

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Elias Nasser</u>	NAME: <u>1500 PLEASANT HILL ROAD HOLDING LLC</u>
ADDRESS: <u>4027 OAK GLENN DR.</u>	ADDRESS: <u>7501 WISCONSIN AVE STE 500</u>
CITY: <u>DULUTH</u>	CITY: <u>BETHESDA</u>
STATE: <u>GA</u> ZIP: <u>30096</u>	STATE: <u>MD</u> ZIP: <u>20814-6519</u>
PHONE: <u>(678) 472-7438</u>	PHONE: <u>770-955-2434</u>
CONTACT PERSON: <u>Elias Nasser</u> PHONE: <u>(678) 472-7438</u>	
CONTACT'S E-MAIL: <u>Agebermeda@aol.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>C-2</u> BUILDING/LEASED SQUARE FEET: _____	
LAND DISTRICT(S): <u>6</u> LAND LOT(S): <u>204</u> ACREAGE: <u>14.49</u>	
ADDRESS OF PROPERTY: <u>1502 PLEASANT HILL RD, DULUTH, GA 30096</u>	
SPECIAL USE REQUESTED: <u>U-haul TRUCK Rental BUSINESS</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

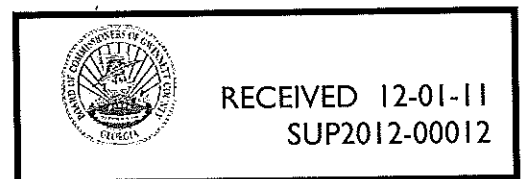
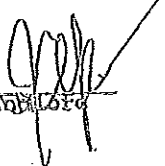


EXHIBIT "B"

LEGAL DESCRIPTION
PLEASANT HILL PLAZA

All of that tract or parcel of land lying and being in Land Lots 101 and 204, 6th District, Gwinnett County, Georgia being more particularly described as follows:

Begin at a 1/2" rebar found on the northwesterly right-of-way line of Club Drive (variable width R/W), said point being located a distance of 1271.61 southwesterly along said right-of-way line from the centerline of Sweetwater Road; thence 65.00 feet along an arc of a curve to the right having a radius of 461.98 feet which arc is subtended by a chord bearing and distance of South 74 degrees 53 minutes 33 seconds West 64.95 feet, thence leaving said right-of-way line North 11 degrees 04 minutes 15 seconds West a distance of 101.58 feet to a point; thence 66.63 feet along an arc of a curve to the left having a radius of 200.00 feet which arc is subtended by a chord bearing and distance of North 20 degrees 36 minutes 52 seconds West 66.32 feet, thence North 30 degrees 09 minutes 29 seconds West a distance of 36.93 feet to a point; thence South 59 degrees 50 minutes 31 seconds West a distance of 150.00 feet to a point; thence South 14 degrees 22 minutes 03 seconds West a distance of 112.00 feet to a point on the northerly right-of-way line of Club Drive; thence North 75 degrees 37 minutes 37 seconds West along said right-of-way line a distance of 75.00 feet to a point; thence leaving said right-of-way line North 14 degrees 22 minutes 03 seconds East a distance of 102.00 feet to a point; thence North 31 degrees 55 minutes 59 seconds West a distance of 197.99 feet to a point; thence South 60 degrees 19 minutes 03 seconds West a distance of 197.00 feet to a point on the northeasterly right-of-way line of Pleasant Hill Road (97' R/W); thence 360.40 feet along an arc of a curve to the left having a radius of 11,513.16 feet which arc is subtended by a chord bearing and distance of North 30 degrees 35 minutes 57 seconds West 368.98 feet, thence North 31 degrees 30 minutes 57 seconds West a distance of 109.01 feet to a point; thence leaving said right-of-way line North 59 degrees 50 minutes 31 seconds East a distance of 192.00 feet to a point; thence North 31 degrees 30 minutes 57 seconds West a distance of 180.00 feet to a point; thence North 39 degrees 50 minutes 31 seconds East a distance of 538.71 feet to a 1/2" rebar set; thence South 31 degrees 10 minutes 54 seconds East a distance of 360.41 feet to a 1/2" rebar found; thence South 31 degrees 30 minutes 57 seconds East a distance of 748.54 feet to a 1/2" rebar found; thence South 69 degrees 11 minutes 34 seconds West a distance of 305.64 feet to a 1/2" rebar found; thence South 13 degrees 53 minutes 31 seconds East a distance of 59.00 feet to the POINT OF BEGINNING, said tract containing 14.857 acres of land.


