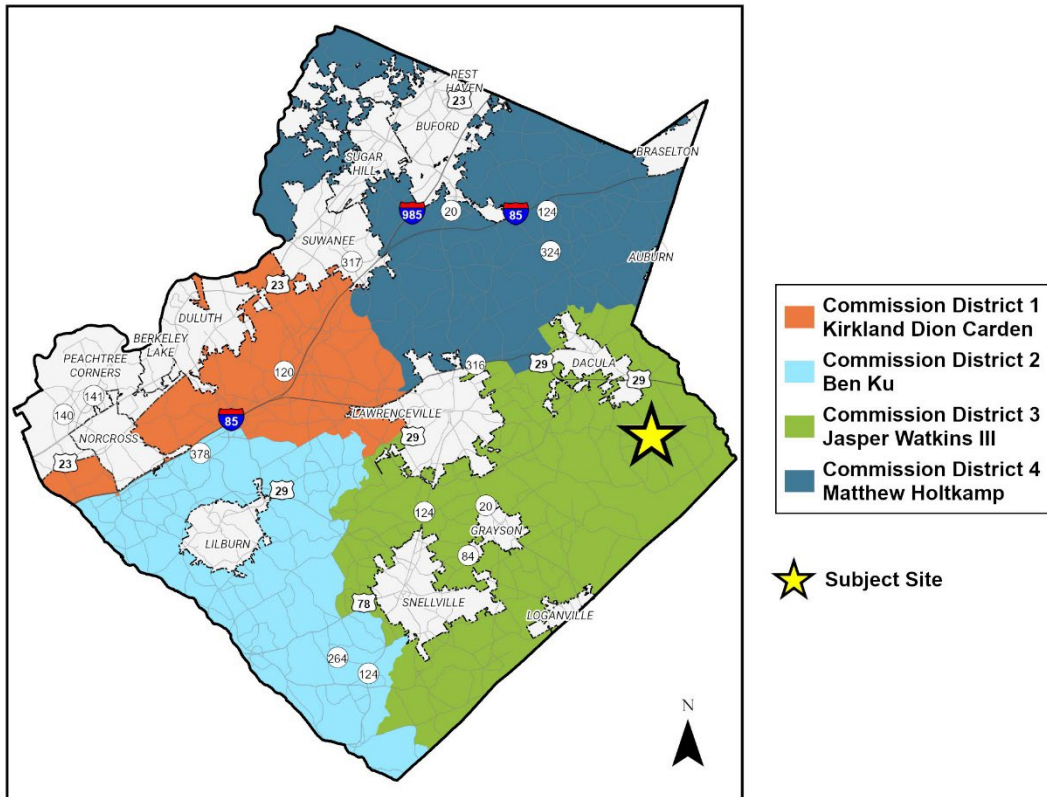




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2023-00001
Current Zoning: RA-200 (Agriculture-Residence District)
Request: Rezoning to **R-100** (Single-Family Residence District)
Address: 1900 Block of Jones Phillips Road
Map Number: R5313 027
Site Area: 8.47 acres
Lots: 7
Proposed Development: Single-Family Detached Subdivision
Commission District: District 3 – Commissioner Watkins
Character Area: Community Node

Staff Recommendation: **APPROVAL WITH CONDITIONS**



Planning Commission Advertised Public Hearing Date: 1/3/2023
Board of Commissioners Advertised Public Hearing Date: 1/24/2023

Applicant: T&B, LLC
2631 Ivy Creek Road
Buford, GA 30519

Owners: Dennis Still et al
PO Box 1721
Winder, GA 30680

Contact: Charles "Chuck" Ross, Esq.

Contact Phone: 770.962.0100

Zoning History

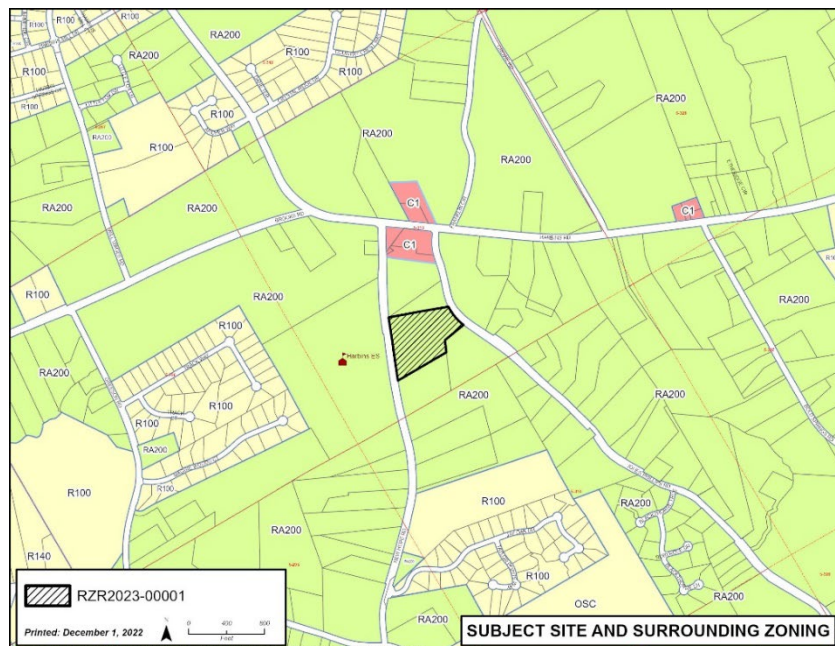
The subject property is zoned RA-200 (Agriculture-Residence District). There are no prior rezoning cases on record for this property.

Existing Site Condition

The subject site is an 8.47-acre double frontage parcel located along Jones Phillips Road and New Hope Road. The parcel is undeveloped with sparsely scattered trees throughout the site. A line of trees exists along both road frontages. A portion of a pond is located along the Jones Phillips Road frontage. The property slopes down from the northwest to the southeast by approximately 26 feet towards the existing pond along Jones Phillips Road. Overhead utilities and sidewalks are not present along either road frontage. The nearest Gwinnett County Transit stop is approximately 10 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by residential and commercial uses. A single-family residence and a dog training and boarding facility are located to the east, across Jones Phillips Road. Two single-family residences on large lots are located to the south. Harbins Elementary School is located to the west across New Hope Road. An undeveloped, residentially zoned parcel is located to the north. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.08 units per acre
North	Undeveloped	RA-200	N/A
East	Commercial	RA-200	N/A
	Single-Family Residential	RA-200	0.11 units per acre
South	Single-Family Residential	RA-200	0.2 units per acre
	Single-Family Residential	RA-200	0.18 units per acre
West	Harbins Elementary School	RA-200	N/A

Project Summary

The applicant requests rezoning of an 8.47-acre property from RA-200 to R-100 for a single-family detached subdivision, including:

- Seven lots ranging in size from 0.70 acres to 2.08 acres, exceeding the minimum size required for R-100.
- Lots to be served by private septic systems.
- Individual driveways for 5 lots on New Hope Road and 2 lots from Jones Philips Road.
- No sidewalks are proposed on either road frontages.
- Homes with a minimum heated floor area of 1,400 square feet. Architectural renderings were not provided by the applicant.

Zoning and Development Standards

The applicant is requesting a rezoning to R-100 (Single-Family Residence District). 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' from Major Thoroughfare 35' from Local Street	50'	YES
Side Yard Setback	Minimum 10' one side, 25' two sides	>10' one side; >25' two sides	YES
Rear Yard Setback	Minimum 40'	>40'	YES
Heated Floor Area	Minimum 1,400 square feet	Minimum 1,400	YES
Minimum Lot Size	Minimum 25,500 square feet (septic)	Minimum 30,724 square feet	YES

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to transportation, 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 single-family residences on large lots. The proposed lot sizes exceed the minimum lot size for R-100. Three of the lots exceed the minimum lot size for RA-200 which has larger requirements. While the proposed lots are narrower than some in the area, the proposed development remains low-density residential and follows a similar development pattern as that which already exists in the area. Therefore, the development 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.

The existing use and usability of adjacent or nearby properties would not be adversely affected by the zoning change. Adjacent properties are developed with single-family residences on large lots. The development of seven single-family residences is consistent with the surrounding properties. However, nearby areas are expected to develop/redevelop in the future. Not providing sidewalks would impact the nearby area.

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.

