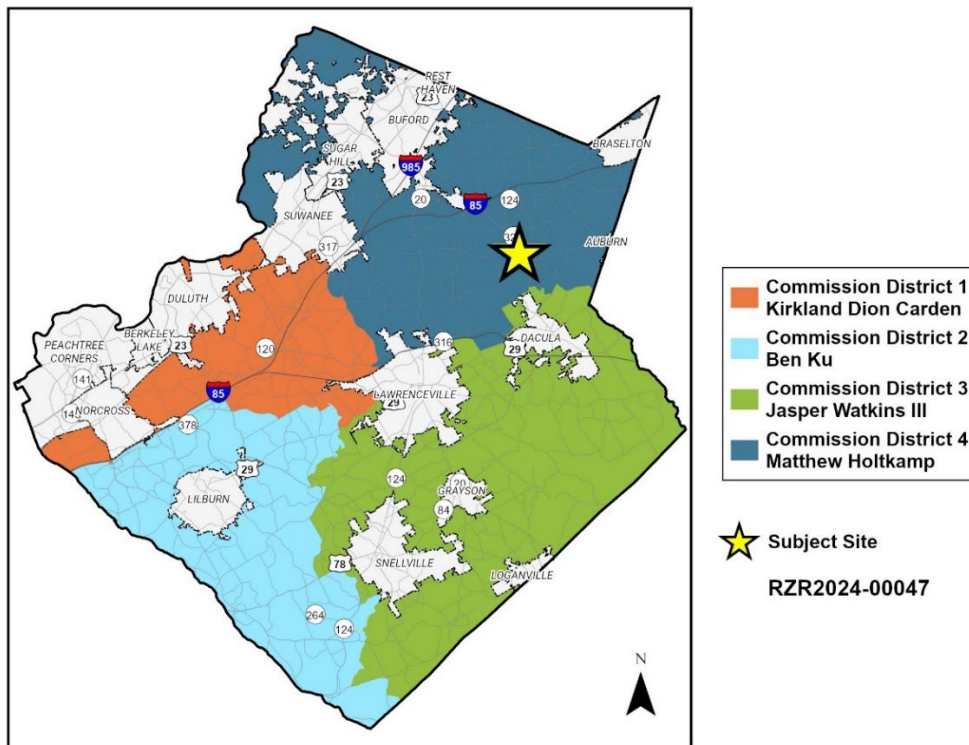


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2024-00047
Current Zoning: RA-200 (Agriculture-Residence District)
Request: Rezoning to R-100 (Single-Family Residence District)
Address: 2805 Old Fountain Road
Map Number: R2001 236
Site Area: 2.00 acres
Units: 2
Proposed Development: Single-Family Detached Subdivision
Commission District: District 4 – Commissioner Holtkamp
Future Development Type: Neighborhood Low Mix

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Applicant: David Sonders
2847 North Bogan Road
Buford, GA 30519

Owners: Azfar Khan
3392 Mulberry Lane Way
Dacula, GA 30019

Contact: David Sonders

Contact Phone: 561.504.2224

Zoning History

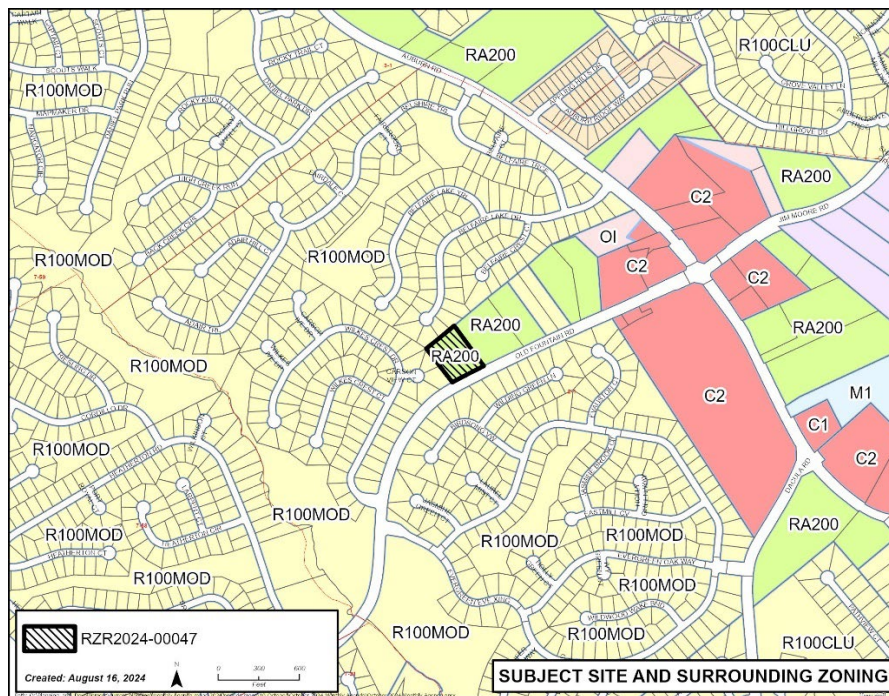
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject property is a two-acre parcel located along Old Fountain Road, west of its intersection with Auburn Road. The subject property contains one single-family detached residence and a car port. The subject property slopes up gradually from Old Fountain Road to the rear property line. The site is heavily wooded, except for areas with existing structures.

