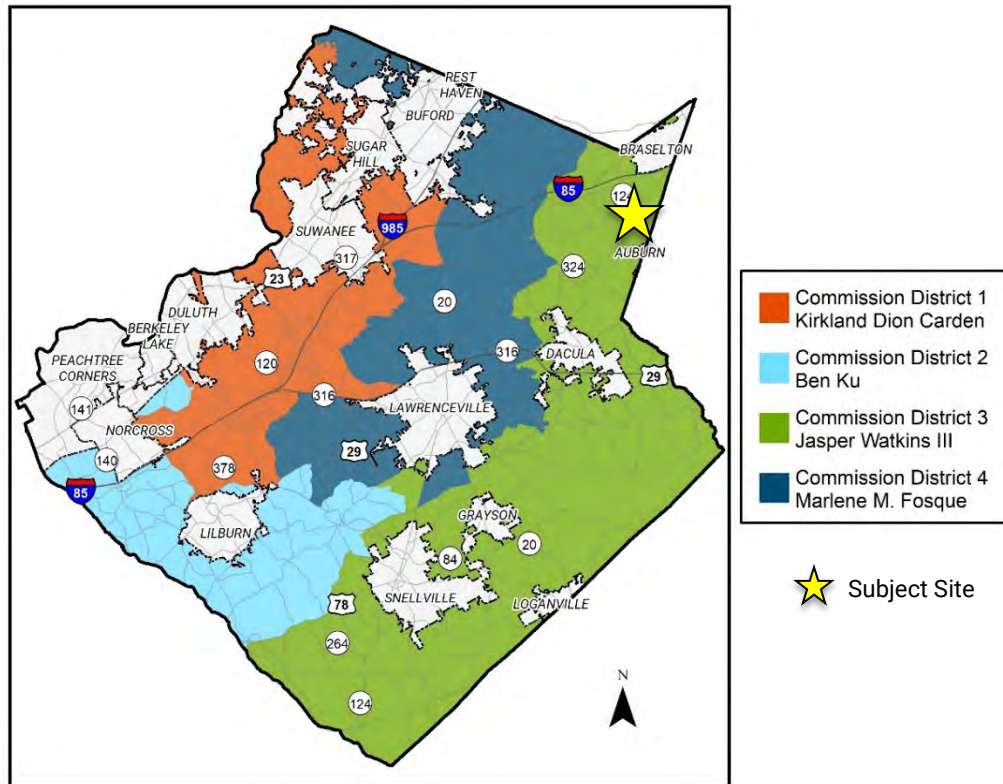


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2021-00025
Current Zoning: RA-200 (Agriculture-Residence District)
Request: Rezoning to R-100 (Single-Family Residence District)
Address: 3880 Fence Road
Map Number: R2002 027
Site Area: 8.45 Acres
Lots: 3
Proposed Development: Single Family Subdivision
Commission District: District 3 – Commissioner Watkins
Character Area: Suburban Estate Living

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Location Map

Planning Commission Advertised Public Hearing Date: 7/7/2021
Board of Commissioners Advertised Public Hearing Date: 7/27/2021

Applicant: Nick & Brothers, LLC
c/o Alliance Engineering and
Planning
6095 Atlanta Hwy, Ste 100
Flowery Branch, GA 30542

Owner: Nick & Brothers, LLC
6095 Atlanta HWY
Flowery Branch, GA 30542

Contact: Mitch Peevy

Contact Phone: 770-361-8444

Zoning History

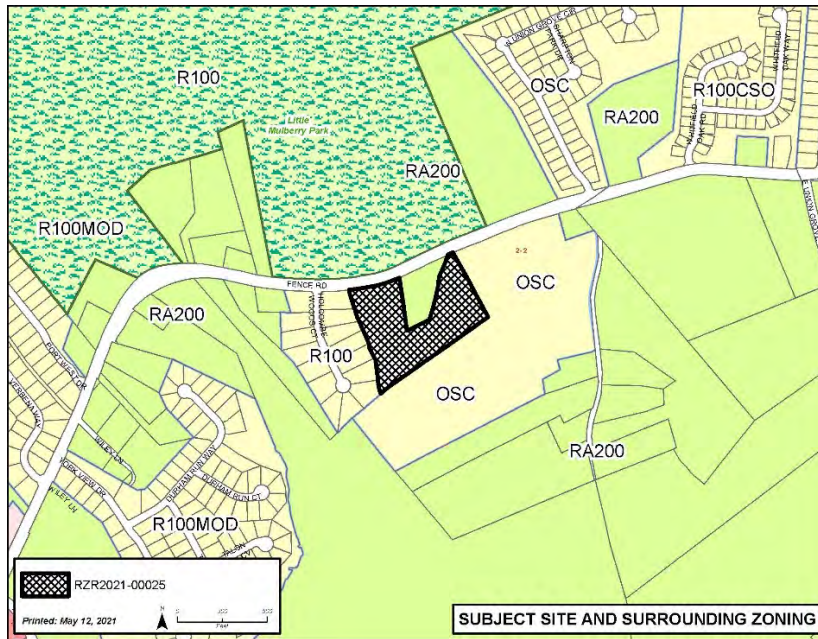
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject site is an 8.45-acre developed property south of Fence Road. A single-family split-level residence is situated on the west portion of the subject site with a detached covered garage accessed via a driveway from Fence Road. The eastern portion of the property is wooded and undeveloped land. A stream runs through the center of the site. The nearest Gwinnett County transit stop is 9.2 miles from the subject property.

Surrounding Use and Zoning

Properties around the subject site are predominantly single-family residential with varying degrees of density. A subdivision to the west of the subject site is the densest property adjoining the subject site. The property to the south and east of the subject site was recently approved for rezoning on October 27, 2020, for a single-family subdivision and is currently in the site development process for permitting. The Little Mulberry River Park is directly north and across Fence Road. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning	Density
Subject Property	Agriculture-Residence District	RA-200	0.35 units / acre
North	Gwinnett County Park	RA-200/ R100	NA
East	Open Space Conservation District	OSC	2.66 units/ acre
South	Open Space Conservation District	OSC	2.66 units/acre
West	Single-Family Residences	R-100	1.58 units/ acre

Project Summary

The applicant requests a rezoning on an 8.45-acre property zoned RA-200 to construct single-family homes, including:

- Property to be subdivided into 3 separate lots.
- Each lot is to have a single-family home with a minimum size of 2,800 square feet and a maximum height of 35-feet.
- The homes will be constructed of brick, stone, board and batten, and other concrete siding accents.
- Homes to have a minimum 2-car garage and a maximum 3-car garage.

Zoning and Development Standards

The applicant is requesting a rezoning to R-100, Single-Family Residence District which is “intended primarily for single-family detached residences and related uses.” The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	35'	YES
Front Yard Setback	Minimum 50'	50'	YES
Side Yard Setback	Minimum 10'	10'	YES
Rear Yard Setback	Minimum 40'	40'	YES
Off-Street Parking	Minimum: 2 per dwelling Maximum: 6 per dwelling	Minimum: 2 per dwelling Maximum: 3 per dwelling	YES
Landscape Strip	10'	10'	YES

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 E). Standard site and infrastructure improvements will also be required related to stormwater, 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 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether a proposed zoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The site is surrounded by residentially zoned single-family residential development. The nearest non-residential uses are located on major corridors such as Fence Road and Auburn Road and R-100 uses would be suitable in this area.

