

**ANNEXATION & REZONING APPLICATION**  
**AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP FOR THE CITY OF AUBURN, GA.**

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME: Clayton Properties Group, Inc. dba Chafin Land Development c/o Mahaffey Pickens Tucker, LLP		NAME: Multiple--see attached	
ADDRESS: 1550 North Brown Rd, Ste 125		ADDRESS:	
CITY: Lawrenceville		CITY:	
STATE: Georgia ZIP: 30043		STATE: ZIP:	
PHONE: 770 232 0000		PHONE:	
EMAIL: slanham@mptlawfirm.com		EMAIL:	
CONTACT PERSON: Shane Lanham		PHONE: 770 232 0000	
EMAIL: slanham@mptlawfirm.com			

APPLICANT IS: <input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): R-2 & AG (Barrow County)	REQUESTED ZONING DISTRICT: PSV
PARCEL NUMBER(S): XX049 011 & XX049 012	ACREAGE: +/- 98.18
ADDRESS OF PROPERTY: 277 Carl-Cedar Hill Road	
PROPOSED DEVELOPMENT: Single-family Residential Community	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
NO. OF LOTS/DWELLING UNITS: 315	NO. OF BUILDINGS/LOTS: NA
DWELLING UNIT SIZE (SQ.FT.): <input type="text" value="Varies"/>	TOTAL BUILDING SQ.FT.:
GROSS DENSITY: +/- 3.2 units per acre	DENSITY: NA
NET DENSITY: +/- 3.2 units per acre	

**\*PLEASE ATTACHED A LETTER OF INTENT EXPLAINING PROPOSED DEVELOPMENT\***

**PROPERTY OWNER LIST**

<b>Name/Address</b>	<b>Parcel</b>
WHIDDON WILLIAM FRANK 617 ATLANTA HWY SE WINDER, GA 30680	XX049 011
DOBBS ALICE PO BOX 904 AUBURN, GA 30011	XX049 012

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

PURSUANT TO REQUIREMENTS OF THE ZONING ORDINANCE, THE CITY COUNCIL 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:

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

Please see attached.

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

Please see attached.

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

Please see attached.

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(4) 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:

Please see attached.

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

Please see attached.

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(6) 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:

Please see attached.

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

1. Yes, approval of the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. The Property has frontage on Carl-Cedar Hill Road and has convenient access to other major thoroughfares. The proposed residential development is compatible with surrounding residential uses.
2. No, approval of the proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development will complement adjacent and nearby land uses. The proposed residential development will complement surrounding single-family residential development.
3. Due to the size, location, layout, and dimensions of the subject property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
4. No, approval of the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The Property has frontage on Carl-Cedar Hill Road with access to utilities.
5. Yes, approval of the proposed rezoning is in conformity with the policy and intent of the Land Use Plan. The proposed development is compatible with the Future Land Use Map designations of surrounding property and would provide a variety of housing styles to complement existing development in the area.
6. The Applicant submits that the subject Property's location in close proximity to major roadways and its proximity to major employment centers provide additional supporting grounds for approval of the Applications.

**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 CITY COUNCIL UNLESS WAIVED BY THE CITY COUNCIL. 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 CITY COUNCIL.

 5/10/21  
\_\_\_\_\_  
SIGNATURE OF APPLICANT DATE

Shane Lanham, attorney for the Applicant  
\_\_\_\_\_  
PRINT NAME AND TITLE

 5/10/21  
\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC DATE



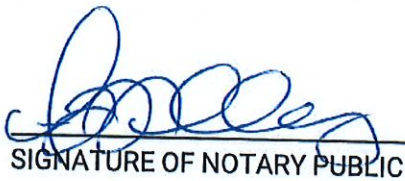
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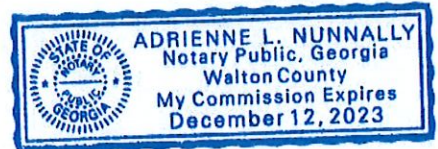
  
SIGNATURE OF APPLICANT

5-6-2021  
DATE

Daryl Chafin President  
PRINT NAME AND TITLE

  
SIGNATURE OF NOTARY PUBLIC

5/6/21  
DATE



NOTARY SEAL









**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

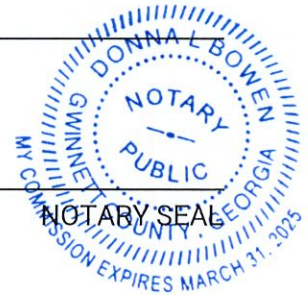
THE UNDERSIGNED BELOW, MAKING APPLICATION FOR A REZONING, HAS COMPLIED WITH THE OFFICIAL CODE OF GEORGIA SECTION 36-67A-1, ET. SEQ, CONFLICT OF INTEREST IN ZONING ACTIONS, AND HAS SUBMITTED OR ATTACHED THE REQUIRED INFORMATION ON THE FORMS PROVIDED.