Surrounding Use and Zoning

The subject property is surrounded by residential and civic uses. Single-family detached subdivisions are located to the north, west, and south. Gwinnett County Fire Station 27 is located to the east of the property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.00 unit per acre
North	Single-Family Residential	R-100MOD	2.23 units per acre
East	Fire Station	RA-200	N/A
South	Single-Family Residential	R-100MOD	1.73 units per acre
West	Single-Family Residential	R-100MOD	1.98 units per acre

Project Summary

The applicant requests rezoning of a two-acre property from RA-200 to R-100 for a single-family detached subdivision, including:

- 2 single-family detached residences on 40,946 and 46,174 square foot lots, yielding a density of 1.00 unit per acre.
- Two-story homes with exterior building materials consisting of brick, stacked stone, and cement siding.
- A minimum heated floor area of 2,500 square feet with three-car garages.
- Individual driveways to each lot from Old Fountain Road.
- Lots to be served by private septic systems located in the rear yards of the residences.
- Demolition of an existing single-family detached residence and car port.

Zoning and Development Standards

The applicant is requesting a rezoning to R-100. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 15,000 sq ft	>15,000 sq ft	YES
Lot Width	Minimum 100'	>100'	YES
Lot Coverage	Maximum 45%	<45%	YES
Front Yard Setback	Minimum 25'	>25'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Building Height	Maximum 35'	<35'	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 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 subject site is surrounded primarily by residential uses except for a fire station located to the east. Adjacent single-family detached subdivisions are on lots that are one acre or less. The proposed rezoning would permit a use that is suitable in view of the use and development of adjacent or nearby property.

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

The surrounding areas are characterized primarily by single-family detached residential uses. The proposed rezoning to add two single-family detached residences to the area would not adversely affect the existing 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.

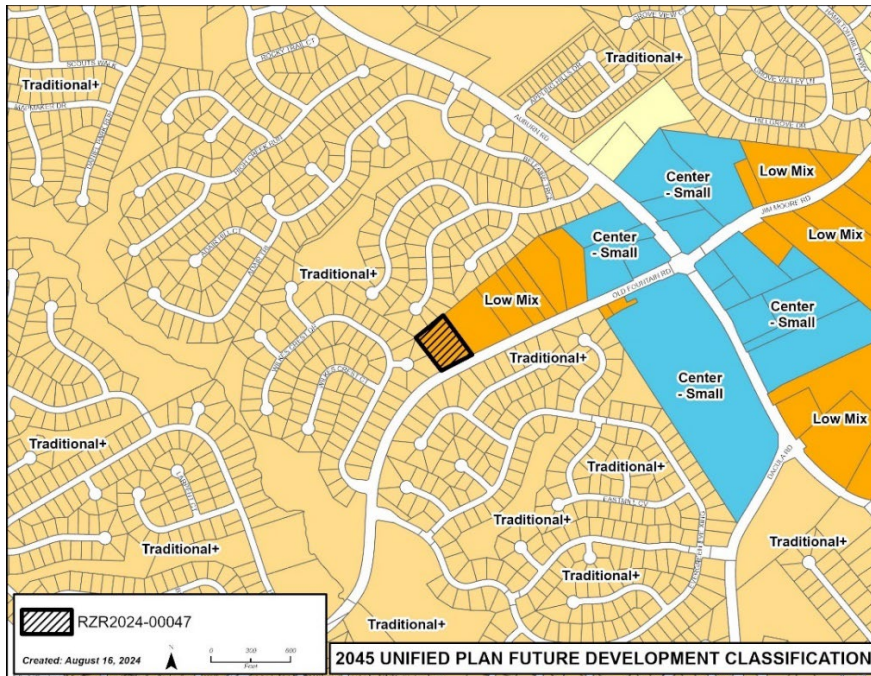
The property has a reasonable economic use as currently zoned.