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

The existing use and usability of adjacent or nearby properties would likely not be impacted by the zoning change. These properties were developed in the recent past and will likely remain as currently constructed for the foreseeable future.

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 nearby area is developed with single-family residences, underway for permitting and would be consistent with the existing zoning pattern.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommendation

Based on the staff's evaluation of the rezoning application, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommended Conditions (Includes Staff Recommended Conditions)

Approval as R-100 (Single-Family Residence District), subject to the following conditions:

1. The property shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed three lots.
2. The minimum heated floor area per dwelling unit shall be 2,800 square feet.
3. Homes shall be constructed primarily of brick or stone on front façades, with accents of fiber-cement siding or shake. The balance of the home may be the same or of fiber-cement siding with a minimum two-foot-high brick or stone water table.
4. All dwellings shall have at least a double-car garage.
5. Natural vegetation shall remain on the property 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. Internal and External Agency Review Comments
- F. Maps

Exhibit A: Site Visit Photos



Approach towards Property from Auburn Road (*Little Mulberry Park on left side of image*)



Existing Residential Structure on Subject Property



Existing Driveway Outlet of Residence on Subject Property

Exhibit A: Site Visit Photos



Wooded Frontage of Subject Property



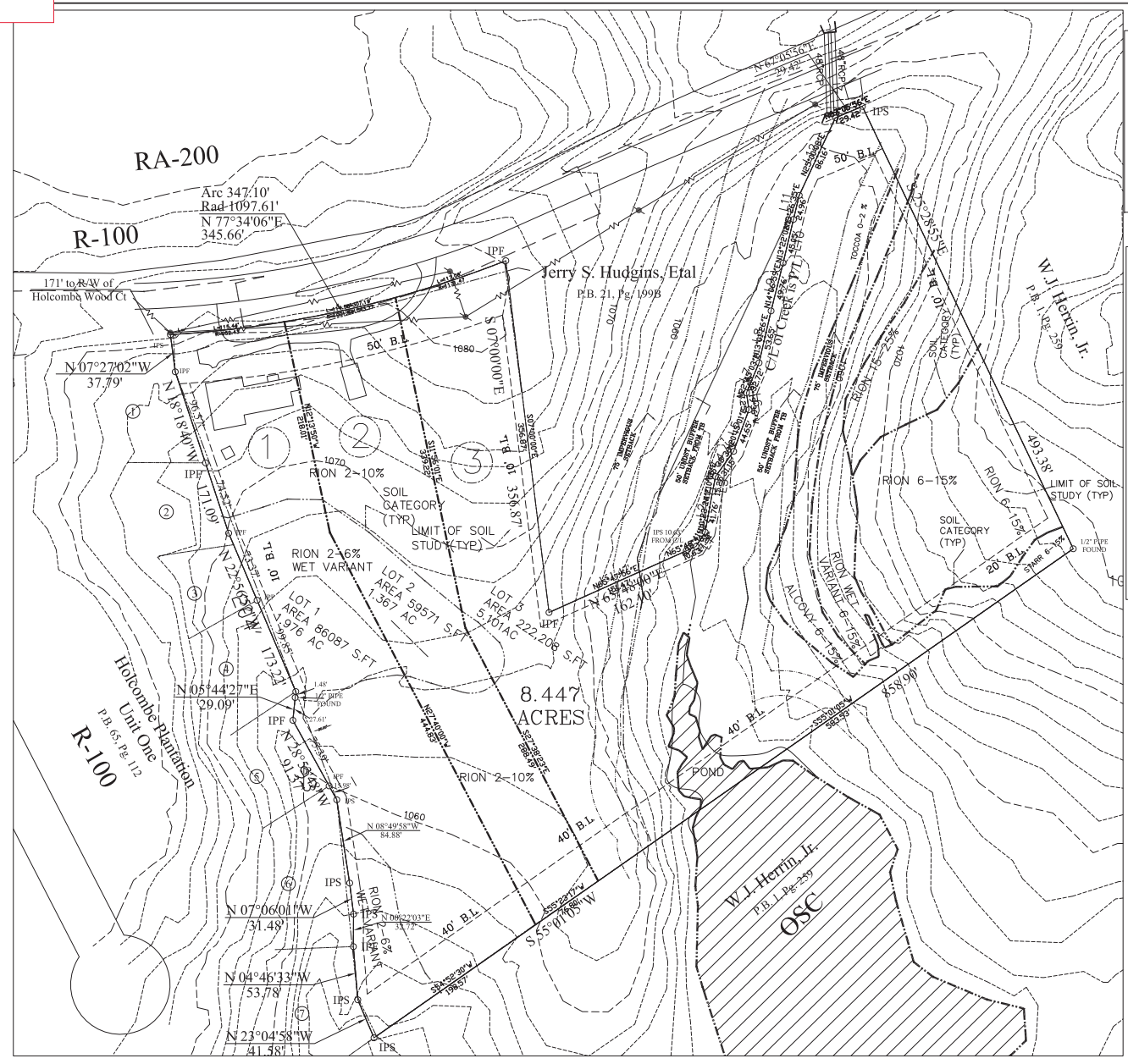
Looking Towards Auburn Road from Fence Road – Subject Property on left of image



Subdivision Character Adjacent to Subject Property

Exhibit B: Site Plan

[attached]



HEALTH DEPT NOTES:

Start per Note 1 on sheet 1 of 2.

Start per Note 2 on sheet 1 of 2.

All Septic Tanks must appear on the same page as plan. Need a separate Plan for Environmental Health.

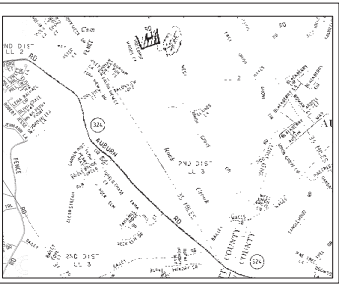
The following general notes must be included in the plan:

- Note 2 approved depth of bedrock.
- Note 2 approved depth of bedrock.
- Septic tank or other alternative septic system will be required on lots on the production of the GCE 405 as detailed appropriate for residential practices.
- All plumbing shall be done on site for all the approval has been issued by the GCEHD.
- Site plans may be required by Environmental Health in some situations.

The following notes will appear on the plan:

- Each lot shall have a 100' x 100' septic tank disposal facilities be provided within 200 feet of a work site.

Please make the listed changes to the plan. When completed, schedule an appointment or bring the plan for sign-off. Please remember to bring an additional plan that must be signed by the engineer.