Landlord


Tenant



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SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

> SEE
ATTACHED

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

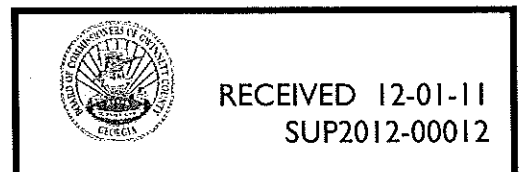
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

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

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE 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 SPECIAL USE PERMIT:



Attachment:

Special Use Permit Application Response

Location of Subject Property: 1500 Pleasant Hill Road
Duluth, Georgia 30096

Applicant: Elias Nasser
4027 Oak Glen Drive
Duluth, Georgia, 30096

- (A). The proposed Special Use Permit will allow uses that are suitable in view of the use and development of adjacent and nearby properties. Subject property is located in a well developed commercial area. The proposed use of the application will be seamless due to the small scale operation of the proposed U-haul Rental Business.
- (B). The proposed special use permit will not adversely affect the existing use of or suitability of adjacent or nearby properties. The applicant plans to maintain subject property in a similar manner as that of the existing. The proposed operation is not close to any nearby business. There will be no noise or visual impact to adjacent or nearby properties.
- (C) The proposed land use change will not cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools. The intent of the land use change is to permit the current use in a safer and less intrusive manner. It will not increase the number of vehicles accessing the site beyond the current level of between five (5) to ten (10) vehicles per day..
- (D) Approval of this application for a Special Use Permit will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. There will be insignificant increase in traffic ingress or egress to the subject property. All utilities for the proposed use are existing.
- (E) The Special Use Permit is in conformity with the policy and intent of the land use plan.



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- (F) No environmental impacts or consequences will result from the proposed Special Use Permit. Any use of subject property as approved will adhere to strict Governmental guidelines for the handling and disposition of waste materials that would become a public nuisance or harm to the environment. No noise, smoke, odor, dust or vibration will be generated as a part of daily operation. The proposed use of the Special Use Permit will be to provide a service to the community in light of the vast residential community within 1 mile of the subject Site.



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LETTER OF INTENT

Elias Nasser

4027 Oak Glen Drive

Duluth, Georgia 30096

(678) 472-7438

November 29, 2011

Gwinnett County Department of Planning Department

446 W Crogan Street

Lawrenceville Georgia 30046

Subject: Special Use Permit Application

PID 18-043-02-009

1500 Pleasant hill Road

Duluth, Georgia, 30097

Gentlemen:

I am requesting a Special Land Use Permit for the subject property. I am a current Tenant of the property with authorization from the Owner to make this request. The property is currently zoned C-2(General Business).

The reason for this application is to be able to also conduct a truck rental business from my current location previously approved as an automobile emission center. Approximately three(3) medium sized rental trucks will be stored in the parking lot adjacent to the existing emissions building when not rented out. My Hours of



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Operation would be from 8:00 am to 6:00 pm, Monday through Saturday.

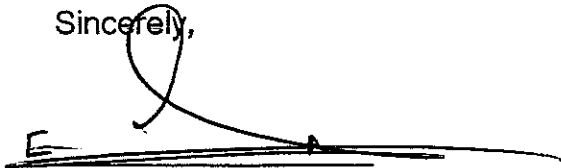
This request will not result in any significant change in current use of the property or surrounding neighborhood due to the current zoning and use of adjacent and nearby properties. Existing business in the shopping plaza are serviced by similar sized trucks which are stored overnight in the parking lot. The additional 3 truck storage spaces required and an additional 3 customer vehicle spaces are available for incorporation in the proposed truck rental business as indicated in exhibits included in this application.

All services are currently available for the proposed use of the property and there would be no adverse impact on current site conditions. There is adequate sight distance for vehicular traffic for ingress and egress to the site and there will be no significant increase in the number of vehicles which would access the property daily if this application was approved.

Additionally, the proposed services to be rendered at this property would be an asset to the large residential neighborhood within 1 mile of subject property. Handicap accessibility will be provided to access the office area of the existing building.

We look forward to a favorable response for approval of this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elias Nasser', with a large loop at the end of the signature line.

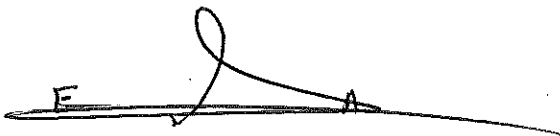
Elias Nasser



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SPECIAL USE PERMIT 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.



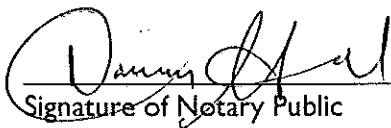
11/29/11

Signature of Applicant

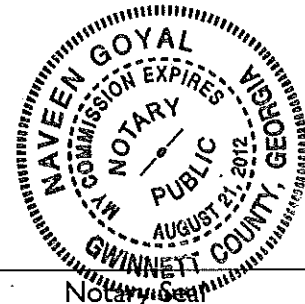
Date

Elias Nasser

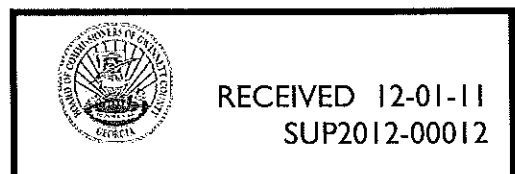
Type or Print Name and Title


Signature of Notary Public

11/29/11
Date



Notary Seal



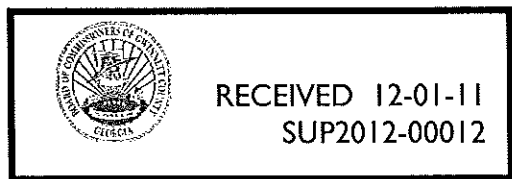
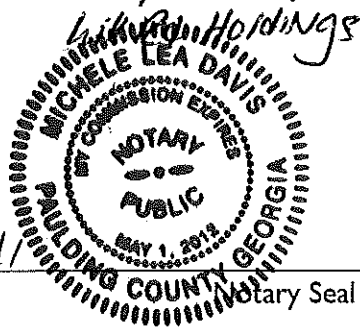
SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

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.

Brian Gonzalez as agent for 1500 Pleasunt Hill Rd. LLC. 11/21/11
Signature of Property Owner Date

BRIAN GONZALEZ Property Manager (as agent for 1500 Pleasunt Hill Rd. Holdings LLC)
Type or Print Name and Title

Michele Lea Davis
Signature of Notary Public Date 11/21/11



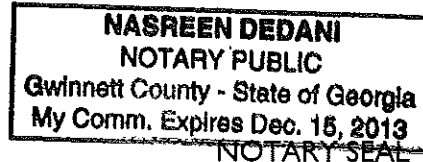
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, 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.

Elias Nasser 12/01/11 Elias Nasser
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

Nasreen Dedani 12/01/11
 SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

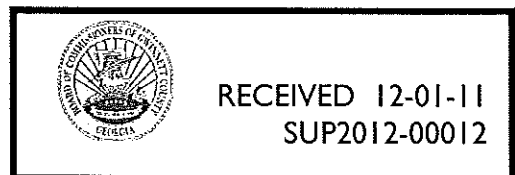
Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES NO Elias Nasser
 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.




VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.**

PARCEL I.D. NUMBER:
(Map Reference Number)

6 - 204 - 15
District Land Lot Parcel

E 

Signature of Applicant

11/28/11
Date

Elias Nasser
Type or Print Name and Title

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Debra Smith
NAME

Tax Services Associate
TITLE

11-28-2011
DATE

pd 11-14-11