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. 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 Low Mix" for the subject property, which envisions missing middle housing. While the Unified Plan does not envision single-family detached residences, the proposed development is compatible with the surrounding uses and development pattern.



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.

There are no other conditions giving support for approval or disapproval of the proposal.

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.

Planning Commission Recommendation

Based on staff’s evaluation of the request, 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, as Amended)

Approval as R-100 (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 two lots.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan, dated received August 8, 2024, and Exhibit C: Elevations, dated received July 1, 2024,

subject to the review and approval of the Department of Planning and Development.

3. The minimum heated floor area shall be 2,500 square feet.
4. A shared driveway shall be provided along Old Fountain Road, subject to the review and approval of the Gwinnett County Department of Transportation.
5. Natural vegetation shall remain on the property until the issuance of a development permit.
6. **The developer shall construct a 5-foot-wide concrete sidewalk along the site frontage, connecting to the existing sidewalk to the east along the frontage of Fire Station #27, and to the west along the frontage of the Charleston Place subdivision.**

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 the existing home and driveway



View of the driveway and property across Old Fountain Road



View of the road frontage on Old Fountain Road



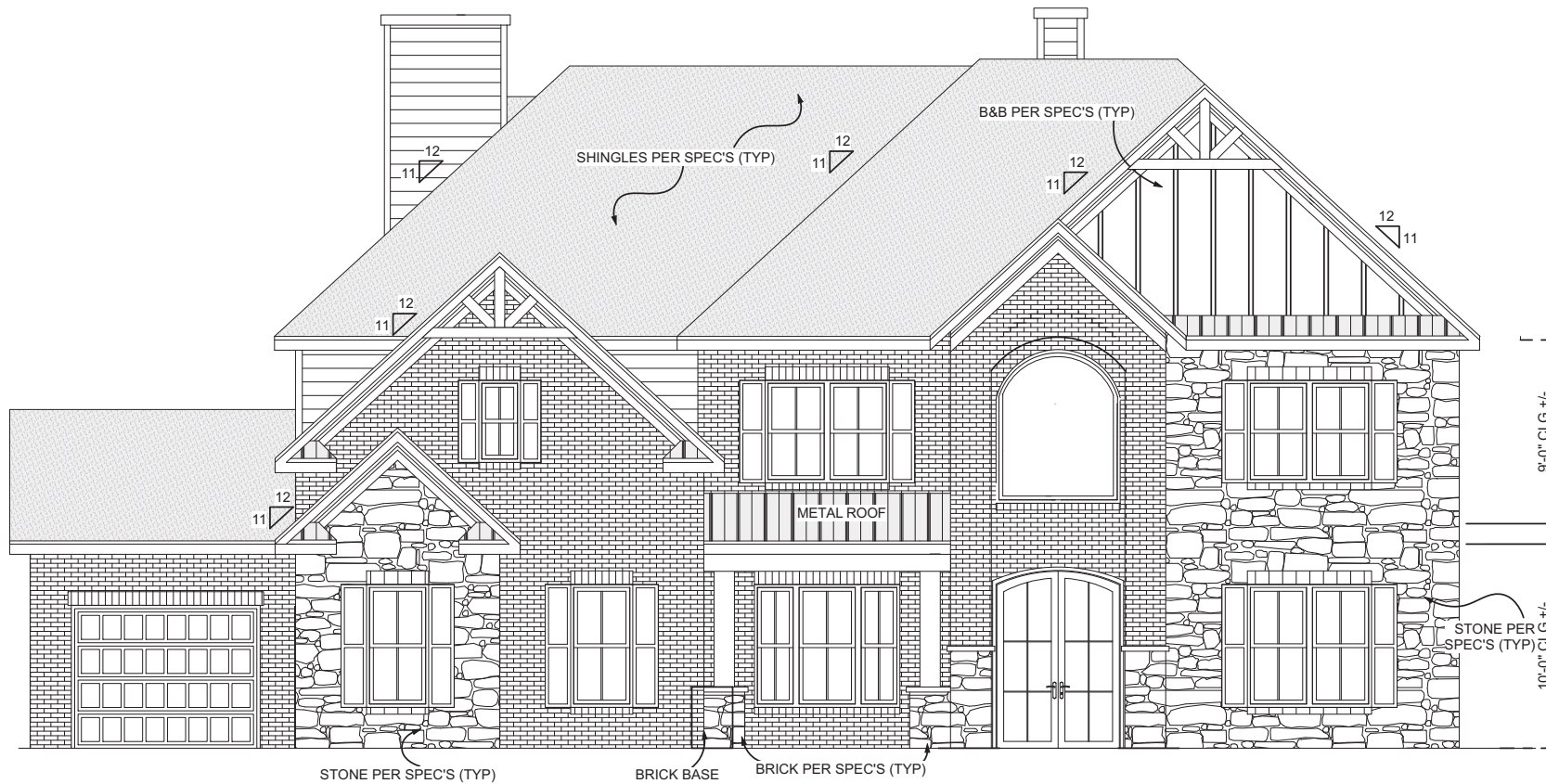
View of the subject property from Old Fountain Road