SOIL PROPERTIES

SOIL SERIES	PERCENT	DEPTH TO TOP OF BEDROCK (INCHES)	DEPTH TO TOP OF BEDROCK (FEET)	PERCENT SAND	PERCENT SILT	PERCENT CLAY	PERCENT ORGANIC MATTER	PERCENT COARSE SAND	PERCENT FINE SAND	PERCENT SILT	PERCENT CLAY	PERCENT ORGANIC MATTER
RA-200	2-10	100	2.5	10	10	10	10	10	10	10	10	10
R-100	2-10	100	2.5	10	10	10	10	10	10	10	10	10
IRON 6-15%	6-15	100	2.5	10	10	10	10	10	10	10	10	10
IRON 2-6%	2-6	100	2.5	10	10	10	10	10	10	10	10	10
IRON 15-25%	15-25	100	2.5	10	10	10	10	10	10	10	10	10
IRON 2-10%	2-10	100	2.5	10	10	10	10	10	10	10	10	10

FOOTNOTES

FOOTNOTE A: These data were obtained from a soil test conducted by a soil testing laboratory. The soil test results are based on the data provided by the client. The soil test results are based on the data provided by the client. The soil test results are based on the data provided by the client.

FOOTNOTE B: These data were obtained from a soil test conducted by a soil testing laboratory. The soil test results are based on the data provided by the client. The soil test results are based on the data provided by the client. The soil test results are based on the data provided by the client.

FOOTNOTE C: These data were obtained from a soil test conducted by a soil testing laboratory. The soil test results are based on the data provided by the client. The soil test results are based on the data provided by the client. The soil test results are based on the data provided by the client.

GENERAL NOTES AND COMMENTS:

This soil report is an accurate Level 1 soil evaluation in accordance with GA-DNR standards.

NOTES:

A- PROPERTY ZONED: (RA-200), PROPOSED ZONING R-100

B- LOT AREA = 8.447 ACRES

C- BUILD SETBACKS:

- 1- FRONT: 50' EXTERIOR.
- 2- REAR: 40 FT.
- 3- SIDE: 10 FT. 1 SIDE, 25' BOTH SIDES

D- PROPOSED No. OF LOTS = 3, DENSITY = 3/8.447 = 0.35 LOTS / ACRE

E- MAX. HEIGHT OF BLDG = 35 FT.

F- LOT WIDTH AT FRONT B.L. = 100 FT

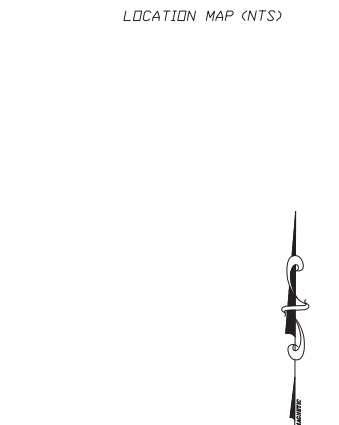
G- REFERENCE SURVEY DONE FOR NICK AND BROTHERS DATED 10-21-20 BY CARLAN LAND SURVEYORS.

H- MIN. HEATED FLOOR AREA = 2,800 S.F.T.

J- MIN. LOT SIZE = 25,500 S.F.T. (SEPTIC TANK)

K- WATER IS PROVIDED BY WINNETT COUNTY WATER SYSTEM

L- WASTE WATER DISPOSAL WILL BE PROVIDED ON SITE.



NO.	DATE	REVISIONS	BY	PROJECT NO.	DATE
1	05-07-21	RE-ZONING PLAN			

PREPARED BY:
MANSUR ENGINEERING, INC.
 1810 PEACHTREE INDUSTRIAL BLVD.
 SUITE 140
 DULUTH, GEORGIA 30097
 Phone: (770) 476-7014 Fax: (770) 476-7363
 MANSRENG@BELL.SOUTH.NET

OWNERS/BUILDER
DELPHINE BRYANT
 3935 ALLEN LANE
 BUFORD, GA 30519
 678-281 4349
 DELEJANG@YAHOO.COM

REZONING LAYOUT PLAN FOR
DELPHINE BRYANT
 3880 & 5488 FENCE ROAD
 2ND DIST, LAND LOT 2
 G.M.D. #1587
 AUBURN, GA 30011
 WINNETT COUNTY

SCALE 1"=50'
 SHEET NO. 1 OF 1
 FILE NO.

Exhibit C: Building Elevations

[attached]

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

[attached]

G APPLICANT'S LETTER OF INTENT

The Applicant and Owner, Nick & Brothers, LLC, requests a rezoning on 8.44 acres for the purpose of building 3 Single-Family detached custom homes. To develop the site as proposed, the Applicant respectfully requests a rezoning from RA-200 to R-100. The property is located at 3880 Fence Road.

The enclosed site plan indicates 3 homes on the subject site at a gross density of 0.35 units per acre. All the lots will be connected to septic tanks as there is no sanitary sewer available to the property. The lots range in size from 1.367 acres to 5.101 acres. The minimum heated square footage for the homes will be 2,800 sf. with a maximum height for the proposed dwellings 35'. The homes will be constructed with a mixture of materials on the front façade and will include brick, stone, board and batten and other concrete siding accents. The sides and rear will be the same or of concrete siding and will possibly have the popular "Farmhouse" look. All homes will have at a minimum a 2-car garage and most likely they will have 3 car garages. Price range for the homes will be from the mid \$500's to the mid \$600's.

The applicant is excited to be able to provide additional homes in the area that buyers are responding to. The applicant looks forward to meeting with staff and our neighbors to discuss any concerns that anyone has with the proposal.

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 SUBURBAN ESTAE LIVING

(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.

Exhibit E: Internal and External Agency Review Comments

[attached]



TRC Meeting Date: June 16, 2021	
Department/Agency Name: Development Plan Review	
Reviewer Name: Terri Drabek	
Reviewer Title: Planner III	
Reviewer Email Address: terri.drabek@gwinnettcounty.com	
Case Number: RZR2021-00025	
Case Address: 3880 Fence Road	
Comments: <input type="checkbox"/> YES <input type="checkbox"/> NO	
1	
2	
3	
4	
5	
6	
7	
8	
Recommended Zoning Conditions: <input type="checkbox"/> YES <input type="checkbox"/> NO	
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6	
7	
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Note: Attach additional pages, if needed



TRC Meeting Date: 6-11-2021	
Department/Agency Name:	Transportation
Reviewer Name:	Michael Johnson
Reviewer Title:	Construction Manager 1
Reviewer Email Address:	michael.johnson2@gwinnettcountry.com
Case Number:	RZR2021-00025
Case Address:	3880 Fence Rd
Comments: <input type="checkbox"/> YES <input type="checkbox"/> NO	
1	Fence Road is a Major Collector requiring 40' of R/W from the centerline of the roadway
2	Fence Road has a posted speed limit of 40 MPH with an AADT of 4,715 VPD
3	GC Trasit Station 9.2 miles
4	
5	
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8	
Recommended Zoning Conditions: <input type="checkbox"/> YES <input type="checkbox"/> NO	
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Note: Attach additional pages, if needed

