

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Huff Road Business Center, Inc.</u> ADDRESS: <u>1465 Northside Drive Suite 200</u> CITY: <u>Atlanta</u> STATE: <u>Georgia</u> ZIP: <u>30318</u> PHONE: <u>404-352-3211</u>	NAME: <u>Huff Road Business Center, Inc.</u> ADDRESS: <u>1465 Northside Dr. Suite 200</u> CITY: <u>Atlanta</u> STATE: <u>Georgia</u> ZIP: <u>30318</u> PHONE: <u>404-352-3211</u>
CONTACT PERSON: <u>Patrick O'Connor</u> PHONE: <u>404-352-3211 or 404-245-6963</u> CONTACT'S E-MAIL: <u>PJOCD@BellSouth.net</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 type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>M1</u> BUILDING/LEASED SQUARE FEET: <u>16,000</u>	
LAND DISTRICT(S): <u>6th</u> LAND LOT(S): <u>257</u> ACREAGE: <u>2.11</u>	
ADDRESS OF PROPERTY: <u>4995 Buford Highway</u>	
SPECIAL USE REQUESTED: <u>To allow Automobile service/repair shops and tire stores (including Lubrication and tune up centers) to operate on the property.</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

**EXHIBIT A
TO
PURCHASE AND SALE AGREEMENT**

[Legal Description]

All that tract or parcel of land lying and being in Land Lot 257 of the 6th District, Gwinnett County, Georgia, containing 2.11 acres and being more particularly described as follows:

To find the point of beginning commence at a point in the centerline of Buford Highway (US 23/SR 13) 598.63 feet southwesterly from the intersection of the centerline of the Buford Highway with the centerline of Beaver Dam Road; and run thence North 46 degrees 3 minutes 3 seconds West 69.83 feet to an iron pin found; running thence South 50 degrees 40 minutes 53 seconds West 99.41 feet to a point; running thence South 52 degrees 17 minutes 24 seconds West 142.31 feet to a point, which is the TRUE POINT OF BEGINNING; from the true point of beginning as thus established run thence South 44 degrees 13 minutes 27 seconds West 50 feet to a point; running thence South 38 degrees 18 minutes 46 seconds West 131.98 feet to a point; running thence South 33 degrees 02 minutes 00 seconds West 81.52 feet to a point; running thence South 44 degrees 31 minutes 18 seconds West 25.03 feet to a point, running thence North 28 degrees 20 minutes 17 seconds West 118.02 feet to a point; running thence North 28 degrees 41 minutes 18 seconds West 360.03 feet to a point; running thence North 85 degrees 13 minutes 04 seconds East 234.03 feet to a point; running thence South 45 degrees 00 minutes 57 seconds East 202.51 feet to a point; running thence South 23 degrees 47 minutes 37 seconds East 77.04 feet to the point of beginning; being more particularly shown on survey prepared by Grant Shepherd & Associates Surveying for Song Won Lee.

A handwritten signature in black ink, appearing to be 'R/S', is located on the right side of the page. The signature is written in a cursive, stylized font.

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

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:

SEE Attached

- (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:

**Special Use Permit
4995 Buford Highway**

Response to Standards questions of Page 3 of the application

A. The requested use is consistent with the other types of uses in the area. Immediately adjacent to the property is a furniture warehouse and a closed structural wood manufacturing facility. Within one half mile of the property is a steel distribution warehouse, a heavy equipment sales and repair facility, an automobile repair and service center (4), a landscape material distribution center and a concrete recycling center.

B. No uses of other properties will be adversely affected. There are no residential dwellings adjacent to the site nor are any visible from the site. The area is predominantly industrial and heavy commercial.

C. It does have reasonable use as presently zoned but the special use permit will add value to the property and allow the owners and tenants to benefit from the location on Buford Highway by allowing for limited commercial use.

D. Auto repair facilities are not heavy generators of traffic. No increased burden will be placed on the existing streets, transportation facilities or schools.

E. The use is consistent with the land use plan and the use is allowed under M-1 zoning with the approval of a Special Use Permit

F. The increase in traffic along Buford Highway and denser population in the Norcross/Duluth /Peachtree Corners area requires additional locations for the servicing of both company and personal vehicles. Granting a Special Use Permit for this site would allow these services to be available to the larger population in a location that is convenient, easy to locate , and one that does not create a burden on any adjacent property owner, residential communities or the county utilities, roads and schools.

Letter of Intent
4995 Buford Highway
Norcross, Georgia 30071

Description of Property: The property contains a 2.1 acres of land that is improved with a 16,000 square foot brick industrial building built in 2008. The building contains 7 tenant spaces. One space is 6000 square feet and the other 5 are each 2000 square feet with 400 square feet of office. It is a front loading building containing 1 – 12' X 12' drive-in door in each space. The space is presently occupied by a steel fabricator, an eye wear distribution company, an auto broker and a general contractor. The building fronts Buford Highway and is surrounded by Industrial Zoned Property including junk yards, steel distribution companies, automobile repair companies, heavy equipment companies and other industrial and commercial uses.

Summary of Request for a Special Use Permit: We are requesting a special use permit to allow for the operation of Automobile service/repair shops and tire stores (including lubrication and tune-up centers). The property benefits from direct exposure to Buford Highway and will provide a convenient location for individuals and companies located in the vicinity that need repair and service work to their cars and trucks.

The property does not encroach on near by residential neighborhoods and will not create a nuisance or disturbance to any residential or commercial neighbors. All work done at the facility will take place inside the facility. We will not allow the storage of inoperable or wrecked vehicles on the site. Our signage is also controlled .

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.

Patrick J. O'Connor

Signature of Applicant

1/24/2012

Date

Patrick J. O'Connor, President, Huff Road Business Center, Inc

Type or Print Name and Title

[Handwritten Signature]

Signature of Notary Public

1/24/2012

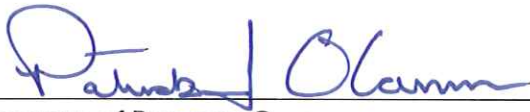
Date

Notary Seal

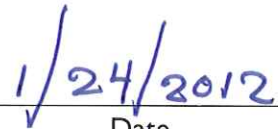


SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

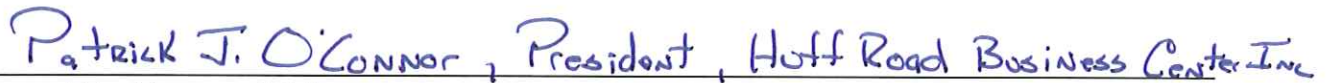
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE 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.



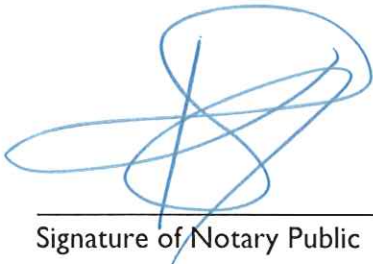
Signature of Property Owner




Date



Type or Print Name and Title



Signature of Notary Public



Date

Notary Seal



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.

Patrick J. O'Connor 1/24/2012 Patrick J. O'Connor
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

Patrick J. O'Connor 1/24/2012 Patrick J. O'Connor
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

[Signature] 1/24/2012
 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 Patrick J. O'Connor
 YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

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: 6 - 257 - 004
(Map Reference Number) District Land Lot Parcel

Patrick J. O'Connor 1/24/2012
Signature of Applicant Date

Patrick J. O'Connor President, Huff Road Business Center, Inc
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)

Nick Cole TSATL
NAME TITLE
1/24/12
DATE