Exhibit B: Site Plan

[attached]

Exhibit C: Building Elevations

[attached]



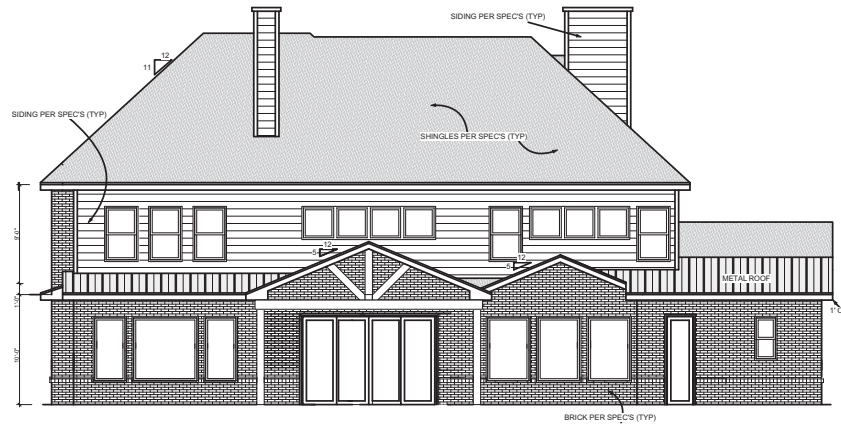
FRONT ELEVATION
SCALE: 1/4"-----1'-0"

WINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
 7/1/2024

REV.		DATE	
ALL PLANS HAVE BEEN COPYRIGHTED © BY WE PLAN HOMES TEL: 770-916-5741 WWW.WEPLANHOMES.COM			
WE PLAN HOMES			
SHADBURN CUSTOM-2 ELEVATIONS			
DWG. BY: PWL/SAM			
DATE: 1-11-22			
SHEET: <div style="text-align: center; font-size: 2em; font-weight: bold;">1</div>			



LEFT ELEVATION
SCALE: 1/8"-----1'-0"



REAR ELEVATION
SCALE: 1/8"-----1'-0"



RIGHT ELEVATION
SCALE: 1/8"-----1'-0"

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

7/1/2024

REV.

DATE

ALL PLANS HAVE BEEN
COPYRIGHTED © BY
WE PLAN HOMES

**WE PLAN
HOMES**
TEL: 770-816-5741
WWW.WEPLANHOMES.COM

**SHADBURN CUSTOM-2
ELEVATIONS**

DWG. BY:
PWL/SAM

DATE:
1-11-22

SHEET:

1B

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

8/8/2024



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

5/8/2024



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

[attached]



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
7/1/2024

Gwinnett County
Department of Planning & Development
446 West Crogan Street, Suite 250
Lawrenceville, GA 30046

Key Engineering Solutions-US, Inc.
2847 N Bogan Road
Buford, GA 30519
Tel 561.504.2224

www.KES-US.com

Subject:
Rezoning Application – Residential Subdivision
2805 Old Fountain Road
Dacula, GA 30019

Date:
July 1, 2024

To Whom it May Concern:

Contact:
David M. Sonders, P.E.

This Letter of Intent is to request a rezoning of the subject property from RA-200 to R-100 in order to develop the property into two single-family detached houses. The subject parcel is located at 2805 Old Fountain Road, Dacula, GA 30019. The property consists of 2.004 acres. The parcel ID is R2001 236.

Phone:
561.504.2224

The subject properties will be developed into two single-family detached subdivision home lots. The single-family homes will be a minimum of 2,500 square feet of heated living space, with minimum 4-bedroom, 3-bathroom models. The anticipated price will \$500,000+ per unit.

Email:
dsonders@kes-us.com

The proposed development will be connected to public water. Sanitary waste will be disposed of via on-site septic system. A L3 Soils Report was prepared in April 2023 and the soils are suitable for a septic system. The applicant respectfully requests approval of the submitted rezoning application. No variances or special conditions are requested at this time.