 5/10/21  
 SIGNATURE DATE

Shane Lanham, attorney for the Applicant

PRINT NAME AND TITLE

 5/10/21  
 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 CITY COUNCIL OR A MEMBER OF THE AUBURN PLANNING COMMISSION?

YES  NO

Mahaffey Pickens Tucker, LLP

YOUR NAME

IF THE ANSWER IF YES, PLEASE COMPLETE THE FOLLOWING SECTION:

NAME AND POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN LAST TWO YEARS)

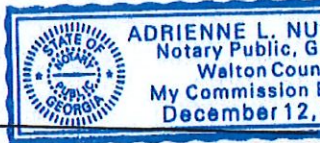
ATTACHED ADDITIONAL SHEETS IF NECESSARY, TO DISCLOSE OR DESCRIBE ALL CONTRIBUTIONS.

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*[Signature]* 5-6-2021  
 SIGNATURE OF APPLICANT DATE

Daryl chatin President  
 PRINT NAME AND TITLE

*[Signature]* 5/6/21   
 SIGNATURE OF NOTARY PUBLIC DATE NOTARY SEAL

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YES  NO Daryl chatin  
YOUR NAME

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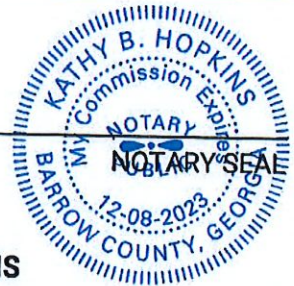
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W. Frank Whiddon 5/4/21  
 SIGNATURE OF PROPERTY OWNER DATE

W. FRANK Whiddon  
 PRINT NAME AND TITLE

[Signature] 5/4/2021  
 SIGNATURE OF NOTARY PUBLIC DATE



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YES  NO

W. Frank Whiddon

YOUR NAME

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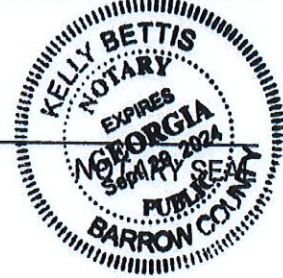
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Alice Dobbs May 5, 2021  
SIGNATURE OF PROPERTY OWNER DATE

ALICE DOBBS OWNER  
PRINT NAME AND TITLE

Kelly Bettis 5/5/2021  
SIGNATURE OF NOTARY PUBLIC DATE



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YES  NO

Alice Dobbs

YOUR NAME

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NAME AND POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN LAST TWO YEARS)

ATTACHED ADDITIONAL SHEETS IF NECESSARY, TO DISCLOSE OR DESCRIBE ALL CONTRIBUTIONS.

## LAND DESCRIPTION

All that tract or parcel of land lying in Georgia Militia District #316 of Barrow County Georgia, and being more particularly described as follows:

Beginning at a Point formed by the intersection of Right-of-Way of the Southerly Right-of-Way of Carl Cedar Hill Road (apparent 60' Right-of-Way) and The Easterly Right-of-Way of Hidden Acres Road (apparent 60' Right-of-Way). THENCE from said Point and traveling in a Northeasterly direction along the Right-of-Way of Carl Cedar Hill Road for a distance of 165.00 feet, said Point being The True Point of Beginning.

THENCE from said Point as thus established and continuing along said Right-of-way of Carl Cedar Hill Road for the next five (5) calls and distances, North 49 degrees 41 minutes 29 seconds East for a distance of 573.89 feet to a Point; THENCE North 51 degrees 14 minutes 04 seconds East for a distance of 220.73 feet to a Point; THENCE North 65 degrees 05 minutes 38 seconds East for a distance of 54.75 feet to a Point; THENCE along a curve to the right having a radius of 1891.43 feet and arc length of 281.32 feet being subtended by a chord of North 62 degrees 33 minutes 40 seconds East for a distance of 281.06 feet to a Point; THENCE North 65 degrees 18 minutes 37 seconds East for a distance of 204.86 feet to a Point; THENCE leaving said Right-of-way, South 20 degrees 35 minutes 38 seconds East for a distance of 42.39 feet to a Point; THENCE North 64 degrees 53 minutes 11 seconds East for a distance of 51.91 feet to a Point; THENCE South 18 degrees 53 minutes 56 seconds East for a distance of 143.69 feet to a Point; THENCE North 69 degrees 09 minutes 40 seconds East for a distance of 296.93 feet to a Point; THENCE South 17 degrees 59 minutes 17 seconds East for a distance of 565.24 feet to a Point; THENCE South 39 degrees 05 minutes 22 seconds East for a distance of 1518.02 feet to a Point; THENCE South 41 degrees 38 minutes 23 seconds East for a distance of 408.34 feet to a Point; THENCE South 49 degrees 15 minutes 46 seconds West for a distance of 440.75 feet to a Point; THENCE South 53 degrees 35 minutes 45 seconds West for a distance of 1146.21 feet to a Point; THENCE North 37 degrees 16 minutes 35 seconds West for a distance of 879.62 feet to a Point; THENCE North 35 degrees 27 minutes 51 seconds West for a distance of 1018.30 feet to a Point; THENCE North 33 degrees 34 minutes 29 seconds West for a distance of 295.00 feet to a Point; THENCE North 33 degrees 32 minutes 09 seconds West for a distance of 616.83 feet to a Point, said Point being The True Point of Beginning.

