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REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Tyler Lasser</u>	Name: <u>Ana Lenher</u>
Address: <u>299 South Main Street</u>	Address: <u>3248 Braselton Highway</u>
City: <u>Alpharetta</u>	City: <u>Dacula</u>
State: <u>GA</u> ZIP: <u>30009</u>	State: <u>GA</u> ZIP: <u>30019</u>
Phone: <u>470.202.9321</u>	Phone: <u>470.202.9321</u>
Email: <u>tlasser@lja.com</u>	Email: <u>tlasser@lja.com</u>
Contact Person: <u>Tyler Lasser</u> Phone: <u>470.202.9321</u>	
Contact's Email: <u>tlasser@lja.com</u>	
APPLICANT IS THE:	
<input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser	
Current Zoning District(s): <u>RA-200</u> Requested Zoning District: <u>R-100</u>	
Parcel Number(s): <u>R5325 068</u> Acreage: <u>3.03</u>	
Property Address(es): <u>3240 Indian Shoals Road</u>	
Proposed Development: <u>Single-Family Detached Subdivision</u>	
Variance(s): <u>N/A</u> Waiver(s): <u>N/A</u>	
<p style="text-align: center;">RESIDENTIAL DEVELOPMENT</p> No. of Dwelling Units: <u>2</u> Dwelling Unit Sq. Ft.: <u>3,500</u> Density: <u>0.66</u> Floor Area Ratio (LRR, MRR, HRR): <u>N/A</u>	<p style="text-align: center;">NON-RESIDENTIAL DEVELOPMENT</p> No. of Buildings: <u>N/A</u> Total Building Sq. Ft.: <u>N/A</u> Floor Area Ratio: <u>N/A</u>
MIXED-USE DEVELOPMENT	
No. of Dwelling Units: <u>N/A</u> Dwelling Unit Sq. Ft.: <u>N/A</u>	
Total Non-Residential Sq. Ft.: <u>N/A</u> Floor Area Ratio: <u>N/A</u>	

Applicant's Letter of Intent

3240 Indian Shoals Road

Rezoning RA-200 to R-100

The Applicant, Ana Lehner, requests to rezone the approximately 3.03-acre site from RA-200 to R-100 to create two lots for new single-family dwellings. The site is located on the north side of Indian Shoals Road, between Bold Springs Road and June Ivey Road, which consists of single-family-zoned lots including R-100.

The subject site is located within the Center – Rural character area of the Gwinnett County 2045 Comprehensive Plan, which recommends various residential zoning categories including OSC, R-75, and R-60. Maintaining uniformity with the area that generally consists of large lots, the Applicant submits that the R-100 category is better suited for the subject site. As proposed, both lots will exceed the dimensional standards for R-100, including overall lot size. Overall, the subdivision will result in a density of 0.66 units per acre. Both newly constructed homes will have a minimum heated floor area of 3,500 square feet and will include a three-car garage. Two of the garage doors will be side-entry and one will be recessed behind, facing the street. The exterior of the homes will consist of high-quality materials, including a substantial amount of brick, stone and cement siding. Both homes will have their own separate driveway for direct access to Indian Shoals Road. As noted on the site plan, both homes will have septic, and will not be connected to sewer.

The applicant looks forward to meeting with staff as well as the community to address any questions or concerns and is excited to provide exceptional homes in a highly desirable section of Gwinnett County. Please refer to the attached documents for additional details regarding the site and appearance of the proposed single-family detached dwellings.

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Standards Governing the Exercise of the Zoning Power

To further demonstrate that the proposed rezoning and land use is consistent with the intent of the UDO and 2045 Unified Plan, the applicant submits its response to the Standards Governing Exercise of the Zoning Power as follows:

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

Rezoning the subject site to R-100 for the purpose of constructing new single-family dwellings is a suitable in relation to the adjacent and nearby properties. Each of the properties in proximity are residentially zoned.

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

The proposed rezoning will not adversely affect the use of the surrounding properties. The proposed use is consistent with the area. Each lot will be significantly larger than what is required within the R-100 zoning district, and the site will remain for residential uses.

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

Due to the size and location of the property, in addition to the pattern of residential subdivision in the area, the applicant believes that the subject property does not have a reasonable economic use as currently zoned. The applicant submits the rezoning would allow for a use more compatible with the surrounding properties.

(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:

The rezoning will not result in excessive use of existing streets, transportation facilities, utilities or schools. As proposed, each of the lots will be significantly larger than what is required in the R-100 district and will have a minimal overall impact on the area.

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

The proposed rezoning is in conformity with the intent of the 2045 Unified Plan. The subject property is located within the Center - Rural character area of the 2045 Future Development Map, which encourages denser single-family residential zoning categories. The proposed development is comparable with the surrounding uses, which consists of primarily single-family residential uses.

(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 pattern of residential infill development in the area, and the proposed development's consistency with the land use and density of the surrounding properties are among reasons for approval of the proposed rezoning.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

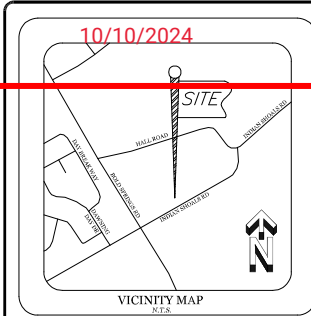
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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the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

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GEORGIA PREMIER LAND SERVICES, INC. IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.

THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

- REFERENCES:
1. WARRANTY DEED FOR ANA LEHER RECORDED IN DEED BOOK 56667, PAGE 728 GWINNETT COUNTY RECORDS.
 2. EXEMPTION PLAN FOR ATLAS DEVELOPMENT, LLC RECORDED IN PLAT BOOK 166, PAGE 31 GWINNETT COUNTY RECORDS.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 792.845 FEET AND CONTAINS 3.039 ACRES.

NO PORTION OF SUBJECT PROPERTY LIES WITHIN A DESIGNATED 100 YEAR FLOOD HAZARD AREA AS DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY PER F.I.R.M. PANEL NO. 1313501098, DATED SEPTEMBER 29, 2006.

PROPOSED R-100
FRONT SETBACK - 25'
SIDE YARD - 10'
REAR YARD - 30'
MAX. COVERAGE (% OF LOT) - 45%
MAX. BUILDING HEIGHT - 12'
MIN. LOT WIDTH IS 100'
MIN. LOT SIZE IS 15,000 S.F.
(25,500 S.F. REQUIRED FOR SEPTIC)
MIN. HEATED FLOOR AREA - 1400 S.F.

LEGEND

1/4"	1/4" = 10'
1/8"	1/8" = 5'
1/16"	1/16" = 2.5'
1/32"	1/32" = 1.25'
1/64"	1/64" = 0.625'
1/128"	1/128" = 0.3125'
1/256"	1/256" = 0.15625'
1/512"	1/512" = 0.078125'
1/1024"	1/1024" = 0.0390625'
1/2048"	1/2048" = 0.01953125'
1/4096"	1/4096" = 0.009765625'
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**Tract 1A and 1B
Indian Shoals Road**

All that tract or parcel of land lying and being in Land Lot 325 of the 5th Land District, Gwinnett County, Georgia and being particularly described as follows:

To find the point of beginning, commence at the intersection of Land Lots 324, 325, 345 and 346, said point marked by a 1 inch open top pipe found; THENCE traveling on the Land Lot common to Land Lots 325 and 345 North 29 Degrees 23 Minutes 57 Seconds West for a distance of 147.73 feet to a point on the northerly right of way of Indian Shoals Road (70' right of way), said point being the corner of Lot 3 (Exemption Plat for Atlas Development LLC recorded in Plat book 160, page 31, Gwinnett County Records) and marked by a ½ inch rebar pin found; THENCE traveling on said northerly right of way of Indian Shoals Road the following four (4) courses and distances:

along a curve to the right having a radius of 552.03 feet and an arc length of 74.49 feet being subtended by a chord bearing of South 08 Degrees 01 Minutes 09 Seconds West and a chord distance of 74.43 feet to a point; THENCE along a curve to the right having a radius of 155.45 feet and an arc length of 60.58 feet being subtended by a chord bearing of South 23 Degrees 02 Minutes 48 Seconds West and a chord distance of 60.19 feet to a point; THENCE along a curve to the right having a radius of 155.45 feet and an arc length of 71.29 feet being subtended by a chord bearing of South 47 Degrees 20 Minutes 56 Seconds West and a chord distance of 70.67 feet to a point; THENCE South 60 Degrees 28 Minutes 51 Seconds West for a distance of 225.04 feet to a point, said point being the corner of Lot 1, said point being THE TRUE POINT OF BEGINNING.

THENCE from said point as thus established, continuing on said right of way South 60 Degrees 28 Minutes 51 Seconds West for a distance of 218.30 feet to a point, said point marked by a ½ inch rebar pin found; THENCE leaving said right of way North 34 Degrees 27 Minutes 20 Seconds West for a distance of 199.07 feet to a point, said point marked by a ½ inch rebar pin found; THENCE South 76 Degrees 01 Minutes 23 Seconds West for a distance of 212.93 feet to a point, said point marked by a ½ inch open top pipe found; THENCE North 34 Degrees 27 Minutes 15 Seconds West for a distance of 180.46 feet to a point; THENCE North 67 Degrees 32 Minutes 55 Seconds East for a distance of 459.55 feet to a point; THENCE South 29 Degrees 31 Minutes 34 Seconds East for a distance of 378.63 feet to a point on the northerly right of way of Indian Shoals Road, said point being THE TRUE POINT OF BEGINNING.

Said property contains 3.030 Acres and shown as Lot 1 on Exemption Plat for Atlas Development LLC recorded in Plat book 160, page 31, Gwinnett County Records.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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White Painted Brick

White Fiber Cement
Siding

White/Gray Painted Brick Columns



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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White Painted Brick

RECEIVED

10/10/2024



White Fiber Cement
Siding

White Painted Brick

Gray Fiber Cement
Wrapped Columns

White Painted Brick Column Base

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10/10/2024

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.

Ana Lehner
Signature of Property Owner

08.20.2024
Date

Ana Lehner
Type or Print Name and Title

[Signature]
Signature of Notary Public

8/20/2024
Date