Please direct any questions, comments, or correspondence regarding letter to David M. Sonders, P.E., Principal Engineer, at 561.504.2224 or dsonders@kes-us.com.

Sincerely,

Key Engineering Solutions – US, Inc.

David M. Sonders, P.E.
Principal Engineer

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to requirements of the United 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:

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

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

(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:

(E) Whether 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:



RECEIVED

7/1/2024

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- 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 proposed use is similar in use and development, and zoning of adjacent and nearby properties. Most of the nearby properties are developed with detached housing units similar to this proposal.
- B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
No, it is not anticipated that the proposed subdivision will adversely affect nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
Yes, the property appears to have reasonable economic use as currently zoned. However, the property subdivided will provide enhanced economic use.
- 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 development of one additional single-family home should not cause an excessive or burdensome use of the existing streets, utilities or public services.
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Plan
Yes, the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Plan.
- 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;
There or no existing or changing conditions which affect the use and development of the property.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

RECEIVED

7/1/2024

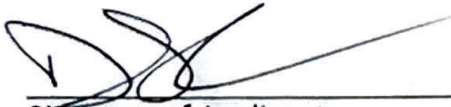
REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
David Sonders, Key Engineering Solutions-US, Inc. Name: _____ Address: <u>2847 North Bogan Road</u> City: <u>Buford</u> State: <u>GA</u> ZIP: <u>30519</u> Phone: <u>561-504-2224</u> Email: <u>dsonders@kes-us.com</u>	Name: <u>Azfar Khan</u> Address: <u>3392 Mulberry Lane Way</u> City: <u>Dacula</u> State: <u>GA</u> ZIP: <u>30019</u> Phone: <u>404-403-0851</u> Email: <u>azfarkhanbd@gmail.com</u>
Contact Person: <u>David Sonders</u> Phone: <u>561-504-2224</u> Contact's Email: <u>dsonders@kes-us.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>2001 236</u> Acreage: <u>2.004</u> Property Address(es): <u>2805 Old Fountain Road, Dacula, GA 30019</u> Proposed Development: <u>Single Family Detached Subdivision</u> Variance(s): <u>None</u> Waiver(s): <u>None</u>	
<p style="text-align: center;">RESIDENTIAL DEVELOPMENT</p> No. of Dwelling Units: <u>2</u> Dwelling Unit Sq. Ft.: <u>2,500+</u> Density: <u>1.002</u> Floor Area Ratio (LRR, MRR, HRR): <u>1.002</u>	<p style="text-align: center;">NON-RESIDENTIAL DEVELOPMENT</p> No. of Buildings: _____ Total Building Sq. Ft.: _____ Floor Area Ratio: _____
MIXED-USE DEVELOPMENT	
No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____ Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

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

6/28/2024

Date

David Sonders, Principal Engineer

Type or Print Name and Title



P. J. Desai
Signature of Notary Public

7-1-2024

Date

Notary Seal



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

4/24/2024

Date

Azfar Khan, Owner

Type or Print Name and Title



Signature of Notary Public

6/24/24

Date



Notary Seal




RECEIVED


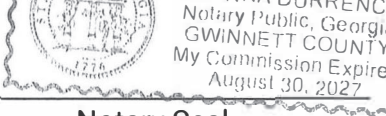
7/1/2024

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.

 6/24/2024 Azfar Khan
Signature of Applicant Date Type of Print Name and Title

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

 6/24/24 
Signature of Notary Public Date Notary Seal

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 Azfar Khan (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.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT


RECEIVED

7/1/2024

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2023

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.

 6/28/2024 David Sonders, Principal Engineer

Signature of Applicant Date Type of Print Name and Title

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

P.J. Desai 7-1-2024

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 David Sonders (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.

Exhibit F: Internal and External Agency Review Comments

[attached]