Residential Rezoning Impact on Local Schools						
Prepared for use in the July 2021 Board of Commissioners Meeting						
	Local Schools to be Impacted by Requested Rezoning					
Case#	Elementary School		Middle School		High School	
	Yr 2021-2022	Yr 2022--2023	Yr 2021-2022	Yr 2022-2023	Yr 2021-2022	Yr 2022-2023
BRD2021-00001	no impact	no impact	no impact	no impact	no impact	no impact
CIC2021-00016	no impact	no impact	no impact	no impact	no impact	no impact
SUP2021-00037	no impact	no impact	no impact	no impact	no impact	no impact
SUP2021-00038	no impact	no impact	no impact	no impact	no impact	no impact
SUP2021-00039	no impact	no impact	no impact	no impact	no impact	no impact
SUP2021-00040	no impact	no impact	no impact	no impact	no impact	no impact
RZC2021-00013	no impact	no impact	no impact	no impact	no impact	no impact
RZC2021-00015	no impact	no impact	no impact	no impact	no impact	no impact
RZM2021-00025	Trip ES	Trip ES	Bay Creek MS	Bay Creek MS	Grayson HS	Grayson HS
RZM2021-00026	Alcova ES	Alcova ES	Dacula MS	Dacula MS	Dacula HS	Dacula HS
RZM2021-00027	Rock Springs ES	Rock Springs ES	Creekland MS	Creekland MS	Collins Hill HS	Collins Hill HS
RZR2021-00022	no impact	no impact	no impact	no impact	no impact	no impact
RZR2021-00023	Dyer ES	Dyer ES	Twin Rivers MS	Twin Rivers MS	Mountain View HS	Mountain View HS
RZR2021-00024	Duncan Creek ES	Duncan Creek ES	Osborne MS	Osborne MS	Mill Creek HS	Mill Creek HS
RZR2021-00025	Mulberry ES	Mulberry ES	Dacula MS	Dacula MS	Dacula HS	Dacula HS
RZR2021-00026	Alcova ES	Alcova ES	Dacula MS	Dacula MS	Dacula HS	Dacula HS
RZR2021-00028	Dyer ES	Dyer ES	Twin Rivers MS	Twin Rivers MS	Mountain View HS	Mountain View HS



TRC Meeting Date:	06/15/2021
Department/Agency Name:	STORMWATER PLAN REVIEW
Reviewer Name:	RINDA GROOMS
Reviewer Title:	ENGINEER IV
Reviewer Email Address:	RINDA.GROOMS@GWINNETTCOUNTY.COM
Case Number:	RZM2021-00017
Case Address:	2430 BLOCK OF ROCK SPRINGS RD, 1100 BLOCK OF BALLPARK LN

Comments: **YES** **NO**

1	THE SITE PLAN PROVIDED DOES NOT SHOW A STORMWATER BMP WHICH WILL BE REQUIRED. THE STORMWATER FACILITY MAY REQUIRE A SEPARATE PARCEL AS DISCUSSED IN THE UDO AMENDMENT (UDOA2020-00003).
2	ALL STORMWATER BMP'S WILL NEED TO MEET THE REQUIREMENTS OUTLINED IN THE UDO, UDOA2020-00003, GCSMM, & GCSSPS
3	
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Recommended Zoning Conditions: **YES** **NO**

1	
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Note: Attach additional pages, if needed



TRC Meeting Date:	June 16, 2021
Department/Agency Name:	DWR
Reviewer Name:	Mike Pappas
Reviewer Title:	GIS Planning Manager
Reviewer Email Address:	michael.pappas@gwinnettcountry.com
Case Number:	RZR2021-00025
Case Address:	3880 FENCE ROAD

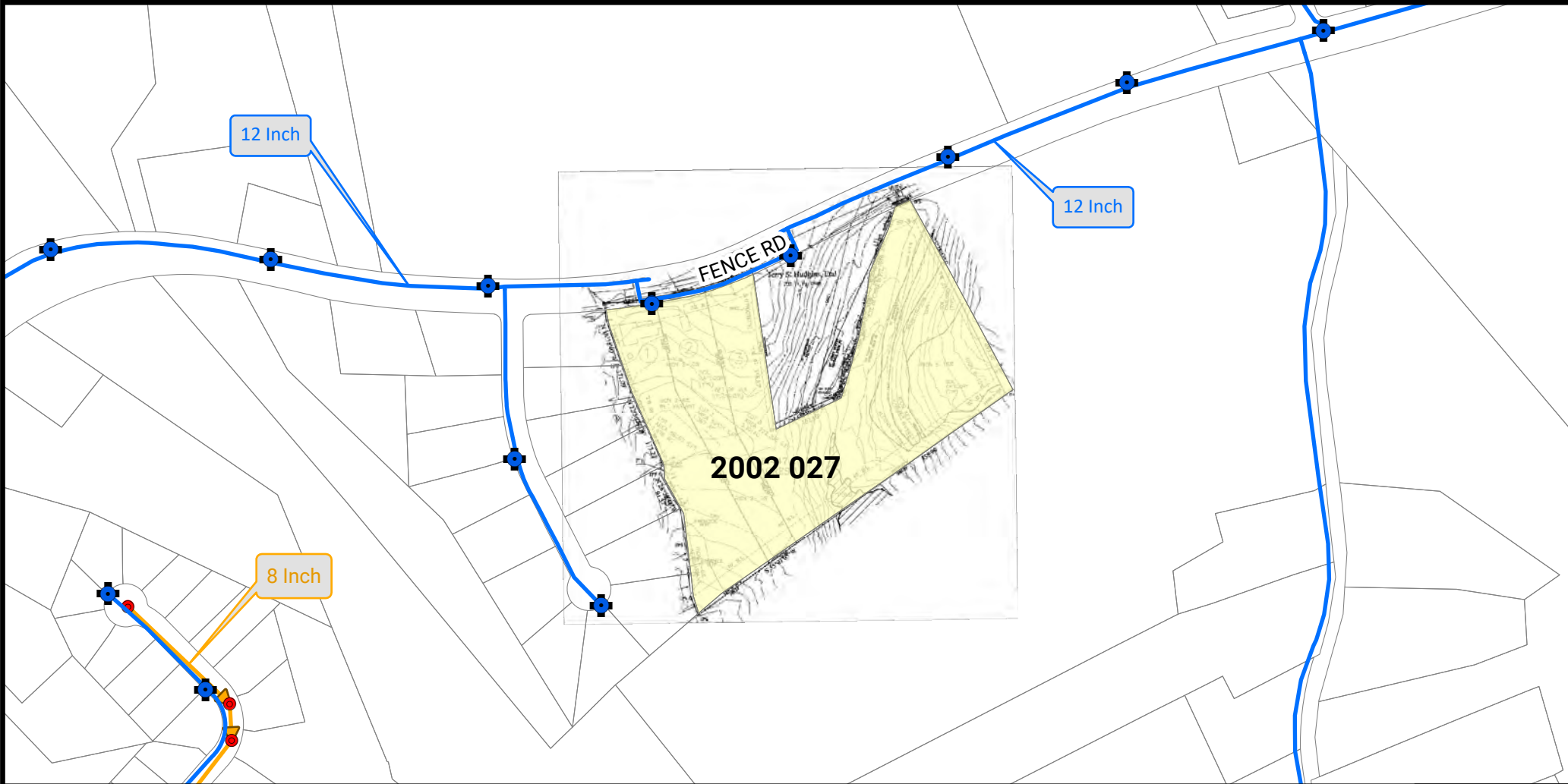
Comments: YES NO

1	WATER: Available 12-inch water main located on the south right-of-way of Fence Rd.
2	SEWER: No DWR Comments - Lots to be developed on septic.
3	
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Recommended Zoning Conditions: YES NO

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Note: Attach additional pages, if needed



12 Inch

12 Inch

8 Inch

2002 027

FENCE RD

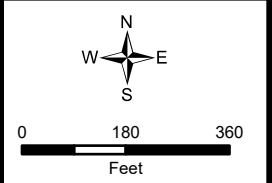
RZR2021-00025

RA-200 TO R-100

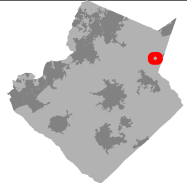
Water & Sewer Utility Map

LEGEND

- | | | | | | |
|--|-----------------|--|------------|--|-------------------|
| | Flow Management | | Hydrant | | Sewer Force Main |
| | Pump Station | | City | | Effluent Outfall |
| | Regional | | Water Main | | Sewer Collector |
| | Manhole | | Reuse Main | | Sewer Interceptor |



LOCATION



Water Comments: Available 12-inch water main located on the south right-of-way of Fence Rd.