Said property contains 98.18 +/- Acres.  
(Includes Easements within)













Matthew P. Benson  
Gerald Davidson, Jr.\*  
Rebecca B. Gober  
Brian T. Easley  
Christopher D. Holbrook  
Charlotte L. Luu  
W. Brady Hughes

Samuel C. Kennon  
Shane M. Lanham  
Jeffrey R. Mahaffey  
Steven A. Pickens  
Andrew D. Stancil  
R. Lee Tucker, Jr.

\*Of Counsel

**LETTER OF INTENT FOR REZONING AND ANNEXATION APPLICATIONS OF  
CLAYTON PROPERTIES GROUP, INC. DBA CHAFIN LAND DEVELOPMENT**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning and Annexation Applications (the "Applications") on behalf of the Applicant, Clayton Properties Group, Inc. dba Chafin Development (the "Applicant"), for the purpose of requesting the annexation and rezoning of an approximately 98.18-acre tract of land (the "Property") situated along Carl-Cedar Hill Road at its intersection with Bill Robinson Road. The Property is currently split-zoned R-2 and AG in Barrow County.

The Applicant is requesting to annex and rezone the entire Property to the PSV (Planned Suburban Village) zoning classification in order to develop a single-family residential community with a total of 315 single-family detached homes with an overall density of approximately 3.2 units per acre. The proposed development would include two pods as depicted on the site plan submitted with the Applications. Pod A is located on the westerly portion of the Property and would include 115 homes and a proposed +/-1.19-acre amenity area. Pod B would include 200 homes and is generally located on the easterly side of the Property. Access to the proposed development would be provided by a single entrance located on Carl-Cedar Hill Road aligned with Bill Robinson Road which provides access to County Line-Auburn Road. Large areas of common area are proposed and would include the

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

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[www.mptlawfirm.com](http://www.mptlawfirm.com)

amenity area, a pocket park, and larger areas of green space for the use and enjoyment of residents. The Zoning Ordinance of the City of Auburn requires a minimum of twenty percent of the overall land area of the Property be set aside as common area. The proposed development exceeds that requirement and would provide over twenty-nine acres (nearly thirty percent) of common area. Additionally, a fifty-foot wide strip of common area is proposed around the perimeter of the Property, including along its frontage on Carl-Cedar Hill Road. The proposed common area strip would provide appropriate buffering and screening from adjacent properties as well as an attractive streetscape along Carl-Cedar Hill Road. Homes in the proposed community would include attractive architectural design and building materials such as brick, stacked stone, and/or cementitious shake, siding, board and batten or combinations thereof.

Residents of the proposed community would have convenient access to commercial uses in downtown Auburn as well as larger employment centers in Winder and Lawrenceville. The Property's convenient access to Atlanta Highway (U.S. Route 29) provides regional connectivity to Hill's Shop Road (State Route 324), Carl-Bethlehem Road, and University Parkway (State Route 316). Residents would also have convenient access to the proposed Rowen development just across the Apalachee River in Gwinnett County. According to an initial press release, the nearly 2,000-acre "knowledge community" is expected to provide "a combination of offices, research facilities, public spaces and residences that its leaders expect will eventually be a global destination for advanced research and discovery." Rowen is "projected to generate over 18,000 jobs by 2035 and up to 100,000 jobs at full build-out."

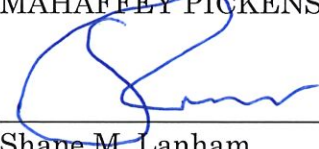


The proposed development would provide attractive, high-quality housing that is compatible with surrounding land uses and is in line with the policies and intent of the City of Auburn Comprehensive Plan (the "Comp Plan"). Since the Property is not currently located within city limits, it is not classified as within any future land use category on the Future Land Use Map. However, it is located across Carl-Cedar Hill Road from land designated as Single-Family Residential. The proposed single-family residential development is compatible with this designation of nearby property on the Future Land Use map. Moreover, the Comp Plan discusses housing generally in Chapter 2 and acknowledges that "stakeholders indicate that the lack of diversity of housing types is a weakness." Additionally, the Comp Plan notes that "stakeholders indicate that lack of economic growth is a weakness in the community." The proposed development would provide high-quality homes that meet existing and future demand, diversify available housing types in the City, and would help provide a residential critical mass which is necessary to support local businesses and expand economic development opportunities.

The Applicant and its representatives welcome the opportunity to meet with staff of the City of Auburn Community Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 10th day of May, 2021.

MAHAFFEY PICKENS TUCKER, LLP



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Shane M. Lanham  
*Attorneys for Applicant*