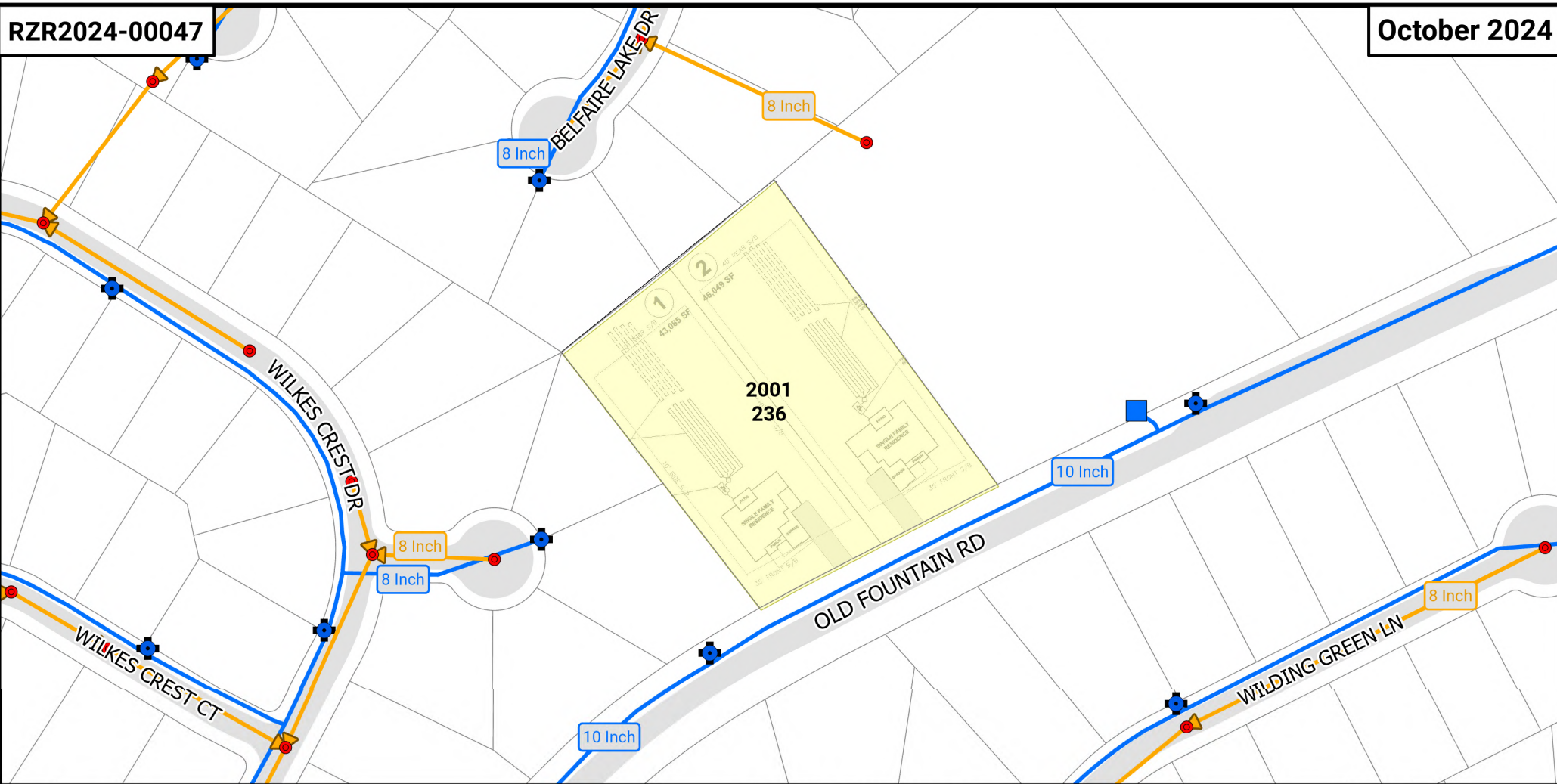
**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:		08.30.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		RZR2024-00047	
Case Address:		2805 Old Fountain Road, Dacula, 30019	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Old Fountain Road is a major collector. The Average Daily Traffic (ADT) volume is 9,554.		
2	5.2 miles to the nearest Ride Gwinnett facility located at the Old Peachtree Road and Buford Drive (SR 20) Publix.		
3	The developer shall construct a 5' wide concrete sidewalk along the site frontage, connecting to the existing sidewalk to the east along the frontage of Fire Station #27, and to the west along the frontage of the Charleston Place subdivision.		
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			



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

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		RZR2024-00047		
Case Address:		2805 Old Fountain Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The proposed development may connect to an existing 10-inch water main along the northern right-of-way of Old Fountain Road.			
2	Sewer: The proposed development plans to be on septic systems pending approval from the GNR Public Health.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				



LEGEND

- Water Main
- Hydrant
- Master Vault
- Manhole
- Sewer Collector

2805 Old Fountain Rd
 RA-200 to R-100
Water & Sewer
Utility Map

LOCATION

0 80 160
Feet



Water Comments: The proposed development may connect to an existing 10-inch water main along the northern right-of-way of Old Fountain Road.

Sewer Comments: The proposed development plans to be on septic systems pending approval from the GNR Public Health.