Sewer Comments: No DWR Comments - Lots to be developed on septic.

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 F: Maps

[attached]



WHITFIELD
OAK WAY
WHITFIELD
OAK RD

W UNION GROVE CIR


FENCE RD

HOLCOMBE WOODS CT

DURHAM RUN WAY

DURHAM RUN CT

WILEY LN

 RZR2021-00025

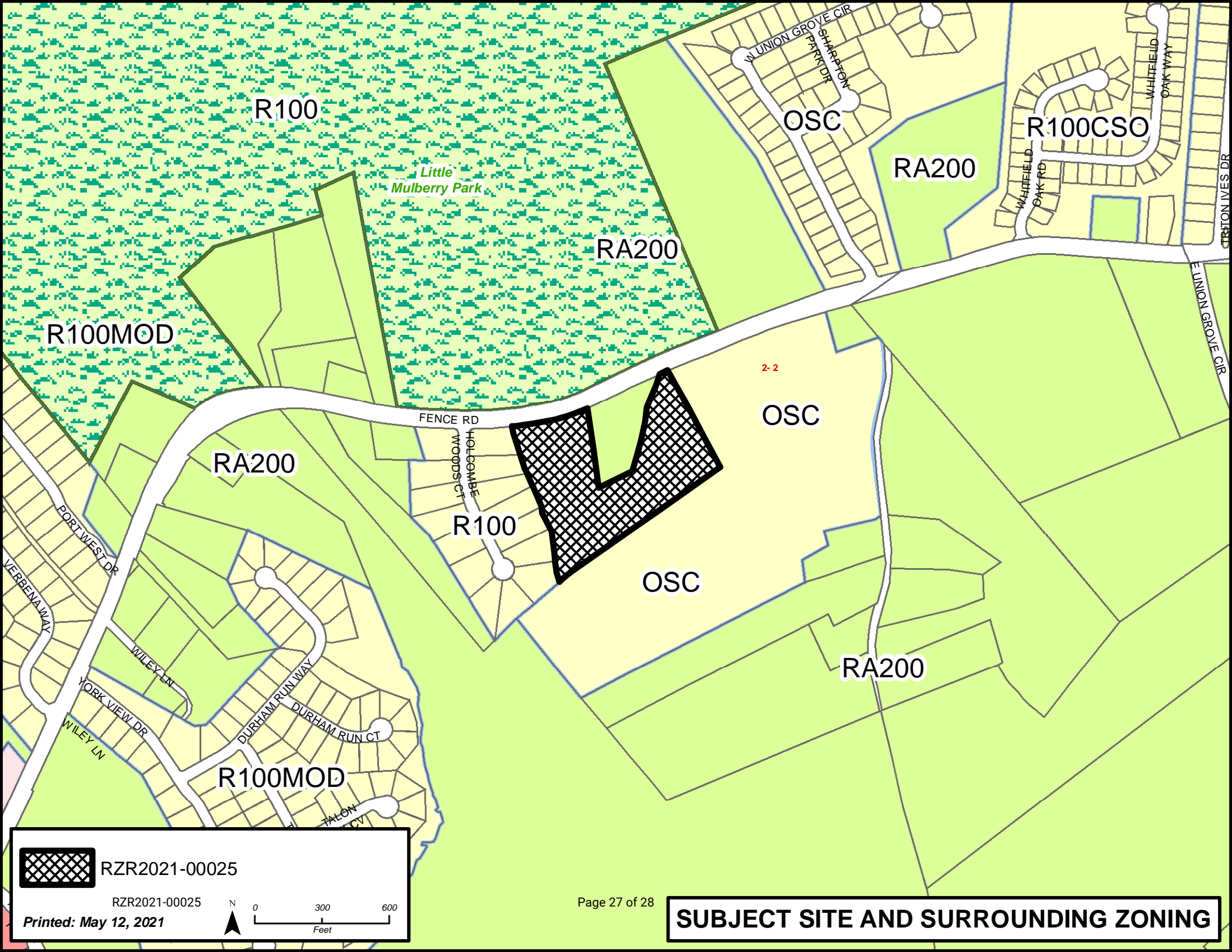
RZR2021-00025

Printed: May 12, 2021

N

0 200 400

Feet



R100

Little
Mulberry Park

OSC

R100CSO

RA200

RA200

R100MOD

2-2

OSC

RA200

R100

OSC

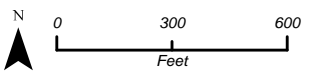
RA200

R100MOD



RZR2021-00025

Printed: May 12, 2021



SUBJECT SITE AND SURROUNDING ZONING

Community Amenities

Little Mulberry Park

2-2

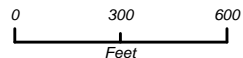
Suburban Estate Living

Emerging Suburban



RZR2021-00025

RZR2021-00025



Printed: May 12, 2021

RECEIVED BY:
 PLANNING AND DEVELOPMENT
 RZR2021-00025
 05/06/2021

ATTACHMENT 5A
 PAGE 1
 REVISED 07/91

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Nick & Brothers, LLC</u> c/o Alliance Engineering and Planning	NAME: <u>Nick & Brothers, LLC</u>
ADDRESS: <u>6095 Atlanta Hwy., Suite 100</u>	ADDRESS: <u>6095 Atlanta Hwy</u>
CITY: <u>Flowery Branch</u>	CITY: <u>Flowery Branch</u>
STATE: <u>GA</u> ZIP: <u>30542</u>	STATE: <u>GA</u> ZIP: <u>30542</u>
PHONE: <u>770-361-8444</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 361-8444</u>	
EMAIL ADDRESS: <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).

APPLICANT IS THE:	
____ OWNERS AGENT	<u>X</u> PROPERTY OWNER
__ CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>RA-200</u>	REQUESTED ZONING DISTRICT: <u>R-100</u>
LAND DISTRICT (S): <u>2</u>	LAND LOT: <u>002-027</u> ACREAGE: <u>8.447</u>
ADDRESS OF PROPERTY: <u>3880 Fence Road</u>	
PROPOSED DEVELOPMENT: <u>Single Family Subdivision</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>3</u>	NO. OF BUILDINGS/UNITS: _____
DWELLING UNIT SIZE (SQ. FT.): <u>2,800</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>0.35 units per ac</u>	DENSITY: _____
NET DENSITY: <u>0.35 units per ac</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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RZR2021-00025
05/06/2021

LEGAL DESCRIPTION
5488 FENCE ROAD
DELPHINE BRYANT

All that tract or parcel of land lying and being in G.M.D. 1587, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at the center line intersection of the southern R/W of Fence Road and the eastern R/W of Holcomb Wood Ct., running thence in the eastern direction along the southern R/W of Fence road a distance of 171.00 feet to a point, being the TRUE POINT OF BEGINNING; Thence; along the southern R/W of Fence Road, a curve to the right having a radius of 1097.61 feet and a curve length 347.10 feet and a chord bearing North 77°34'06" East with a distance of 345.66 feet to a point thence; South 07°00'00" East, a distance 356.87 feet to a point thence; North 65°48'00" East a distance of 162.10 feet to a point thence; along C.L. of creek, North 32°41'13" East with a distance of 17.20 feet to a point thence; North 10°22'24" East with a distance of 41.76 feet to a point thence; North 11°10'05" East with a distance of 15.25 feet to a point thence; North 35°38'36" East with a distance of 31.15 feet to a point thence; North 20°15'01" East with a distance of 44.65 feet to a point thence; North 08°19'36" East with a distance of 17.25 feet to a point thence; North 22°45'03" East with a distance of 32.72 feet to a point thence; North 13°01'26" East with a distance of 53.65 feet to a point thence; North 14°06'58" East with a distance of 49.76 feet to a point thence; North 13°22'02" East with a distance of 45.05 feet to a point thence; North 13°26'35" East with a distance of 24.96 feet to a point thence; North 25°00'08" East with a distance of 86.16 feet to a point on the southern R/W of Fence Road thence; North 67°05'56" East with a distance of 29.42 feet to a point thence; South 25°28'55" East, a distance 493.38 feet to a point thence; South 55°01'05" East, a distance 858.90 feet to a point thence; North 23°04'58" West, a distance 41.58 feet to a point thence; North 04°46'33" West, a distance 53.78 feet to a point thence; North 00°22'03" West, a distance 32.72 feet to a point thence; North 07°06'01" West, a distance 31.48 feet to a point thence; North 08°49'58" West, a distance 84.88 feet to a point thence; North 28°53'48" West, a distance 91.37 feet to a point thence; North 05°44'27" East, a distance 29.09 feet to a point thence; North 22°56'52" West, a distance 173.22 feet to a point thence; North 18°18'40" West, a distance 171.09 feet to a point thence; North 07°27'02" West, a distance 37.79 feet to a point being the TRUE POINT OF BEGINNING.

Said tract contains 8.447 acres, more or less and is shown more fully on survey plat done by Carlan Land Surveyors for Nick & Brothers, L.L.C. dated 10-21-2020

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THIS BLOCK RESERVED FOR THE CLERK
 OF THE SUPERIOR COURT.



Course	Bearing	Distance
L1	N 32°41'13" E	17.20
L2	N 10°22'24" E	41.76
L3	N 11°10'05" E	15.25
L4	N 35°38'36" E	31.15
L5	N 20°19'01" E	44.65
L6	N 08°19'36" W	17.25
L7	N 22°45'03" E	32.72
L8	N 13°01'26" E	53.65
L9	N 14°06'58" E	49.78
L10	N 13°22'02" E	45.05
L11	N 13°26'35" E	24.96
L12	N 25°00'08" E	86.16

- Notes:
- This Survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) §9-0-6.
 - This survey was prepared without the benefit of a title search. This property is subject to any encumbrances of which a title search would reveal.
 - This property is subject to any easements, restrictions, right-of-ways, or any other encumbrances, both public and private.
 - This plat represents that tract of land designated as Map & Parcel 2012-027, according to Gwinnett County Tax Assessor's.
 - Reference for subject tract is Deed Book 10217, Page 19.

SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Christopher J. Carlan
 Christopher J. Carlan, GA RLS #3993

BOUNDARY SURVEY
 FOR
NICK & BROTHERS, LLC
 LOCATED WITHIN
 G.M.D. 1587
 Gwinnett County, Georgia
 Scale: 1" = 100' October 21, 2020

- The field data upon which this plat is based has a closure precision of one foot in 12,354 feet and an angular error of 04" per angle point, and was adjusted using the Compass Rule.
- This plat has been calculated for closure and is found to be accurate within one foot in 702,940 feet.
- The field equipment used in this survey was a Leica TS12-P Robotic Total Station.
- The Field Work was completed 10/20/20.

100 0 100 200 300
 GRAPHIC SCALE - FEET

CARLAN
 LAND SURVEYORS
 970 SOUTH BROAD STREET
 COMMERCE, GA 30529
 (706)336-5959

GEORGIA REGISTERED No. 3003
 CHRISTOPHER J. CARLAN
 LAND SURVEYOR

(CEN) NO. 20-239 PR 15-585

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 SUBURBAN ESTAE LIVING

(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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G APPLICANT'S LETTER OF INTENT

The Applicant and Owner, Nick & Brothers, LLC, requests a rezoning on 8.44 acres for the purpose of building 3 Single-Family detached custom homes. To develop the site as proposed, the Applicant respectfully requests a rezoning from RA-200 to R-100. The property is located at 3880 Fence Road.

The enclosed site plan indicates 3 homes on the subject site at a gross density of 0.35 units per acre. All the lots will be connected to septic tanks as there is no sanitary sewer available to the property. The lots range in size from 1.367 acres to 5.101 acres. The minimum heated square footage for the homes will be 2,800 sf. with a maximum height for the proposed dwellings 35'. The homes will be constructed with a mixture of materials on the front façade and will include brick, stone, board and batten and other concrete siding accents. The sides and rear will be the same or of concrete siding and will possibly have the popular "Farmhouse" look. All homes will have at a minimum a 2-car garage and most likely they will have 3 car garages. Price range for the homes will be from the mid \$500's to the mid \$600's.

The applicant is excited to be able to provide additional homes in the area that buyers are responding to. The applicant looks forward to meeting with staff and our neighbors to discuss any concerns that anyone has with the proposal.

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05/06/2021

Gwinnett County Planning Division
Rezoning Application
Last Updated 8.2008

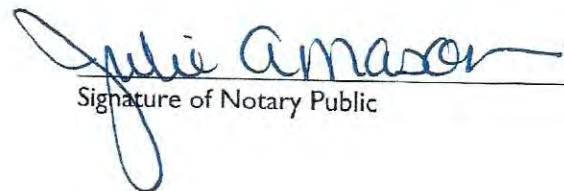
REZONING PROPERTY OWNER'S CERTIFICATION

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.

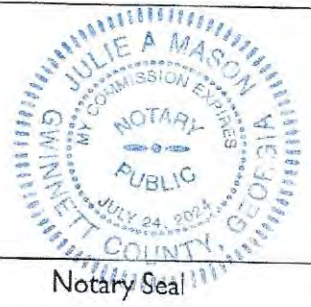
X 
Signature of Property Owner

5/3/2021
Date

Delphine Bryant owner
Type or Print Name and Title


Signature of Notary Public

5-3-2021
Date



RECEIVED BY:
PLANNING AND DEVELOPMENT
RZR2021-00025
05/06/2021

Gwinnett County Planning Division
Rezoning Application
Last Updated 8.2008

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: 2 - 002 - 027
(Map Reference Number) District Land Lot Parcel

[Signature] 5/13/2021
Signature of Applicant Date

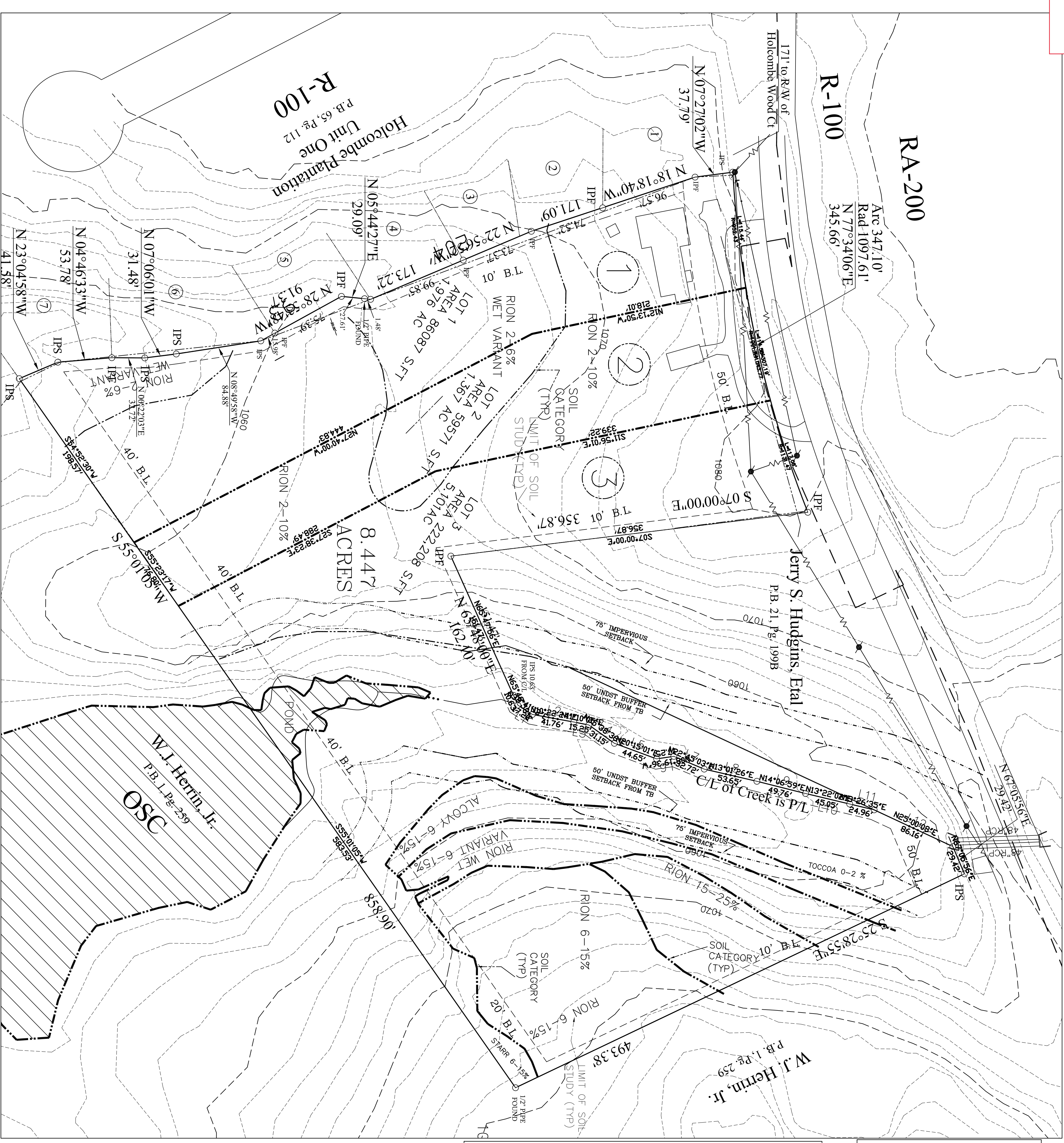
Delphine Bryant owner (Nick and Bonthers LLC)
Type or Print Name and Title

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)

Jessilyn M. Juffre TSA
NAME TITLE
5/3/21
DATE

2020 Taxes Now Due
07/01/2021
7 Current as of today

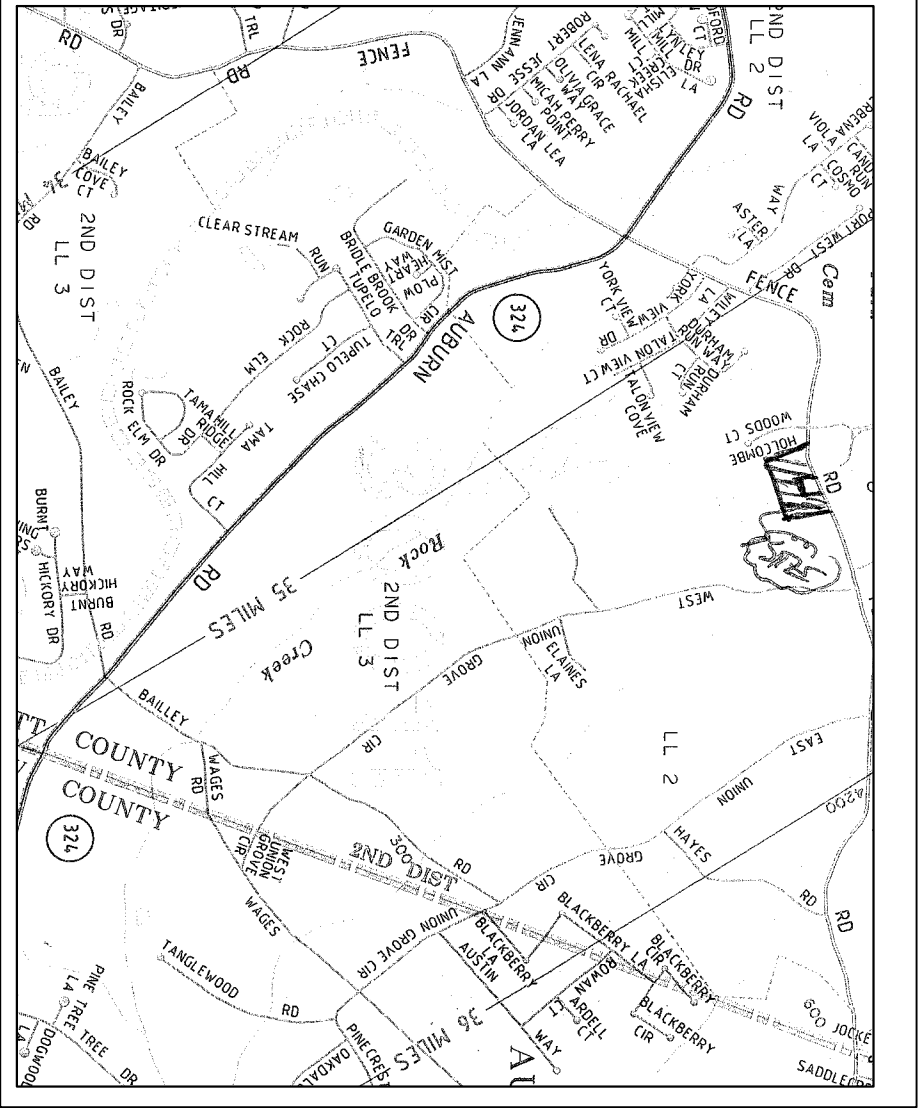


HEALTH DEPT NOTES:
 Must put Note 1 on lot 1, 1.3, 4, 5, 6, 7
 Must put Note 2 on lot 2
 All signature blocks must appear on the same page as plan. Need a signature block for Environmental Health.

The following comments must be added to the plan:
 • Note 1- approved for up to 5 bedrooms
 • Note 2- approved for up to 6 bedrooms
 • Aesthetic tanks or other alternative septic system will be required on lots at the discretion of the CEHHD as deemed appropriate for groundwater protection
 • No spreading shall be done on any lot until site approval has been issued by the CEHHD
 • Site plans may be required by Environmental Health at time of application

The following note must appear on the plan:
 • Ga. Code § 11-3-1-1(f)(1) requires that sewage disposal facilities be provided within 200 feet of a work site.

Please make the listed changes to the plan. When completed, schedule an appointment to bring the plan for signature. Please remember to bring any additional plans that need to be signed to this meeting.



SOIL PROPERTIES

SUBSTRATE	PERCENT SOLE	DEPTH TO PERCHED WATER TABLE (FEET)	DEPTH TO HIGH WATER TABLE (FEET)	DEPTH TO PERCHED WATER TABLE (FEET)	PERCHED WATER TABLE (FEET)	FOOTNOTE
R100	2-25%	>60	>60	24-35	45	A
R100	2-15%	>60	>60	18-24	25	A
WATER TABLE	6-15%	>72	>30	5-18	90	SM2
WATER TABLE	0-2%	-	-	-	-	F
WATER TABLE	6-15%	-	-	-	-	D

FOOTNOTES

FOOTNOTE A: These soils have a perched water table in the upper 30 feet of the soil profile. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations.

FOOTNOTE B: These soils have a perched water table in the upper 30 feet of the soil profile. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations.

FOOTNOTE C: These soils have a perched water table in the upper 30 feet of the soil profile. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations.

FOOTNOTE D: These soils have a perched water table in the upper 30 feet of the soil profile. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations.

FOOTNOTE E: These soils have a perched water table in the upper 30 feet of the soil profile. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations.

FOOTNOTE F: These soils have a perched water table in the upper 30 feet of the soil profile. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations. The perched water table is not a permanent feature and is subject to seasonal fluctuations.

GENERAL NOTES AND COMMENTS

1- This report is an accurate Level 3 soil evaluation in accordance with GA-DPH standards.

2- This report is an accurate Level 3 soil evaluation in accordance with GA-DPH standards.

3- This report is an accurate Level 3 soil evaluation in accordance with GA-DPH standards.

NOTES:

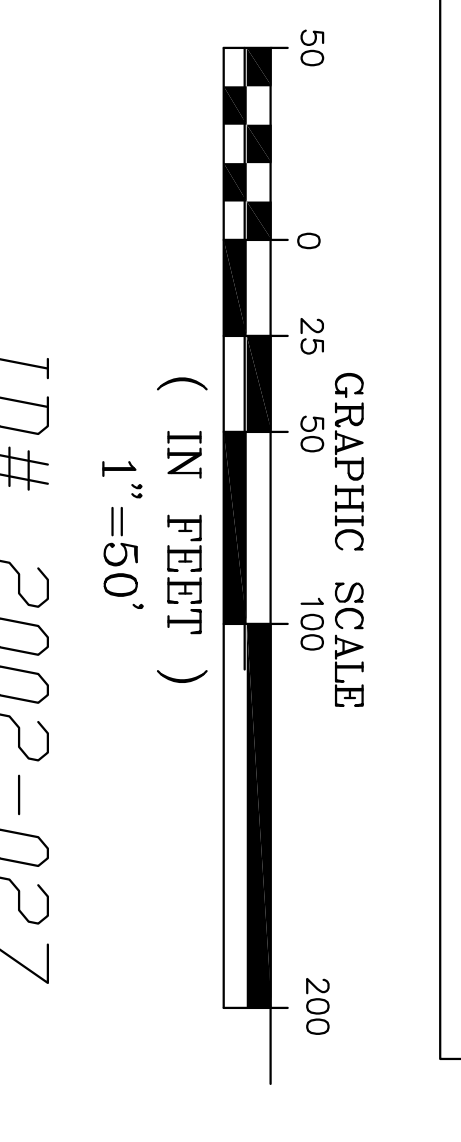
A: PROPERTY ZONED: (RA-200), PROPOSED ZONING R-100
 B: LOT AREA = 8,447 ACRES
 C: BUILDING SETBACKS:
 1- FRONT: 50' EXTERIOR,
 2- REAR: 40 FT,
 3- SIDE: 10 FT. 1 SIDE, 25' BOTH SIDES
 D- PROPOSED NO. OF LOTS = 3, DENSITY = 3/8.447 = 0.35 LOTS / ACRE
 E- MAX. HEIGHT OF BLDG = 35 FT.
 F- LOT WIDTH AT FRONT B.L. = 100 FT
 G- REFERENCE SURVEY DONE FOR NICK AND BROTHERS DATED 10-21-20
 BY CARLAN LAND SURVEYORS.
 H- MIN. HEATED FLOOR AREA = 2,800 S.F.T.
 J- MIN. LOT SIZE = 25,500 S.F.T. (SEPTIC LOTS)
 K- WATER IS PROVIDED BY GWINNETT COUNTY WATER SYSTEM
 L- WASTE WATER DISPOSAL WILL BE PROVIDED ON SITE.

NO.	DATE	REVISIONS	BY	PROJECT NO.	DATE
1	05-07-21	RE-ZONING PLAN	DESIGNED BY	AMM	11-10-20
			DRAWN BY	AMM	11-10-20
			CHECKED BY	AMM	11-10-20
			ENGINEER	AMM	11-10-20
			REGISTRATION NO.	21055	DATE
					11-10-20

PREPARED BY:
MANSUR ENGINEERING, INC.
 1810 PEACHTREE INDUSTRIAL BLVD.
 SUITE 140
 DULUTH, GEORGIA 30097
 Phone: (770) 476-7014 Facsimile: (770) 476-7363
 MANSURENG@BELLSDULHNET

DWERS/BUILDER
DELPHINE BRYANT
 3935 ALLEN LANE
 BUFORD, GA 30519
 678-281 4349
 DELEJAN@YAHOO.COM

REZONING LAYOUT PLAN FOR
DELPHINE BRYANT
 3880 & 5488 FENCE ROAD
 2ND DIST. LAND LOT 2
 G.M.D. #1587
 AUBURN, GA 30011
 GWINNETT COUNTY



SCALE 1"=50'
 SHEET NO. 1 OF 1
 FILE NO.

