

CASE NUMBER RZM-04-039

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Wayne Hill, Chairman	<u>NAY</u>
Marcia Neaton, District 1	<u>NAY</u>
Albert Nasuti, District 2	<u>AYE</u>
John Dunn, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. DUNN, which carried 3-2, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County-Board of Commissioners upon an Application to Amend the Official Zoning Map from

R-100 & RA-200 to RM-8 (APPROVED AS R-ZT)

by MARK & REBECCA LEE MERRITT for the

proposed use of TOWNHOMES on a tract of

land described by the attached legal description, which

is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on OCTOBER 26, 2004 and objections were filed.

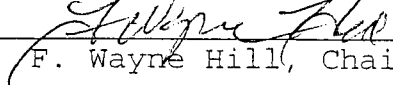
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 16TH day of NOVEMBER, 2004, that the aforesaid application to amend the Official Zoning Map from R-100 & RA-200 to RM-8 is hereby APPROVED AS R-ZT subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family attached and/or detached residences and accessory uses.
 - B. Homes shall be constructed with accents of brick, stone or stucco on front facades. The balance of the home may be the same, or of wood or fiber-cement siding.
 - C. The minimum heated floor area per dwelling unit shall be at least 1,600 square feet.
 - D. All homes shall have at least a double-car garage.
 - E. The project shall not exceed 74 units.
 - F. The applicant shall submit plans for review and approval by the Director of Planning and Development.

2. To satisfy the following site development considerations:
 - A. All grassed areas shall be sodded.
 - B. Natural vegetation shall remain on the property until the issuance of a Development Permit.
 - C. Direct lot access to Winder Highway shall be prohibited.
 - D. Provide a 30-foot wide landscaped strip and a decorative wrought iron-style fence with brick columns (30-feet on center) along the frontage of Winder Highway.

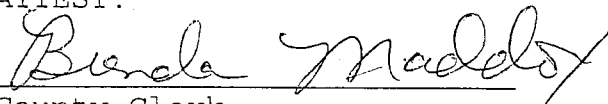
3. To abide by the following requirements, dedications and improvements:
 - A. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway, path/trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval of the Gwinnett Department of Community Services.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: Dec. 15, 2004

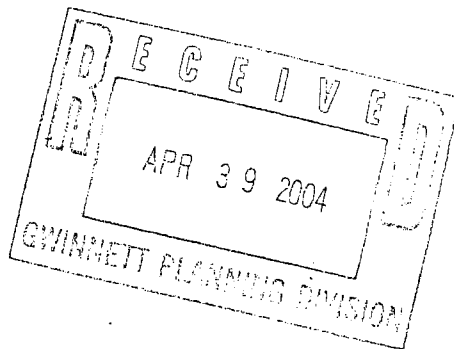
ATTEST:


County Clerk

REZONING EXHIBIT
LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 238 and 239 of the 5th Land District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the southerly margin of the right-of-way of U.S. Highway 29 with the land lot line common to land lots 239 and 242, thence along the right-of-way of U.S. Highway 29 in a southwesterly direction ± 430 feet to the TRUE POINT OF BEGINNING; thence South 65 degrees 33 minutes 36 seconds East, a distance of 111.46 feet to a point; thence South 23 degrees 23 minutes 20 seconds West, a distance of 123.24 feet to a point; thence South 87 degrees 39 minutes 36 seconds East, a distance of 337.23 feet to a point; thence South 25 degrees 56 minutes 51 seconds East, a distance of 959.07 feet to a point; thence South 67 degrees 27 minutes 06 seconds West, a distance of 238.96 feet to a point; thence North 84 degrees 57 minutes 28 seconds West, a distance of 155.53 feet to a point; thence North 38 degrees 24 minutes 43 seconds West, a distance of 156.56 feet to a point; thence North 23 degrees 33 minutes 21 seconds West, a distance of 76.70 feet to a point; thence North 13 degrees 26 minutes 51 seconds West, a distance of 49.24 feet to a point; thence North 53 degrees 33 minutes 52 seconds West, a distance of 109.41 feet to a point; thence North 66 degrees 48 minutes 19 seconds West, a distance of 53.59 feet to a point; thence North 67 degrees 55 minutes 16 seconds West, a distance of 54.60 feet to a point; thence North 58 degrees 52 minutes 32 seconds West, a distance of 79.87 feet to a point; thence North 30 degrees 06 minutes 39 seconds West, a distance of 46.88 feet to a point; thence North 57 degrees 48 minutes 43 seconds West, a distance of 77.68 feet to a point; thence North 76 degrees 52 minutes 21 seconds West, a distance of 49.15 feet to a point; thence North 76 degrees 26 minutes 04 seconds West, a distance of 44.69 feet to a point; thence South 58 degrees 41 minutes 07 seconds West, a distance of 19.26 feet to a point; thence South 35 degrees 35 minutes 38 seconds West, a distance of 38.45 feet to a point; thence North 42 degrees 57 minutes 07 seconds West, a distance of 625.78 feet to a point on the southerly margin of the right-of-way U.S. Highway 29; thence along said right-of-way North 71 degrees 25 minutes 12 seconds East, a distance of 216.45 feet to a point; thence North 71 degrees 25 minutes 46 seconds East, a distance of 424.82 feet to the TRUE POINT OF BEGINNING. Containing 16.44 acres, more or less.



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