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, **October, 2024**

											Proposed Zoning
	School	2024-25			2025-26			2026-27			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZR2024-00047	Mill Creek High School	2,721	2,800	-79	2,694	2,800	-106	2,735	2,800	-65	1
	Osborne Middle School	1,763	1,575	188	1,798	1,575	223	1,816	1,575	241	0
	Fort Daniel Elementary School	679	925	-246	685	925	-240	692	925	-233	1
RZR2024-00048	Archer High School	2,950	2,850	100	2,887	2,850	37	2,863	2,850	13	7
	McConnell Middle School	2,096	1,775	321	2,121	1,775	346	2,185	1,775	410	6
	Harbins Elementary School	1,329	1,225	104	1,357	1,225	132	1,384	1,225	159	10
RZR2024-00049	Seckinger High School	2,326	2,800	-474	2,452	2,800	-348	2,550	2,800	-250	1
	Jones Middle School	1,820	1,575	245	1,893	1,575	318	1,969	1,575	394	1
	Ivy Creek Elementary School	1,583	1,275	308	1,614	1,275	339	1,646	1,275	371	2

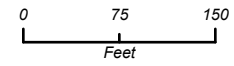
Exhibit G: Maps

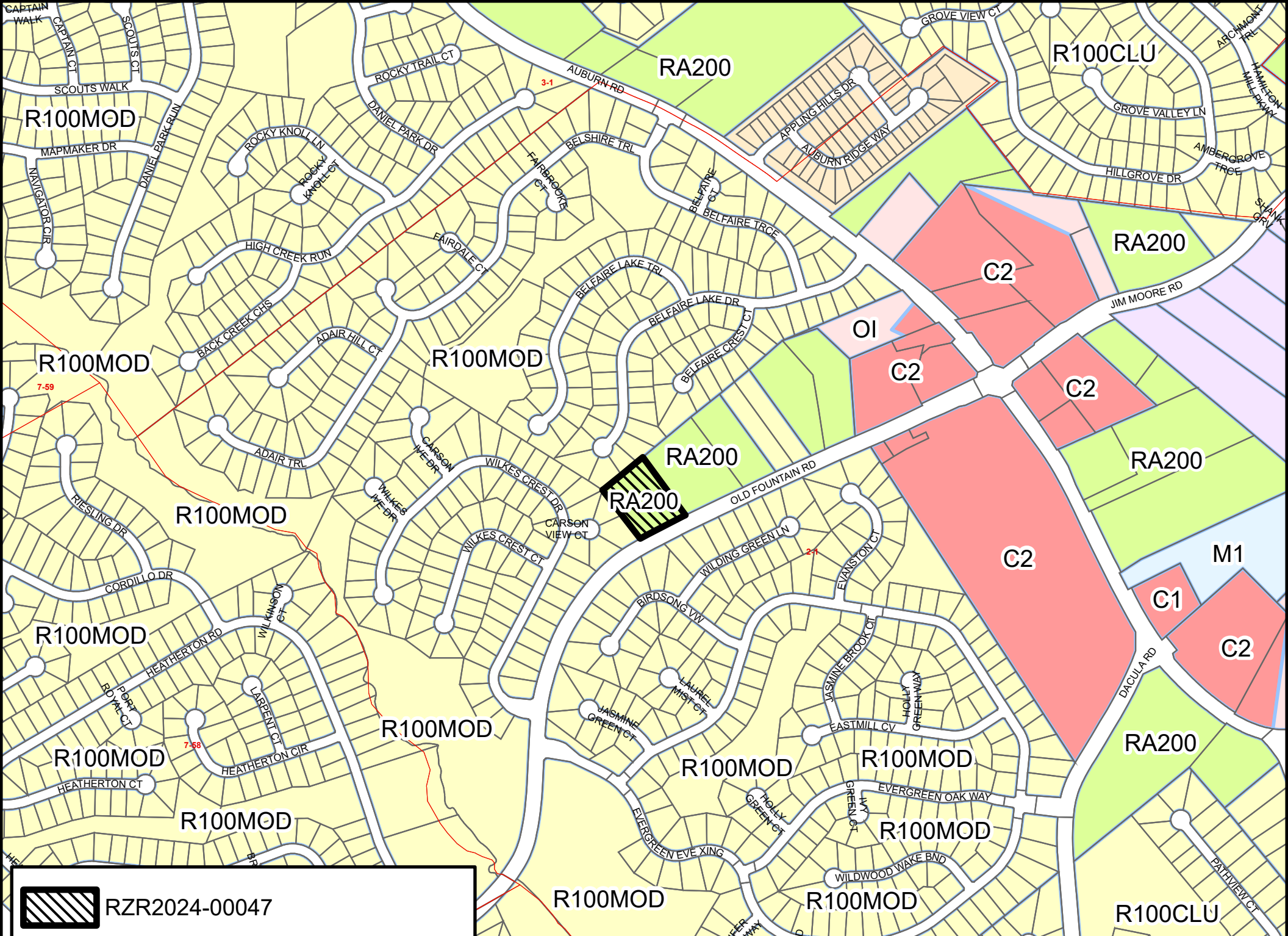
[attached]