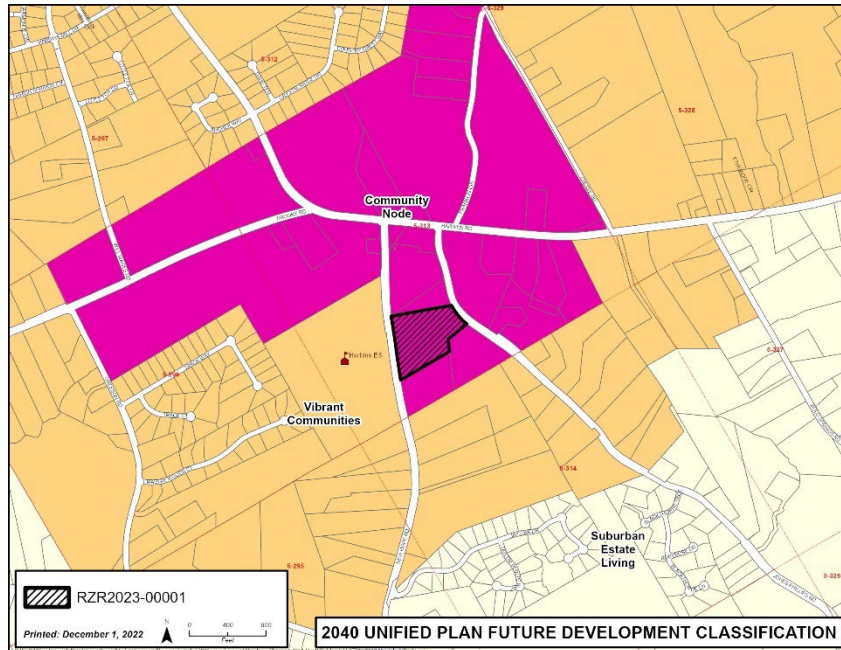
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Minimal impact on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff. 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.

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Community Node Character Area which is intended for areas located at major intersections throughout the County. This area is characterized by high-density mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses. This area of the County was designated as Community Node to support the anticipated future growth generated by Rowen, a 2,000 acres land slated for future

development indicated as the region’s next hub for jobs and research. The proposed development does not align with the intense mixed-use vision of the character area. However, many different types of development will be necessary to support Rowen, including single-family detached residences. In addition, the location of the subject property is not directly at the intersection and is across the street from an elementary school. A lower-density development, such as the one proposed by the applicant, is perhaps more appropriate at this time.



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.

A recent case (RZR2021-00001) was approved to rezone an RA-200 property to R-100 for 18 units along New Hope Road. The site is approximately 1,300 feet south of the subject property. Slightly increasing the density from RA-200 to R-100 in this area is appropriate when considering the potential future need for housing to support Rowen.

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.

Staff Recommended Conditions

Approval as R-100 (Single-Family Residence District) for a single-family detached subdivision, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received November 19, 2022, by the Department of Planning and Development, with

revisions and elevations required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.

2. The property shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed seven lots.
3. The minimum heated floor area per dwelling unit shall be 1,400 square feet.
4. All dwellings shall have at least a double-car garage.
5. All dwellings shall adhere to the Architectural Design Standards for Category 3, Detached Residential Buildings.
6. Natural vegetation shall remain on the property until the issuance of a development permit.
7. All grassed areas shall be sodded.
8. A 5-foot-wide sidewalk, as well as curb and gutter, shall be constructed along the property frontages of New Hope Road and Jones Phillips Road.
9. Each driveway shall meet minimum sight distance requirements per the Unified Development Ordinance.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Applicant's Response to Standards
- D. Application and Disclosure of Campaign Contributions
- E. Internal and External Agency Review Comments
- F. Maps

Exhibit A: Site Visit Photos



View along Jones Philips Road



View along New Hope Road across from Harbins Elementary School

Exhibit B: Site Plan

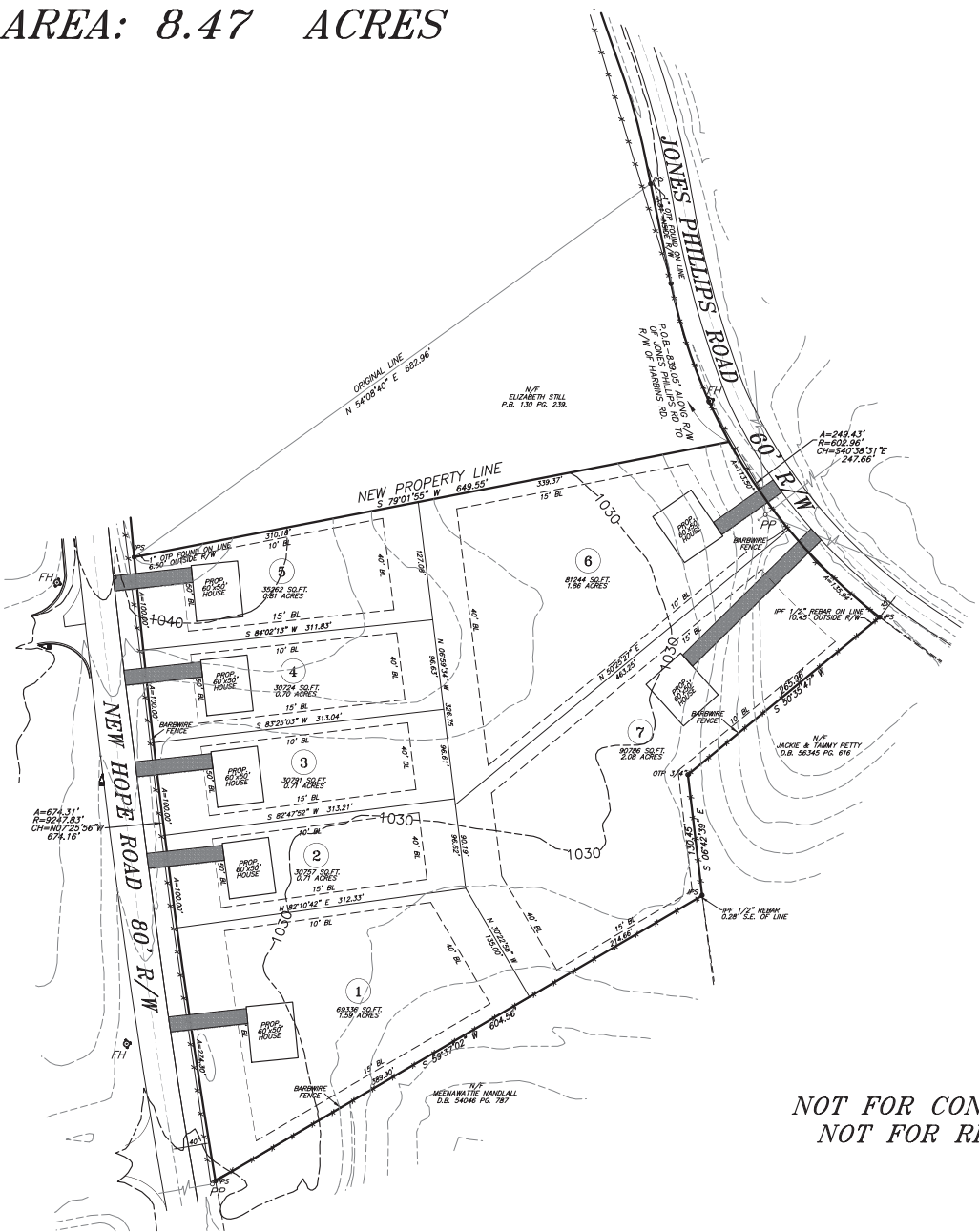
[attached]

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11/19/2022

TOTAL AREA: 8.47 ACRES

- LEGEND:**
- POB POINT OF BEGINNING
 - L/L LAND LOT LINE
 - R/W RIGHT OF WAY
 - N/F NOW OR FORMERLY
 - CTP CURB TOP FOUND
 - RTF REBAR FOUND
 - OTF OPEN TOP FOUND
 - R/S REBAR SET
 - CMP CORRUGATED METAL PIPE
 - RCP REINFORCED CONCRETE PIPE
 - DIP DUCTILE IRON PIPE
 - PVC POLYVINYLCHLORIDE PIPE
 - SWR SINGLE WING CATCH BASIN
 - DWCB DOUBLE WING CATCH BASIN
 - CI CURB INLET
 - DI DROP INLET
 - OCS OUTLET CONTROL SYSTEM
 - JB JUNCTION BOX
 - FES FLARED END SECTION
 - HW HEAD WALL
 - MI MIER INLET
 - SSM SANITARY SEWER MANHOLE
 - CO CLEAN OUT
 - INV INVERT
 - OHP- OVERHEAD POWER LINE
 - OTL- OVERHEAD TELEPHONE LINE
 - U-UT- UNDERGROUND TELEPHONE LINE
 - ED ELECTRIC OUTLET
 - ULP UTILITY POLE
 - U-UP- UNDERGROUND POWER LINE
 - OMV OIL MIRE
 - PP POWER POLE
 - L/P LIGHT POLE
 - C/I/T CABLE/INTERNET/TELEPHONE
 - FI FIRE HYDRANT
 - WM WATER MAIN
 - WV WATER VALVE
 - VM VALVE MANHOLE
 - SM SIGN POST
 - BL BUILDING LINE
 - CL CENTERLINE
 - EP EDGE OF PAVEMENT
 - MP MARKING POINT
 - MO MONITORING POINT
 - W WETLANDS
 - SL STREET LIGHT



A PORTION OF THIS PROPERTY DOES
APPEAR ON A WETLANDS INVENTORY MAP.

THIS PLAN IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS 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, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL, OR PARCELS ARE STATED HEREON. RECOGNITION OF THIS PLAN DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, UNLAWFULNESS OF PROJECTS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAN 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 G.C.G.A. SECTION 15-6-67.

KEVIN V. RINGO - RLS NO. 2278 DATE

95% OF THE DATA SHOWN ON THIS PLAN WAS OBTAINED UTILIZING GPS. IF INCLUDES ALL HORIZONTAL AND VERTICAL CONTROL POINT INFORMATION. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A CARLSON SURVEYOR+ GLOBAL NAVIGATION SATELLITE SYSTEM WITH A CARLSON SURVEYOR+ DATA COLLECTOR. THE TECHNIQUE USED WAS WITH CORRECTED MEASUREMENTS FROM THE GPS SOLUTIONS VIA NETWORK. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.019 FEET HORIZONTALLY AND 0.03 FEET VERTICALLY AT THE 95% CONFIDENCE LEVEL.

BASE OF BEARINGS FOR THIS SURVEY IS GRID NORTH REFERENCED TO THE GEORGIA STATE PLANE COORDINATE SYSTEM BEST ZONE. ALL HORIZONTAL LOCATIONS ARE REFERENCED TO THE NORTH AMERICAN DATUM 1983 (NAD83).

EQUIPMENT USED: CARLSON SURVEYOR+ GLOBAL NAVIGATION SATELLITE SYSTEM AND A CARLSON SURVEYOR+ DATA COLLECTOR.

THIS PLAN HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 500,000 FEET.

REFERENCE MATERIAL:
FINAL PLAN FOR ELIZABETH STILL PREPARED BY W. T. DUNAGOD & ASSOCIATES DATED AUGUST 7, 2013 AND RECORDED IN PLAT BOOK 130, PAGE 239.

WARRANTY DEED FOR ANGELA PREVY, DATED OCTOBER 15, 1993 AND RECORDED IN DEED BOOK 9505, PAGE 155.

WARRANTY DEED FOR JACKIE AND TAMMY PETTY, DATED DECEMBER 21, 2018 AND RECORDED IN DEED BOOK 56345, PAGE 616.

DEED FOR CLAYTON BANK AND TRUST, RECORDED IN DEED BOOK 50865, PAGE 432.

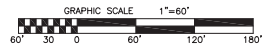
RIGHT OF WAY DEED PREPARED BY PRECISION PLANNING, INC. DATED NOVEMBER 6, 1998 AND RECORDED IN DEED BOOK 13863, PAGES 27 AND 28.

RIGHT OF WAY DEED PREPARED BY PRECISION PLANNING, INC. DATED MAY 6, 1998 AND RECORDED IN DEED BOOK 13746, PAGES 154 AND 155.

OUTCLAIM DEED FOR MEENAWATTE MANDALL, DATED JANUARY 12, 2016 AND RECORDED IN DEED BOOK 54046, PAGE 797.

EXISTING ZONING: RA200
PROPOSED ZONING: R100

NOT FOR CONSTRUCTION.
NOT FOR RECORDING.



DR

CONSULTANTS
PLANNERS
**RINGO
ABERNATHY
& ASSOCIATES**
257 PINCKNEY LANE
BRISTOLTON GEORGIA, 30517
Phone (770) 862-8658

COUNTY:	GWINNETT
LAND LOT/DISTRICT:	313/5th
PARCEL(S):	027
DATE:	11/3/2022
SCALE:	1" = 60'
JOB NO.:	22077

ZONING CONCEPT:
TY ROBINSON
PIN: 5313 027

REVISIONS	NO.	DATE
CHANGED BOUNDARY LINE	1	11-16-22

SHEET
1
OF 1



KNOW WHAT'S BELOW. CALL BEFORE YOU DIG.
IF YOU OR YOUR CONTRACTOR CALL FIRST, THE EXISTING UTILITIES SHOWN ON THIS PLAN WILL BE OFFICERS FROM WATERS, UTILITY COMPANIES, WHOSE CONTRACTORS, SCHEDULED AND AHEAD SCHEDULED OPERATIONS. THE SERVICES AND/or SCHEDULED WORK DO NOT CLAIM TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE, LOCATION, OR ADDITIONAL UTILITIES MAY BE DISCOVERED UPON EXCAVATION. PRIOR TO BEGINNING ANY EARTH DISTURBING ACTIVITIES, THE UTILITY PROTECTION SERVICE FOR THE AREA MUST BE NOTICED.

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

[attached]

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Gwinnett County Planning Division
Rezoning Application
Last Updated
10/2021

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 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:

While the adjacent and nearby properties are predominantly RA 200, there is a C1 parcel with a Dollar General Store upon it less than two hundred feet (200') from this parcel. Additionally, numerous R100 developments are located in the surrounding area. Considering the proposed development is only seven (7) lots on over ten (10) acres, this is a perfect low intensity use that will provide transition between the RA200 and the C1 areas.

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

Having only seven (7) single-family homes on a 10.546 acre site is the best scenario that the nearby property owners could have, especially in light of the nearby commercially zoned property. The proposed development would not adversely affect the use or usability of the adjacent or nearby property.

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

No, the property is undeveloped as it is currently RA200. Due to its size, it is not suitable for any profitable agricultural use and is not economically feasible for a residential development under the current zoning.

- (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 addition of seven (7) single family homes will have a negligible impact, if any and will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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11/13/2022

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

The 2040 Unified Plan classifies this area as being within the Community Node. The district is intended for areas located at major intersections throughout the County. This area is characterized by high-density mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses. As noted above, there is an existing commercial use less than two hundred feet from the project site. The proposed low density development would provide an appropriate transition between the commercial property and the larger RA200 properties.

(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:

This parcel is located in very close proximity to a Dollar General Store zoned C-1. This severely limits the use of the property. The small number of proposed lots gives a strong ground for supporting the approval of this rezoning.



November 3, 2021

Susan Canon, Director
Gwinnett County Planning & Development
75 Langley Drive
Lawrenceville, Georgia 30046

**RE: REZONING APPLICATION AND LETTER OF INTENT FOR T & B,
LLC., JONES PHILLIPS ROAD, DACULA 30019.**

Dear Ms. Canon:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of T & B, LLC (the "Applicant") to request a Rezoning to the R100 zoning designation to allow for seven (7) single family homesites to built upon property located on Jones Phillips Road in Dacula and having Gwinnett County Tax ID Number of R5313 027 (the "Property").

Applicant is the contract purchaser of an undeveloped 8.47-acre parcel which is currently zoned RA200. The property is bordered by other RA200 property but is less than two hundred feet (200') from a C1-zoned parcel with a Dollar General Store upon it. The Applicant proposes to develop this property to allow for seven (7) manor-style homes which would have a minimum heated square footage of 1400 square feet but would undoubtedly be considerably larger. This development would be consistent with the surrounding zoning and considering that the 2040 Future Land Use Plan calls for much more intensive uses, this low-density development is the best option for the surrounding neighbors as it would provide a transition between them and the C-1 parcel or a potential expansion of the C1 properties based upon the 2040 plan.

The proposed lots will all be well in excess of the 25,500 square foot minimum requirement for septic tank lots. All lots fully comply with all buffers and setbacks. The Applicant is also requesting a waiver to allow the seven (7) lots through the exemption plat process.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for Rezoning filed herewith. The Applicant respectfully requests your approval of this Application.

A PROFESSIONAL CORPORATION

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • powelledwards.com • 770.962.0100
Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046

November 3, 2022
Page 2

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross
Attorney for Applicant

Enclosures

**Exhibit D: Application and Campaign Contribution Disclosure
[attached]**

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11/21/2022

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>T & B, LLC</u>	NAME: <u>Dennis Still et al</u>
ADDRESS: <u>2631 Ivy Creek Road</u>	ADDRESS: <u>PO Box 1721</u>
CITY: <u>Buford</u>	CITY: <u>Winder</u>
STATE: <u>Georgia</u> ZIP: <u>30519</u>	STATE: <u>Georgia</u> ZIP: <u>30680</u>
PHONE: <u>770-826-7509</u>	PHONE: <u>770-963-0534</u>
EMAIL: <u>tblc@bellsouth.net</u>	EMAIL: <u>dstill@garnerandstill.com</u>
CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esq.</u> PHONE: <u>770-962-0100</u>	
CONTACT'S E-MAIL: <u>cross@powelledwards.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>R-100</u>	
PARCEL NUMBER(S): <u>R5313 027</u> ACREAGE: <u>8.47</u>	
ADDRESS OF PROPERTY: <u>Jones Phillips Road, Dacula, Georgia 30019</u>	
PROPOSED DEVELOPMENT: <u>Seven (7) single-family homesites</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>7</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>Min. 1400 heated S.F.</u>	Total Building Sq. Ft. _____
Gross Density: <u>0.83 Units per acre</u>	Density: _____
Net Density: <u>0.83 Units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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11/3/2022

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 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.



Signature of Applicant

11-2-22

Date

Ty Robinson, Member T&B, LLC

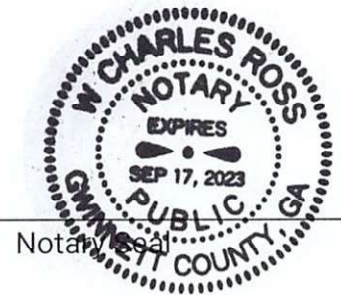
Type or Print Name and Title



Signature of Notary Public

11-2-22

Date



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11/3/2022

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.

Dennis Still

Signature of Property Owner

Nov 1, 2022

Date

Dennis Still, Esquire, Property Owner
Type or Print Name and Title

Christina Campbell

Signature of Notary Public

Nov 1, 2022

Date



Notary Seal

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11/3/2022

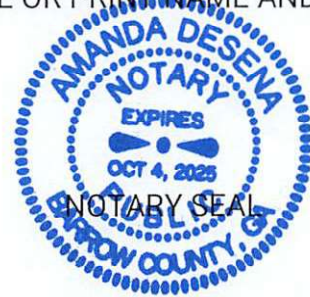
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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.

Ty Robinson 11-2-22 Ty Robinson, Member T & B, LLC
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

W. Charles Ross 11-2-22 W. Charles Ross, Esquire
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

A. DeSena 11-2-22
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 Ty Robinson
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 E: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		12.14.2022	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZR2023-00001	
Case Address:		Jones Phillips Road, Dacula, 30019	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	New Hope Road is a major collector. ADT = 3,411. Jones Phillips Road is a local street. No ADT on file.		
2	10.0 miles to the nearest transit facility (#2454819) Collins Hill Road and Collins Industrial Way.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	The developer shall construct a 5' sidewalk as well as curb and gutter along the property frontages of New Hope Road and Jones Phillips Road.		
2	Each driveway shall meet minimum sight distance requirements per the UDO Table 900.2.		
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

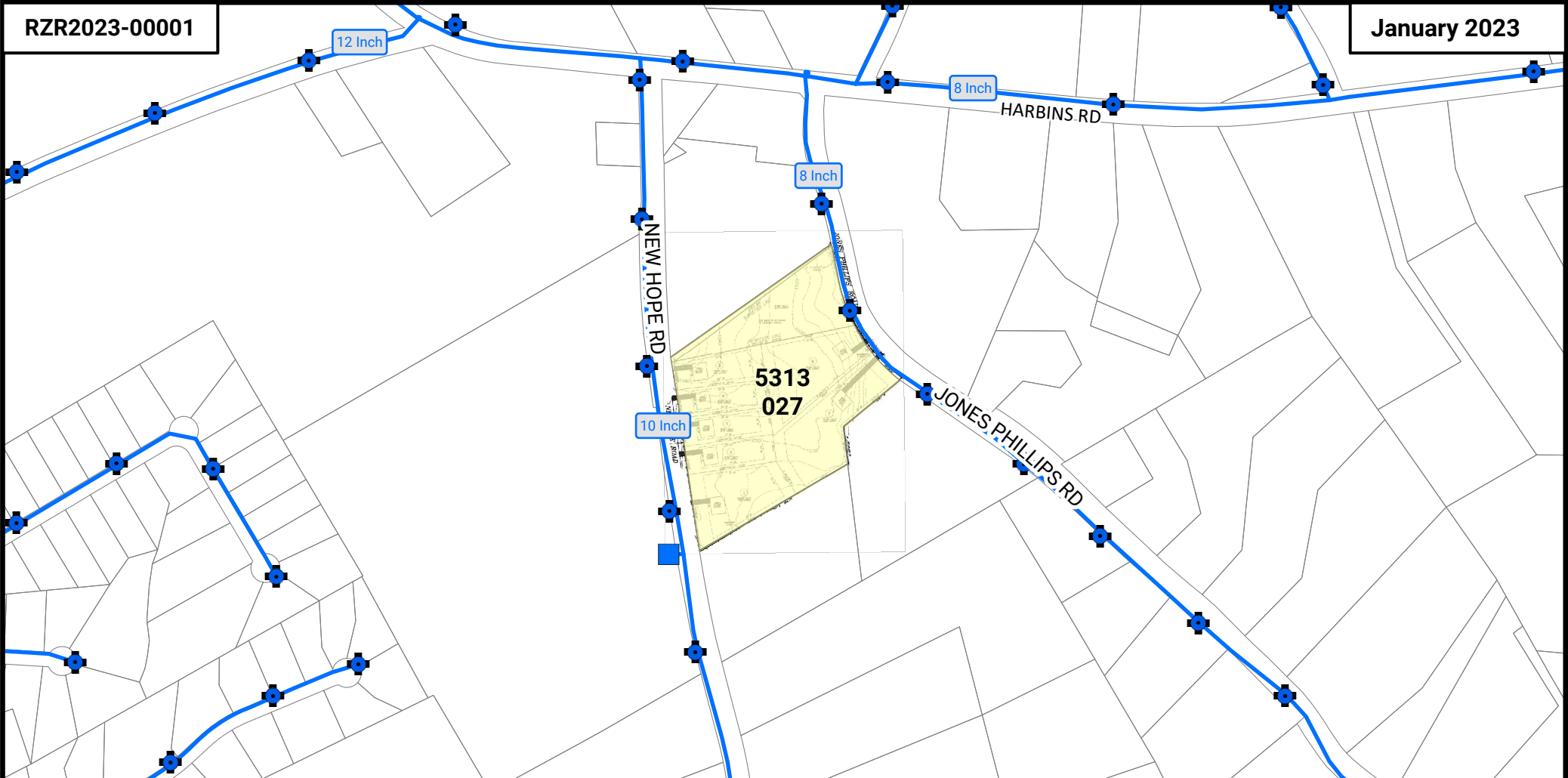


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZR2023-00001		
Case Address:		Jones Phillips Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The developer may connect the eastern lots to an existing 8-inch water main along western right-of-way of Jones Phillips Road and, connect the western lots on an existing 10-inch water main along western right-of-way of New Hope Road.			
2	Sewer: Pending Georgia Department of Public Health approval, the parcels will be developed on septic.			
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				

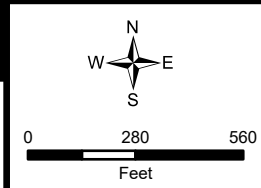
Note: Attach additional pages, if needed

Revised 7/26/2021



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

Jones Phillips Road
RA-200 to R-100
Water & Sewer
Utility Map



Water Comments: The developer may connect the eastern lots to an existing 8-inch water main along western right-of-way of Jones Phillips Road and, connect the western lots on an existing 10-inch water main along western right-of-way of New Hope Road.

Sewer Comments: Pending Georgia Department of Public Health approval, the parcels will 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.

Residential Rezoning Impact on Local Schools
 Prepared for Gwinnett County BOC, **January, 2023**

											Proposed Zoning
	School	2022-23			2023-24			2024-25			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZM2023-00001	Mountain View HS	2,370	2,300	70	2,285	2,300	-15	2,254	2,300	-46	3
	Twin Rivers MS	1,665	2,150	-485	1,715	2,150	-435	1,766	2,150	-384	2
	Freeman's Mill ES	1,029	925	104	1,018	925	93	1,028	925	103	3
RZR2023-00001	Archer HS	3,129	2,575	554	3,311	2,575	736	3,394	2,575	819	3
	McConnell MS	2,197	1,775	422	2,132	1,775	357	2,164	1,775	389	2
	Harbins ES	1,425	1,225	200	1,454	1,225	229	1,483	1,225	258	3

Exhibit F: Maps

[attached]



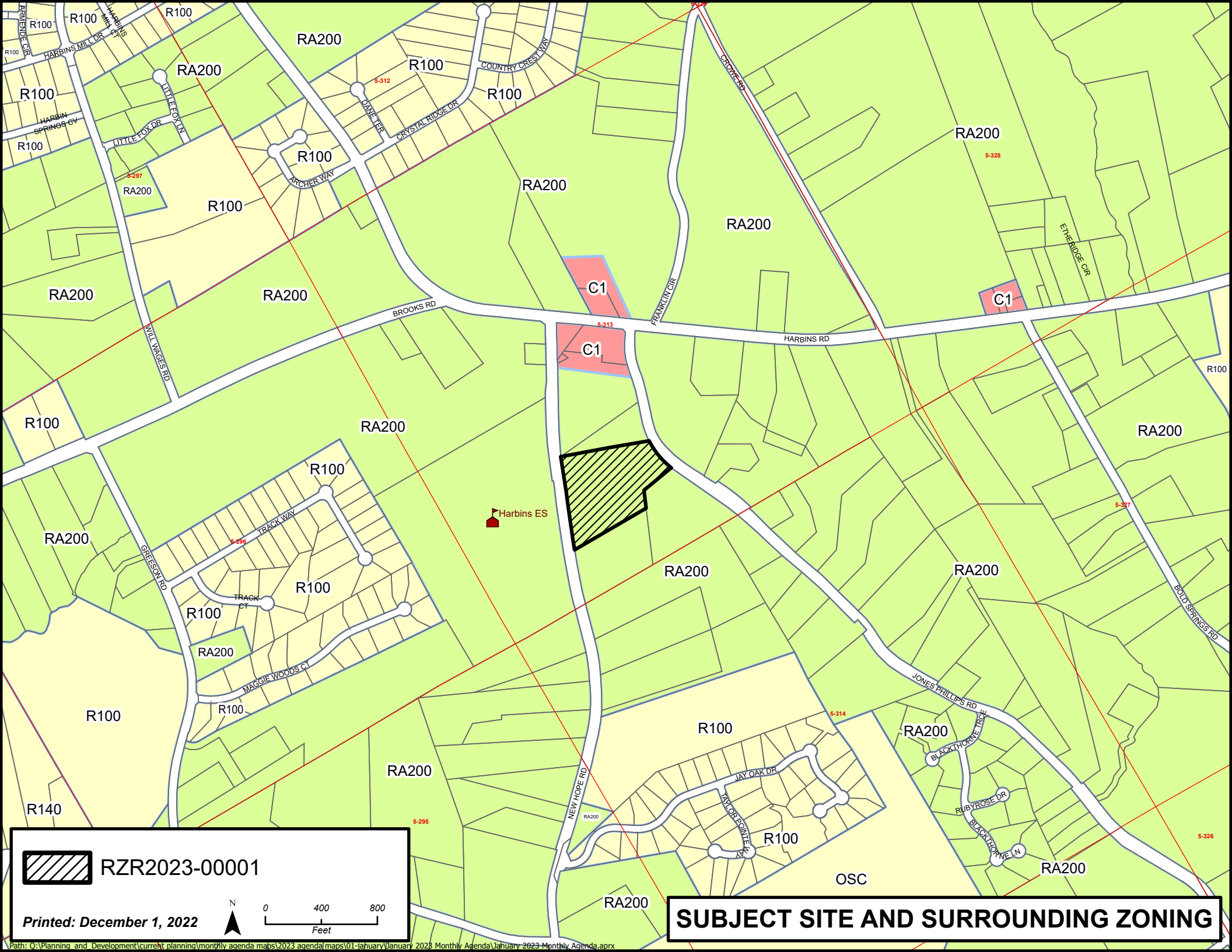
RZR2023-00001

Printed: December 1, 2022



0 100 200
Feet

Gwinnett County GIS



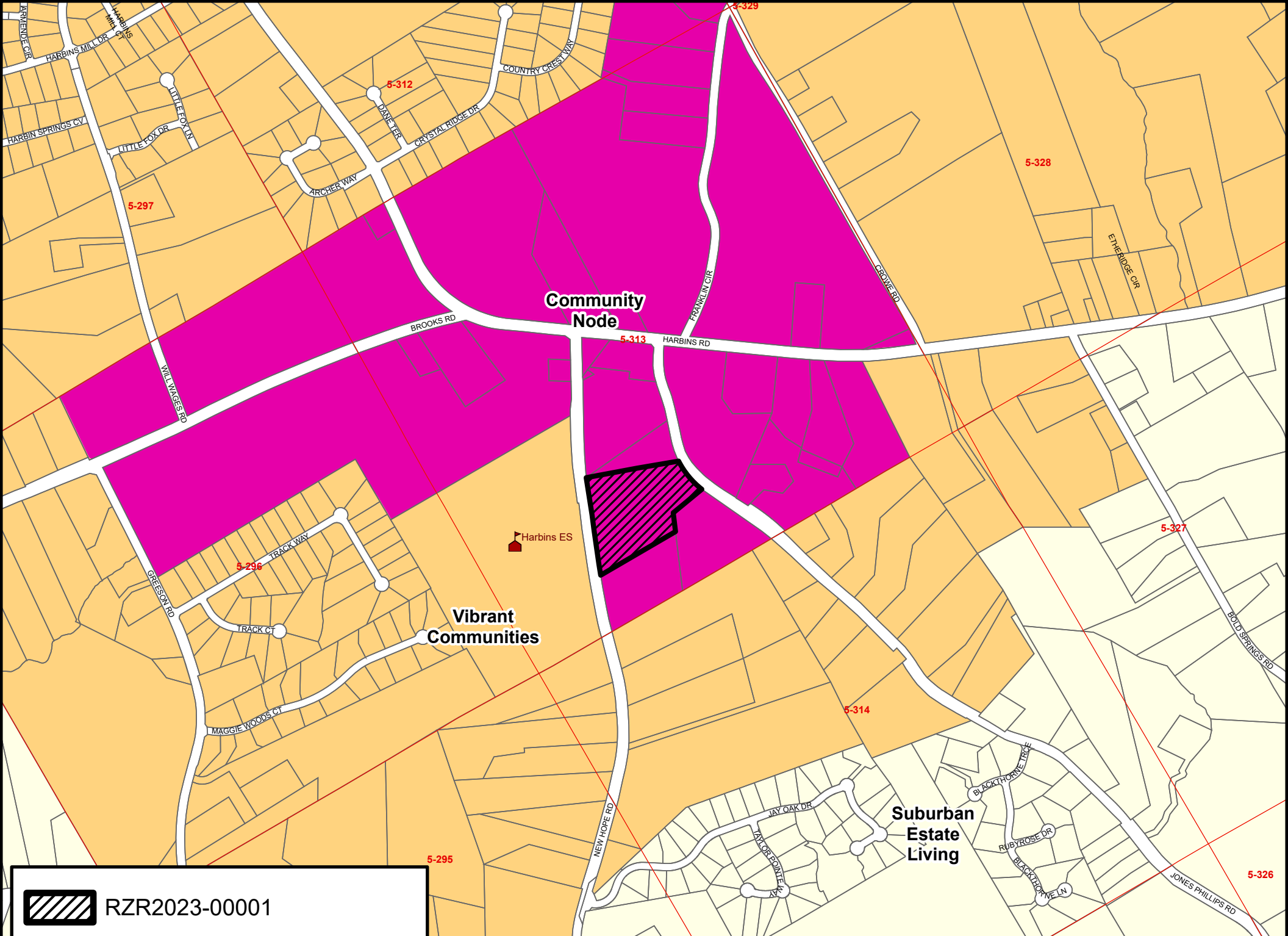
 RZR2023-00001

Printed: December 1, 2022



0 400 800
Feet

SUBJECT SITE AND SURROUNDING ZONING



 RZR2023-00001

Printed: December 1, 2022




2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

RECEIVED

11/21/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>T & B, LLC</u>	NAME: <u>Dennis Still et al</u>
ADDRESS: <u>2631 Ivy Creek Road</u>	ADDRESS: <u>PO Box 1721</u>
CITY: <u>Buford</u>	CITY: <u>Winder</u>
STATE: <u>Georgia</u> ZIP: <u>30519</u>	STATE: <u>Georgia</u> ZIP: <u>30680</u>
PHONE: <u>770-826-7509</u>	PHONE: <u>770-963-0534</u>
EMAIL: <u>tbllc@bellsouth.net</u>	EMAIL: <u>dstill@garnerandstill.com</u>
CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esq.</u> PHONE: <u>770-962-0100</u>	
CONTACT'S E-MAIL: <u>cross@powelledwards.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>R-100</u>	
PARCEL NUMBER(S): <u>R5313 027</u> ACREAGE: <u>10.55</u>	
ADDRESS OF PROPERTY: <u>Jones Phillips Road, Dacula, Georgia 30019</u>	
PROPOSED DEVELOPMENT: <u>Seven (7) single-family homesites</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>7</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>Min. 1400 heated S.F.</u>	Total Building Sq. Ft. _____
Gross Density: <u>0.66 Units per acre</u>	Density: _____
Net Density: <u>0.66 Units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

11/21/2022

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>T & B, LLC</u>	NAME: <u>Dennis Still et al</u>
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PHONE: <u>770-826-7509</u>	PHONE: <u>770-963-0534</u>
EMAIL: <u>tblc@bellsouth.net</u>	EMAIL: <u>dstill@garnerandstill.com</u>
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CONTACT'S E-MAIL: <u>cross@powelledwards.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>R-100</u>	
PARCEL NUMBER(S): <u>R5313 027</u> ACREAGE: <u>8.47</u>	
ADDRESS OF PROPERTY: <u>Jones Phillips Road, Dacula, Georgia 30019</u>	
PROPOSED DEVELOPMENT: <u>Seven (7) single-family homesites</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>7</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>Min. 1400 heated S.F.</u>	Total Building Sq. Ft. _____
Gross Density: <u>0.83 Units per acre</u>	Density: _____
Net Density: <u>0.83 Units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

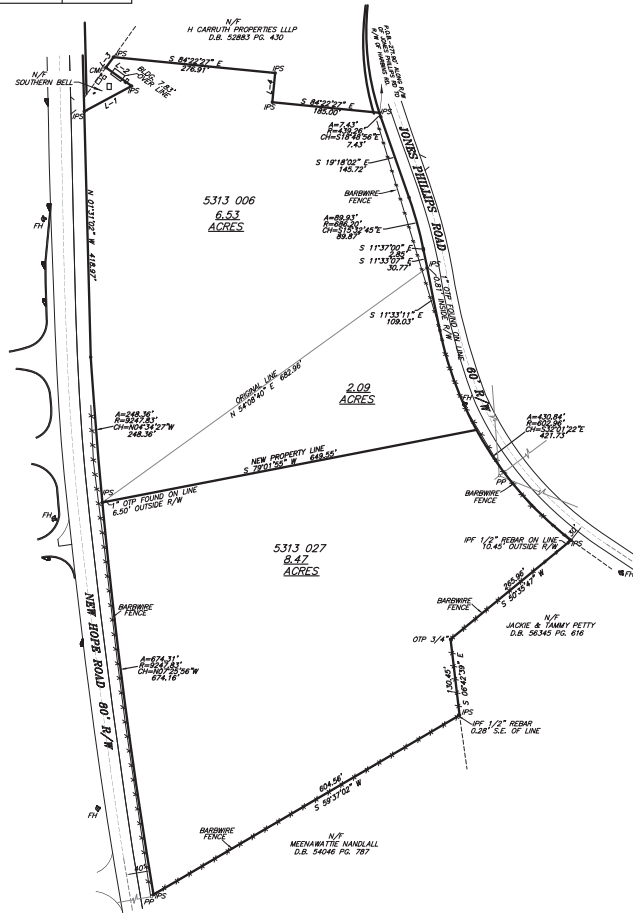
11/21/2022

TOTAL AREA: 17.09 ACRES

LEGEND:

POB	POINT OF BEGINNING
L/L	LAND LOT LINE
R/W	RIGHT OF WAY
N/F	NOW OR FORMERLY
OTF	OPEN TOP FOUND
RSF	REBAR FOUND
OTF	OPEN TOP FOUND
R/S	REBAR SET
CMF	CORRUGATED METAL PIPE
RCF	REINFORCED CONCRETE PIPE
DFP	DUCTILE IRON PIPE
PVC	POLYVINYLCHLORIDE PIPE
SWCB	SINGLE WING CATCH BASIN
DWCB	DOUBLE WING CATCH BASIN
CI	CURB INLET
DI	DROP INLET
OCS	OUTLET CONTROL SYSTEM
JB	JUNCTION BOX
FTS	FLARED END SECTION
HW	HEAD WALL
MI	MIER INLET
SSM	SANITARY SEWER MANHOLE
CO	CLEAN OUT
INV	INVERT
-OHP-	OVERHEAD POWER LINE
-OTL-	OVERHEAD TELEPHONE LINE
-UT-	UNDERGROUND TELEPHONE LINE
ED	ELECTRIC OUTLET
UP	UTILITY POLE
-UPL-	UNDERGROUND POWER LINE
QW	QW WIRE
PP	POWER POLE
L/P	LIGHT POLE
C/I/T	CABLE/INTERNET/TELEPHONE
FI	FIRE HYDRANT
W	WATER LINE
WM	WATER METER
WV	WATER VALVE
WM	WALK MANHOLE
SI	SIGN POST
BL	BUILDING LINE
CL	CENTERLINE
ED	EDGE OF PAVEMENT
W	WETLANDS
SP	SAMPLING POINT
MB	MONITORING POINT
SL	STREET LIGHT

LINE	BEARING	DISTANCE
L-1	N 61°45'00" E	91.66'
L-2	N 54°17'31" W	54.00'
L-3	N 36°08'39" E	21.95'
L-4	S 05°37'33" W	50.00'



A PORTION OF THIS PROPERTY DOES
APPEAR ON A WETLANDS INVENTORY MAP.

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SURVEY OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, 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 PROMISES, 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 G.C.G.A. SECTION 13-6-6-91.

KEVIN V. BRIDGEMAN
11-21-22
DATE

95% OF THE DATA SHOWN ON THIS PLAT WAS OBTAINED UTILIZING GPS. IF INCLUDES ALL HORIZONTAL AND VERTICAL CONTROL POINT INFORMATION, THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A CARLSON SURVEYOR+ GLOBAL NAVIGATION SATELLITE SYSTEM WITH A CARLSON SURVEYOR+ DATA COLLECTOR. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE RTK SOLUTIONS VRS NETWORK. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.019 - FEET HORIZONTALLY AND 0.03 FEET VERTICALLY AT THE 95% CONFIDENCE LEVEL.

BASE OF BEARINGS FOR THIS SURVEY IS GRID NORTH REFERENCED TO THE GEORGIA STATE PLANE COORDINATE SYSTEM WEST ZONE. ALL HORIZONTAL LOCATIONS ARE REFERENCED TO THE NORTH AMERICAN DATUM 1983 (NAD83).

EQUIPMENT USED: CARLSON SURVEYOR+ GLOBAL NAVIGATION SATELLITE SYSTEM AND A CARLSON SURVEYOR+ DATA COLLECTOR.

THIS PLAT HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 500,000 FEET.

REFERENCE MATERIAL:
FINAL PLAT FOR ELIZABETH STILL PREPARED BY W. T. DUNNADO & ASSOCIATES DATED AUGUST 7, 2013 AND RECORDED IN PLAT BOOK 130, PAGE 239.

WARRANTY DEED FOR ANGELA PREVY, DATED OCTOBER 15, 1993 AND RECORDED IN DEED BOOK 3505, PAGE 155.

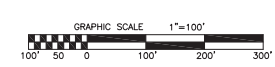
WARRANTY DEED FOR JACKIE AND TAMMY PETTY, DATED DECEMBER 21, 2018 AND RECORDED IN DEED BOOK 56345, PAGE 574.

DEED FOR CLAYTON BANK AND TRUST, RECORDED IN DEED BOOK 52883, PAGE 432.

RIGHT OF WAY DEED PREPARED BY PRECISION PLANNING, INC. DATED NOVEMBER 6, 1998 AND RECORDED IN DEED BOOK 13803, PAGES 27 AND 28.

RIGHT OF WAY DEED PREPARED BY PRECISION PLANNING, INC. DATED MAY 6, 1995 AND RECORDED IN DEED BOOK 12946, PAGES 154 AND 155.

OUTLAMB DEED FOR MEENABHATTI NANDALL DATED JANUARY 12, 2016 AND RECORDED IN DEED BOOK 56484, PAGE 381.



CONSULTANTS
PLANNERS
**RINGO
ABERNATHY
& ASSOCIATES**
257 PINECREST LANE
BRISTOLTON, GEORGIA, 30517
Phone: (770) 862-8458

COUNTY:	GWINNETT
LAND LOT/DISTRICT:	313/5th
PARCEL(S):	006, 027
DATE:	11/23/2022
SCALE:	1" = 100'
JOB NO.:	22077

BOUNDARY SURVEY FOR:
TY ROBINSON
PIN: 5313 006
5313 027

REVISIONS	NO.	DATE



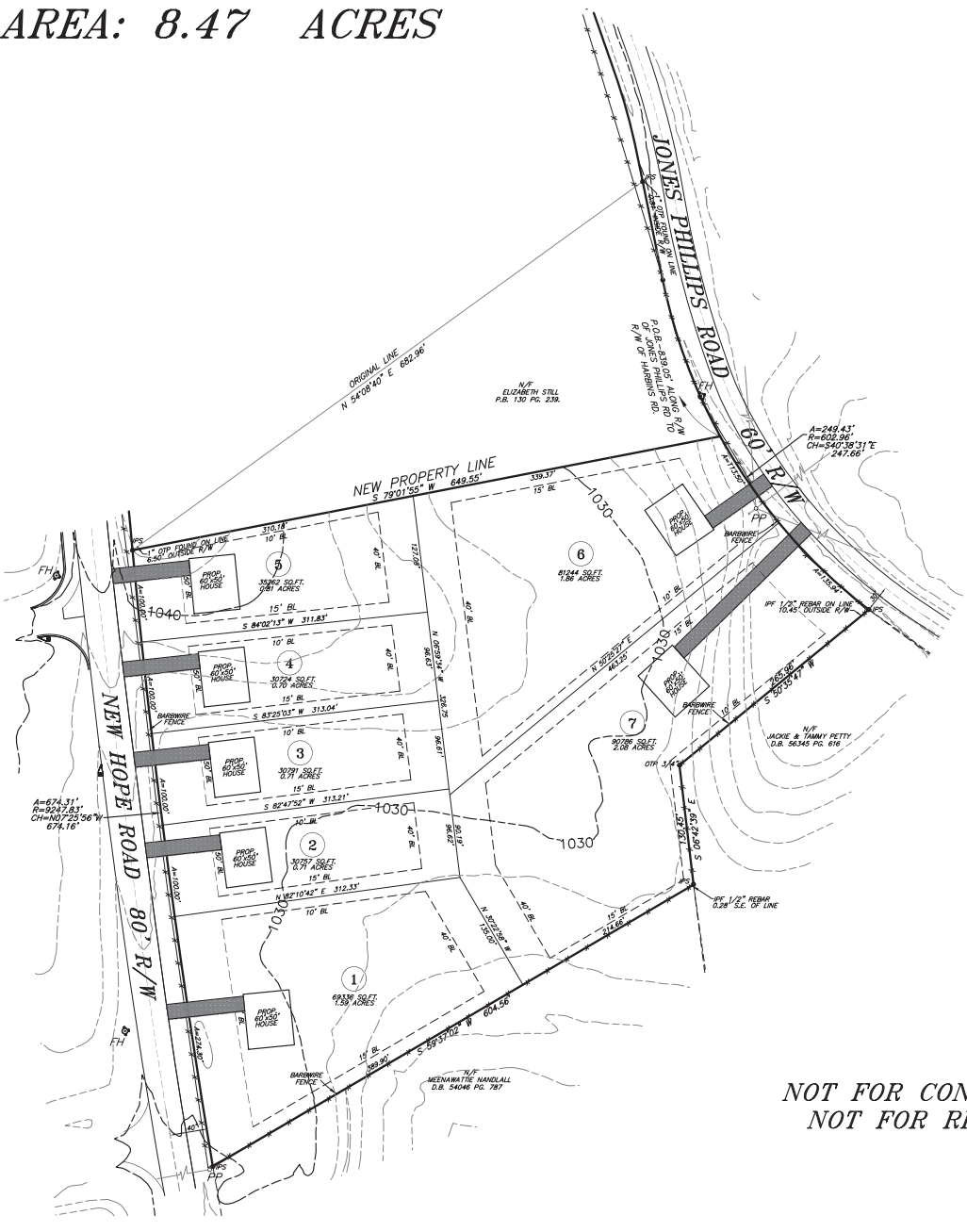
KNOW WHAT'S BELOW. CALL BEFORE YOU DIG.
IF YOU OR YOUR CONTRACTOR CALL 811, THE EXTENSIVE UTILITY LOCATING SERVICE FROM WHICH UTILITY COMPANIES, WHOSE CONTRACTORS, AGENTS AND AGENTS OBTAIN INFORMATION, THE SERVICE AND/or LOCATED ARE NOT CLAIM TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE, LOCATION OF ADDITIONAL UTILITIES MAY BE DISCOVERED UPON EXCAVATION. PRIOR TO BEGINNING ANY EARTH DISTURBING ACTIVITIES, THE UTILITY PROTECTION SERVICE FOR THE AREA MUST BE NOTICED.

RECEIVED

11/19/2022

TOTAL AREA: 8.47 ACRES

- LEGEND:
- POB POINT OF BEGINNING
 - L/L LAND LOT LINE
 - R/W RIGHT OF WAY
 - N/F NOW OR FORMERLY
 - CTP CURB TOP FOUND
 - RSF REBAR FOUND
 - OTF OPEN TOP FOUND
 - R/S REBAR SET
 - CMP CORRUGATED METAL PIPE
 - RCP REINFORCED CONCRETE PIPE
 - D/P DUCTILE IRON PIPE
 - PVC POLYVINYLCHLORIDE PIPE
 - SWB SINGLE WING CATCH BASIN
 - DWCB DOUBLE WING CATCH BASIN
 - C/C CURB INLET
 - D/D DROP INLET
 - OCS OUTLET CONTROL SYSTEM
 - J/B JUNCTION BOX
 - F/ES FLARED END SECTION
 - H/W HEAD WALL
 - M/I MANHOLE
 - SSM SANITARY SEWER MANHOLE
 - C/O CLEAN OUT
 - I/V INVERT
 - OHP- OVERHEAD POWER LINE
 - OTL- OVERHEAD TELEPHONE LINE
 - U-UT UNDERGROUND TELEPHONE LINE
 - E-ED ELECTRIC OUTLET
 - U/P UTILITY POLE
 - U-UP UNDERGROUND POWER LINE
 - O/W OIL WIRE
 - P/P POWER POLE
 - L/P LIGHT POLE
 - C/I/T CABLE/INTERNET/TELEPHONE
 - F/I FIRE HYDRANT
 - W/W WATER LINE
 - W/M WATER METER
 - W/V WATER VALVE
 - V/M VALVE MANHOLE
 - S/P SIGN POST
 - B/L BUILDING LINE
 - C/L CENTERLINE
 - E/F EDGE OF PAVEMENT
 - M/P MARKING POINT
 - W/P MONITORING POINT
 - W/W WETLANDS
 - S/L STREET LIGHT



A PORTION OF THIS PROPERTY DOES
APPEAR ON A WETLANDS INVENTORY MAP.

KEVIN V. RINGO - RLS NO. 2278 DATE

95% OF THE DATA SHOWN ON THIS PLAN WAS OBTAINED UTILIZING GPS. IT INCLUDES ALL HORIZONTAL AND VERTICAL CONTROL POINT INFORMATION. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A CARLSON SURVEYOR+ GLOBAL NAVIGATION SATELLITE SYSTEM WITH A CARLSON SURVEYOR+ DATA COLLECTOR. THE TECHNIQUE USED WAS WITH CORRECTED MEASUREMENTS FROM THE GPS SOLUTIONS VIA NETWORK. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.10" FEET HORIZONTALLY AND 0.03 FEET VERTICALLY AT THE 95% CONFIDENCE LEVEL.

BASE OF BEARINGS FOR THIS SURVEY IS GRID NORTH REFERENCED TO THE GEORGIA STATE PLANE COORDINATE SYSTEM BEST ZONE. ALL HORIZONTAL LOCATIONS ARE REFERENCED TO THE NORTH AMERICAN DATUM 1983 (NAD83).

EQUIPMENT USED: CARLSON SURVEYOR+ GLOBAL NAVIGATION SATELLITE SYSTEM AND A CARLSON SURVEYOR+ DATA COLLECTOR.

THIS PLAN HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 300,000 FEET.

REFERENCE MATERIAL:
FINAL PLAN FOR ELIZABETH STILL PREPARED BY W. T. DUNNADO & ASSOCIATES DATED AUGUST 7, 2013 AND RECORDED IN PLAT BOOK 130, PAGE 239.

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WARRANTY DEED FOR JACKIE AND TAMMY PETTY, DATED DECEMBER 21, 2018 AND RECORDED IN DEED BOOK 56345, PAGE 616.

DEED FOR CLAYTON BANK AND TRUST, RECORDED IN DEED BOOK 50865, PAGE 432.

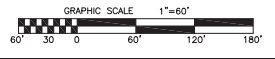
RIGHT OF WAY DEED PREPARED BY PRECISION PLANNING, INC. DATED NOVEMBER 6, 1998 AND RECORDED IN DEED BOOK 13863, PAGES 27 AND 28.

RIGHT OF WAY DEED PREPARED BY PRECISION PLANNING, INC. DATED MAY 6, 1998 AND RECORDED IN DEED BOOK 13746, PAGES 154 AND 155.

OUTCLAIM DEED FOR MEENAWATTE MANDALL DATED JANUARY 12, 2016 AND RECORDED IN DEED BOOK 54046, PAGE 797.

EXISTING ZONING: RA200
PROPOSED ZONING: R100

NOT FOR CONSTRUCTION.
NOT FOR RECORDING.



DR

CONSULTANTS
PLANNERS
**RINGO
ABERNATHY
& ASSOCIATES**
257 PINECREST LANE BRISTOL GEORGIA, 30517
Phone (770) 862-8468

COUNTY:	GWINNETT
LAND LOT/DISTRICT:	313/5th
PARCEL(S):	027
DATE:	11/3/2022
SCALE:	1" = 60'
JOB NO.:	22077

ZONING CONCEPT:
TY ROBINSON
PIN: 5313 027

REVISIONS	NO.	DATE
CHANGED BOUNDARY LINE	1	11-16-22

SHEET
1
OF 1



KNOW WHAT'S BELOW. CALL BEFORE YOU DIG.
IF YOU OR YOUR CONTRACTOR CALL 811, THE EXISTING UTILITIES SHOWN ON THIS PLAN WILL BE OFFERED FROM WINDS, SHUT OFF, DAMAGED, WHOSE COVERAGE IS EXTENDED, AND ARE SHOWN DISCONTINUED. THE SERVICES AND/OR SERVICES ARE NOT CLAIM TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE, LOCATION, OR ADDITIONAL UTILITIES MAY BE DISCOVERED UPON EXCAVATION. PRIOR TO BEGINNING ANY EARTH DISTURBING ACTIVITIES, THE UTILITY PROTECTION SERVICE FOR THE AREA MUST BE NOTICED.

RECEIVED

12/1/2022

L E G A L D E S C R I P T I O N

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 315 OF THE 5TH LAND DISTRICT OF WINNETT COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE RIGHT OF WAY INTERSECTION OF HARBINS ROAD AND JONES PHILLIPS ROAD (60' R/W); THENCE IN A SOUTHERLY DIRECTION ALONG THE RIGHT OF WAY OF JONES PHILLIPS ROAD A DISTANCE OF 839.03 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE along a curve to the left having a radius of 602.96 feet and an arc length of 249.44 feet, being subtended by a chord of South 40 degrees 38 minutes 31 seconds East for a distance of 247.66 feet TO A POINT;

THENCE South 50 degrees 35 minutes 47 seconds West for a distance of 265.96 feet TO A 3/4" OTP FOUND;

THENCE South 06 degrees 42 minutes 39 seconds East for a distance of 130.45 feet TO A POINT;

THENCE South 59 degrees 37 minutes 02 seconds West for a distance of 604.56 feet TO A POINT ON THE EASTERLY 80' RIGHT OF WAY OF NEW HOPE ROAD;

THENCE along a curve to the right having a radius of 9247.83 feet and an arc length of 674.31 feet, being subtended by a chord of North 07 degrees 25 minutes 56 seconds West for a distance of 674.16 feet TO A POINT;

THENCE North 79 degrees 01 minutes 55 seconds East for a distance of 649.56 feet TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 8.47 acres.

RECEIVED

11/3/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated
10/2021

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED 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 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:

While the adjacent and nearby properties are predominantly RA 200, there is a C1 parcel with a Dollar General Store upon it less than two hundred feet (200') from this parcel. Additionally, numerous R100 developments are located in the surrounding area. Considering the proposed development is only seven (7) lots on over ten (10) acres, this is a perfect low intensity use that will provide transition between the RA200 and the C1 areas.

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

Having only seven (7) single-family homes on a 10.546 acre site is the best scenario that the nearby property owners could have, especially in light of the nearby commercially zoned property. The proposed development would not adversely affect the use or usability of the adjacent or nearby property.

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

No, the property is undeveloped as it is currently RA200. Due to its size, it is not suitable for any profitable agricultural use and is not economically feasible for a residential development under the current zoning.

- (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 addition of seven (7) single family homes will have a negligible impact, if any and will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

RECEIVED

11/3/2022

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

The 2040 Unified Plan classifies this area as being within the Community Node. The district is intended for areas located at major intersections throughout the County. This area is characterized by high-density mixed-use developments incorporating commercial, office, live-work, and similar ground floor uses with high-density residential uses. As noted above, there is an existing commercial use less than two hundred feet from the project site. The proposed low density development would provide an appropriate transition between the commercial property and the larger RA200 properties.

(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:

This parcel is located in very close proximity to a Dollar General Store zoned C-1. This severely limits the use of the property. The small number of proposed lots gives a strong ground for supporting the approval of this rezoning.



November 3, 2021

Susan Canon, Director
Gwinnett County Planning & Development
75 Langley Drive
Lawrenceville, Georgia 30046

**RE: REZONING APPLICATION AND LETTER OF INTENT FOR T & B,
LLC., JONES PHILLIPS ROAD, DACULA 30019.**

Dear Ms. Canon:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of T & B, LLC (the "Applicant") to request a Rezoning to the R100 zoning designation to allow for seven (7) single family homesites to built upon property located on Jones Phillips Road in Dacula and having Gwinnett County Tax ID Number of R5313 027 (the "Property").

Applicant is the contract purchaser of an undeveloped 8.47-acre parcel which is currently zoned RA200. The property is bordered by other RA200 property but is less than two hundred feet (200') from a C1-zoned parcel with a Dollar General Store upon it. The Applicant proposes to develop this property to allow for seven (7) manor-style homes which would have a minimum heated square footage of 1400 square feet but would undoubtedly be considerably larger. This development would be consistent with the surrounding zoning and considering that the 2040 Future Land Use Plan calls for much more intensive uses, this low-density development is the best option for the surrounding neighbors as it would provide a transition between them and the C-1 parcel or a potential expansion of the C1 properties based upon the 2040 plan.

The proposed lots will all be well in excess of the 25,500 square foot minimum requirement for septic tank lots. All lots fully comply with all buffers and setbacks. The Applicant is also requesting a waiver to allow the seven (7) lots through the exemption plat process.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for Rezoning filed herewith. The Applicant respectfully requests your approval of this Application.

A PROFESSIONAL CORPORATION

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • powelledwards.com • 770.962.0100

Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046

November 3, 2022
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Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross
Attorney for Applicant

Enclosures

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11/3/2022

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 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.



Signature of Applicant

11-2-22

Date

Ty Robinson, Member T&B, LLC

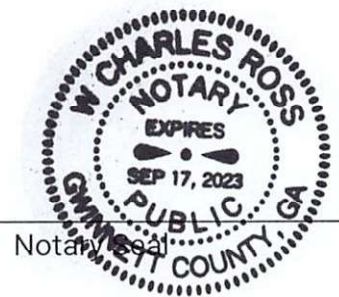
Type or Print Name and Title



Signature of Notary Public

11-2-22

Date



RECEIVED

11/3/2022

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.

Dennis Still

Signature of Property Owner

Nov 1, 2022

Date

Dennis Still, Esquire, Property Owner
Type or Print Name and Title

Christina Campbell

Signature of Notary Public

Nov 1, 2022

Date



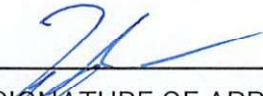
Notary Seal


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11/3/2022

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.

 11-2-22 Ty Robinson, Member T & B, LLC
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 11-2-22 W. Charles Ross, Esquire
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

 11-2-22
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 Ty Robinson
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.