RZR2024-00047

Created: August 16, 2024



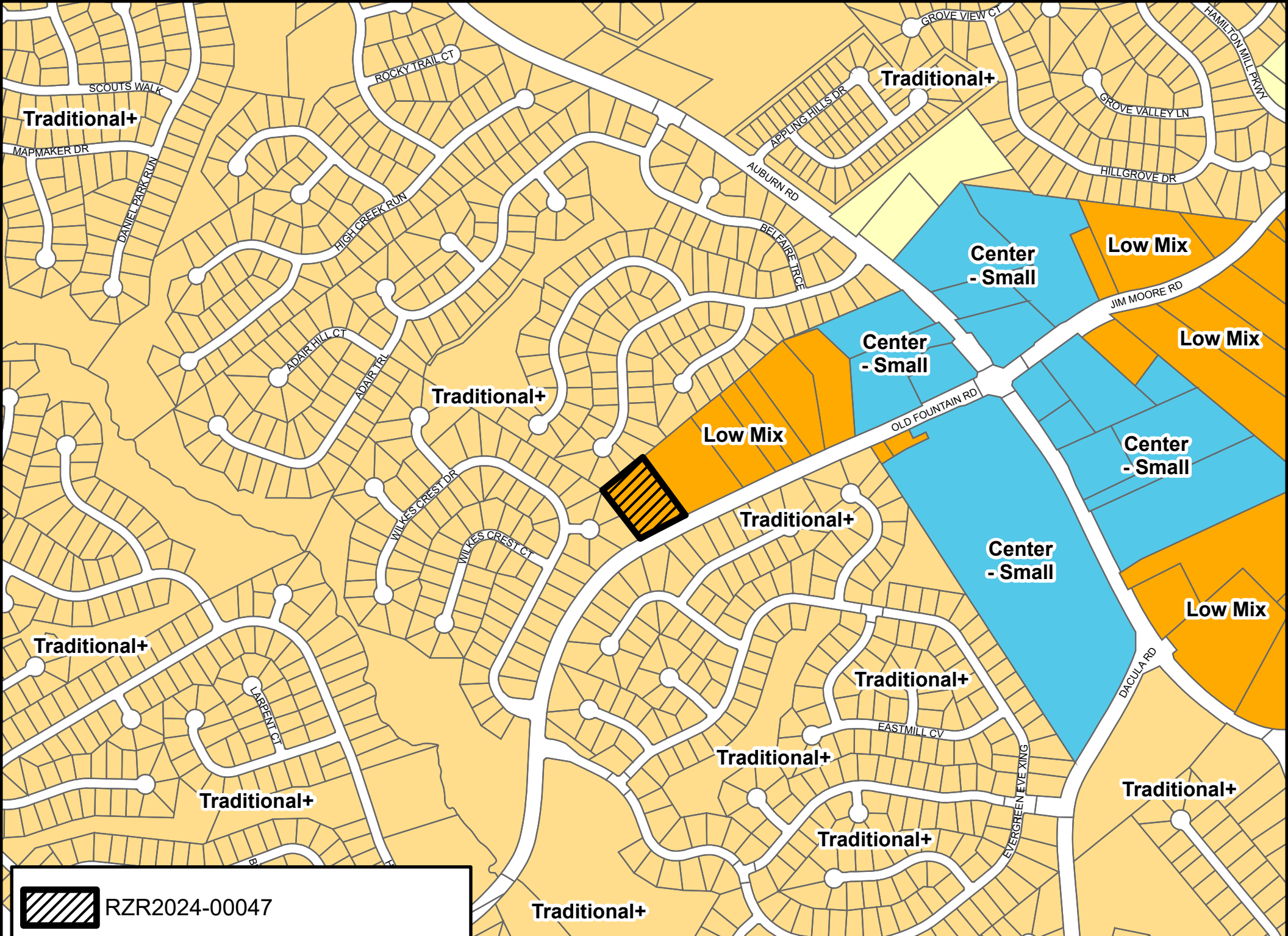


 RZR2024-00047

Created: August 16, 2024

SUBJECT SITE AND SURROUNDING ZONING



 RZR2024-00047

Created: August 16, 2024

2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION