



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: CIC2023-00001
Current Zoning: C-2 (General Business District)
Request: Change in Conditions
Additional Request: Variance
Address: 5932 Cumming Highway
Map Number: R7339 014A
Site Area: 1.75 acres
Square Feet: 12,000
Proposed Development: Outdoor Storage for Equipment and Recycling Materials
Commission District: District 4 – Commissioner Holtkamp
Character Area: Neighborhood Node

Staff Recommendation: APPROVAL WITH CONDITIONS

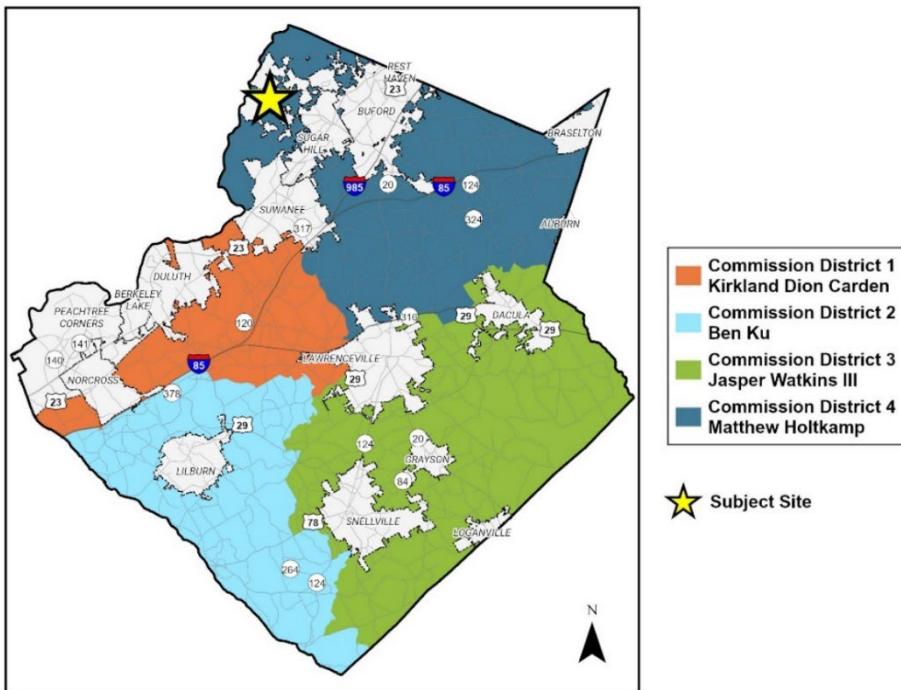
**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS

Case Number: SUP2023-00004
Current Zoning: C-2 (General Business District)
Additional Request: Variance
Request: Special Use Permit
Address: 5932 Cumming Highway
Map Number: R7339 014A
Site Area: 1.75 acres
Square Feet: 12,000
Proposed Development: Outdoor Storage for Equipment and Recycling Materials
Commission District: District 4 – Commissioner Holtkamp
Character Area: Neighborhood Node

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS

Planning Commission Advertised Public Hearing Date: 1/3/2023 (Public Hearing Tabled to 2/7/2023)
Board of Commissioners Advertised Public Hearing Date: 1/24/2023 (Public Hearing Tabled to 2/28/2023)



New District (Formerly District 1)

Applicant: Jeffrey Johnson
5932 Cumming Highway
Sugar Hill, GA 30518

Owner: JJG, LLC
5932 Cumming Highway
Sugar Hill, GA 30518

Contact: Jeffrey Johnson

Contact Phone: 770.312.3645

Zoning History

The subject property is zoned C-2 (General Business District). In 1975, an eastern portion of the site was rezoned from R-100 (Single Family Residence) to C-1(Neighborhood Business District) as part of an areawide rezoning. A western portion of the site was rezoned from R-100 to C-2 for a parking lot and water detention pond for an auto repair shop, pursuant to RZ-184-85. A 1979 zoning case approved the rezoning of the subject property from C-1 to C-2 for an auto repair garage, car wash, and hardware store, pursuant to RZ: 63-79. The proposed change in conditions requests is from this approval.

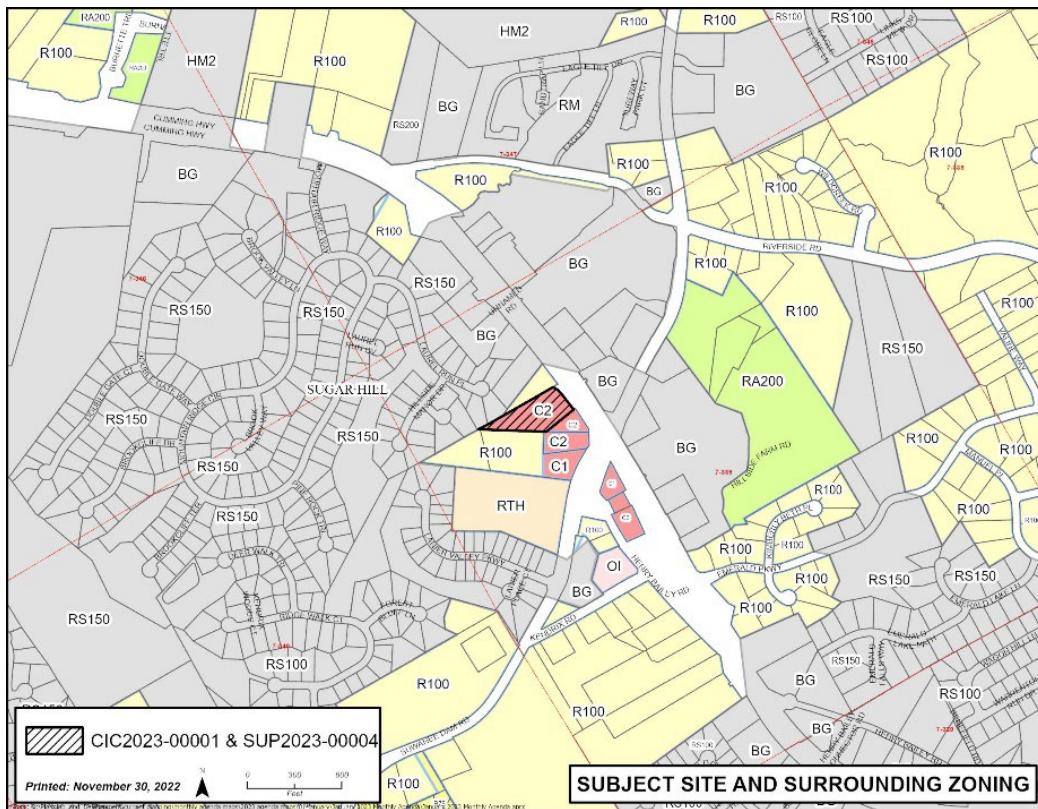
Existing Site Condition

The subject site is a 1.75-acre parcel located along Cumming Highway, north of its intersection with Suwanee Dam Road. The site is developed with a 12,000 square-foot automobile repair shop. In addition, a large (92' X 16') metal canopy/car port is located to the north side of the building for the purpose of repairing and storing a recreational vehicle (RV). On the same side, to the rear of the car port, are two outdoor storage areas for recycling items. Two metal canopies used to store equipment such as a manlift and trailer are located behind the building. The developed portion of the site is mostly flat. However, the remaining undeveloped portion of the site contains steep slopes dropping down

approximately 44 feet from the parking and building areas of the site to the north and west. A retaining wall and sidewalk exists along the Cumming Highway road frontage. There is an unpaved parking area near the rear of the site. A single driveway accesses the site on Cumming Highway and will be shared with the adjoining property to the southeast. The nearest Gwinnett County Transit stop is 5.8 miles from the subject site.

Surrounding Use and Zoning

The surrounding area is characterized by single-family residential and commercial uses. To the north is Twin Creeks, a single-family detached subdivision within the City of Sugar Hill city limits and an undeveloped parcel zoned R-100. To the east, across Cumming Highway, are commercial uses in the City of Sugar Hill. These commercial uses include multi-tenant commercial buildings, restaurants with drive-throughs, and a grocery store. To the south is a single-family home on a large lot in the R-100 zoning district. Also, to the south along Cumming Highway, is an undeveloped parcel. This property was rezoned and granted a special use permit in 2022 for a car wash. The car wash will be accessed via a shared driveway entrance with the subject property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Outdoor Storage	C-2	N/A
North	Undeveloped Single-Family Residential	R-100 RS-150 (City of Sugar Hill)	N/A N/A
East	Commercial	BG (City of Sugar Hill)	N/A
South	Single-Family Residential Undeveloped	R-100 C-2	0.22 units per acre N/A
West	Single-Family Residential Single-Family Residential	R-100 RS-150 (City of Sugar Hill)	0.72 units per acre N/A

Project Summary

The applicant requests a change in conditions and a special use permit for a 1.75-acre property zoned C-2 to allow outdoor storage of equipment and recycling materials including:

- A change in conditions of zoning case RZ: 63-79. The applicant is requesting a revision to the following condition:
 - Condition 3., “*No outside storage of any kind [shall] be allowed in conjunction with the repair garage or hardware store. (This includes the storage of automobiles in an undrivable condition.)*” The applicant is requesting to eliminate this condition to allow existing outdoor equipment storage and recycling items storage.
- An automobile repair shop is allowed by a special use permit in the C-2 zoning district. However, the 1988 zoning ordinance did not require a special use permit for an automobile repair shop in C-2. Therefore, the existing and continued use of the subject property is deemed to be legally nonconforming.
- Continued use of the existing automobile repair shop established in 1988.
- Two outdoor storage areas for recycling items to the north side of the building.
- Two outdoor storage areas for equipment such as a pressure washer and wood splitter on the west side of the building.
- An existing metal canopy (built without a permit before 2017) for the repair and storage of a recreational vehicle. A permit application was submitted in September 2022 (EPN2022-02798) and is under review. The applicant has also requested a variance to allow the metal canopy (accessory structure) to remain in the side yard.
- A variance requested to park employee vehicles on an unpaved space.
- A code enforcement case CEU2022-01335 was opened in response to violations occurring on the site including a prohibited structure on the property, outdoor storage, and parking on unpaved surfaces, and others. A code enforcement inspection workflow is attached (Exhibit G).

Zoning and Development Standards

The applicant is requesting a change in conditions and a special use permit in the C-2, General Business District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 45'	<45'	YES
Front Yard Setback	Minimum 15'	<15'	NO*
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES

Zoning Buffer	20' and 40' natural or planted per RZ: 63-79 and RZ: 184-85 zoning conditions	20' (North) 40' (South)	NO*
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*The auto repair building is encroaching into the front yard setback. However, the building was constructed in 1988. Therefore, the encroachment is considered legally nonconforming, and no variance is needed.

**The applicant's site plan indicates parking in the 40-foot-wide undisturbed buffer that is required along a portion of the northern property boundary. Disturbance of this buffer would require a change in conditions to previous case RZ: 184-85. However, it appears that the current operation is not impacting any required buffers.

Variance Request

In addition to the special use permit and change in condition request, the applicant is seeking a variance from the following provision of Title II of the UDO:

1. Section 230-120.7 Accessory Building, Structure and Use Standards.

All accessory buildings or structures shall be located in the rear yard

The applicant requests a variance to allow an existing metal structure (currently under permitting review) in the side yard.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and 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

Change in Conditions and Special Use Permit Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, or a change in conditions, the Department of Planning and Development 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. For special use permits, the Department shall also 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 change in conditions and special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed change in conditions and special use permit is to allow outdoor storage. The applicant has requested to allow two locations for equipment storage and two locations for

collection of recycled items. The two outdoor storage areas for equipment are for items such as a pressure washer, manlift, and trailer. The outdoor storage for recycling is to store items such as batteries, oil, gas, coolant, additives, tires, wheels, metal, etc. While the proposed location of the outdoor storage is not visible from the right of way or from residences, the outdoor storage should still be covered and screened for aesthetic and environmental reasons. With appropriate conditions, the outdoor storage would be compatible given the existing automobile repair use of the site and surrounding uses.

B. Whether a proposed change in conditions and special use permit will adversely affect the existing use or usability of adjacent or nearby property.

The proposed change in conditions and special use permit would not adversely impact the existing use and usability of adjacent and nearby properties. The requested outdoor storage if properly screened and maintained in a safe and clean condition, would be a part of the existing auto repair business which has been in operation since 1988. However, the storage and maintenance of the RV takes place in an unenclosed canopy and appears to be for a personal use. RV repair and maintenance would require an additional SUP. Therefore, this use of the property should cease.

C. Whether the property to be affected by a proposed change in conditions and special use permit has a reasonable economic use as currently zoned.

The property has a reasonable economic use as currently zoned.

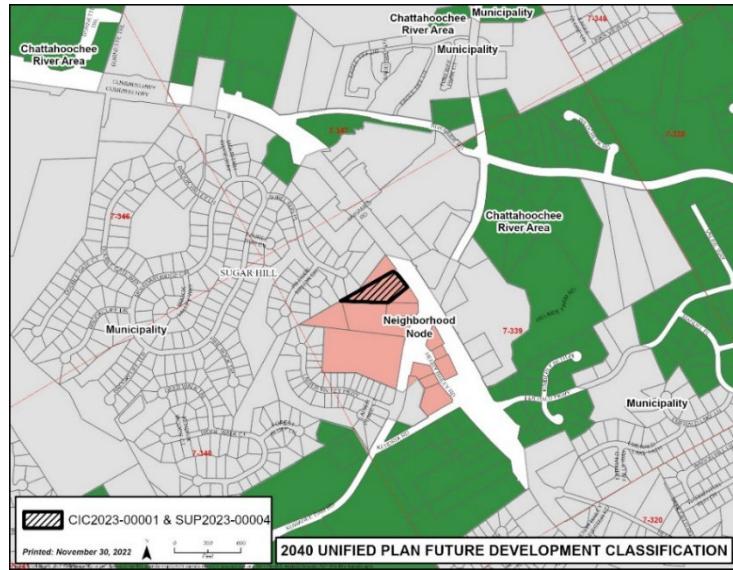
D. Whether the proposed change in conditions and special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The change in conditions and special use permit requests would not create additional impacts on public facilities in the form of traffic, utility demand, and stormwater runoff; however, appropriate conditions, site development requirements, and planning would mitigate any unanticipated impacts. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning the change in conditions and special use permit requests are attached (Exhibit F).

E. Whether the proposed change in conditions and special use permit are in conformity with the policy and intent of the Unified Plan and Future Development Map.

The 2040 Unified Plan and Future Development Map indicate the subject property lies within the Neighborhood Node Character Area. This character area is intended for smaller commercial/retail nodes at various intersections located throughout the County. Future development and redevelopment should maintain the community-oriented feel of these areas, with a focus on creating small mixed-use areas. The auto repair shop is not a standard corner neighborhood-serving use; however, the business itself is a long-standing since 1988. The special use permit and change in condition is to allow outdoor storage areas for recycling items and equipment including those used for automobile repair. Although the requested change in conditions and special use permit are not in conformity with the Unified Plan and Future

Development Map, they would be appropriate to support the existing business and with appropriate conditions of zoning.



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 change in conditions and special use permit.

The automobile repair business is an existing business established in 1988. The proposed change in conditions and special use permit would allow for outdoor storage of equipment and recycling items. The recycling items are collected at the subject property as it is listed on the Gwinnett County Clean & Beautiful website as a drop off location for many different recyclable items including some hard to recycle items such as batteries, oil, gas, coolant, additives, tires, wheels, metal, etc. The adjacent parcel to the south was recently approved for a car wash in 2022. Additionally, there are several commercial businesses along Cumming Highway, across from the subject property.

Variance Request Analysis: The standards for granting variances are outlined in Section 270-100.7 of the Unified Development Ordinance. Staff makes the following findings related to the variance requests:

The requested variance is to allow a metal canopy in a side yard. The applicant has indicated that the canopy is used to place recreational vehicles for repair. Due to the screening being only in the front, the repair activities are visible from the right of way. Adding siding to the structure would block the view of any repair activity occurring in the structure. Staff recommends screening the metal canopy from the northern side as well. In addition, Recreational Vehicle Rental, Sales, and Service use requires a special use permit in C-2 zoning. It does not appear that RV repair is part of the typical services offered by the business. Therefore, this use of the property should cease or a special use permit should be secured.

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 change in conditions and special use permit requests.

In addition, staff recommends **APPROVAL** of the following variance request:

1. Section 230-120.7 to allow an accessory structure to be located in the side yard.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the change in conditions and special use permit request.

In addition, the Planning Commission recommends **APPROVAL** of the following variance request:

1. Section 230-120.7 to allow an accessory structure to be located in the side yard.

Planning Commission Recommendation (includes Staff Recommended Conditions, as Amended)

CIC2023-00001:

NOTE: The conditions below are those from RZ: 63-79 with suggested changes in bold or strikethrough.

Approval of a change in conditions for outdoor storage, subject to the following enumerated conditions:

1. ~~That the zoning line be established where the existing zoning line bisects the property, thus leaving an undisturbed buffer as proposed on his plan.~~
2. ~~That a~~ **A** minimum of a twenty-foot-wide natural or planted buffer **shall** be maintained **adjacent to residential zoning** so as to provide a visual screen to adjoining properties on either side.
3. ~~No outside storage of any kind be allowed in conjunction with the repair garage or hardware store. (This includes the storage of automobiles in an undrivable condition.)~~
4. **Outdoor storage shall be located in the rear yard, shall be located a minimum of 5 feet from property lines and buffers, and shall be limited to those areas indicated on Exhibit C: Site Plan dated received November 16, 2022.**
5. **Outdoor storage for recycling items shall be surrounded by an opaque enclosure on three sides not less than 6 feet in height. All outdoor storage enclosures shall have a finish consistent with the finish materials of the building façade.**
6. **Outdoor storage shall be placed on concrete pads of sufficient size.**
7. **Any activity under the metal canopy, located in the side yard shall not be visible from the right-of-way. RV repair shall be prohibited unless approved as a special use permit by the Board of Commissioners.**
8. ~~The metal canopy to the northern side of the building shall be enclosed along Cumming Highway. The applicant shall construct an 8-foot-tall wooden privacy fence to screen the~~

activity within the building along Cumming Highway. The repair activities in the metal canopy shall not be visible from Cumming Highway, at any given time.

SUP2023-00004

Approval of a Special Use Permit for outdoor storage, subject to the following conditions of approval:

1. A minimum of a twenty-foot-wide natural or planted buffer shall be maintained adjacent to residential zoning so as to provide a visual screen to adjoining properties on either side.
2. Outdoor storage shall be located in the rear yard, shall be located a minimum of 5 feet from property lines and buffers, and shall be limited to those areas indicated on Exhibit C: Site Plan dated received November 16, 2022.
3. Outdoor storage for recycling items shall be surrounded by an opaque enclosure on three sides not less than 6 feet in height. All outdoor storage enclosures shall have a finish consistent with the finish materials of the building façade.
4. Outdoor storage shall be placed on concrete pads of sufficient size.
5. Any activity under the metal canopy, located in the side yard shall not be visible from the right-of-way. RV repair shall be prohibited unless approved as a special use permit by the Board of Commissioners.
9. The applicant shall construct an 8-foot-tall wooden privacy fence to screen the activity within the building along Cumming Highway. The repair activities in the metal canopy shall not be visible from Cumming Highway, at any given time.

Exhibits:

- A. Site Visit Photos
- B. Previously Approved Resolution (RZ: 63-79 and RZ: 184-85)
- C. Site Plan
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Code Enforcement Case CEU2022-01335 Inspection Workflow
- H. Maps

Exhibit A: Site Visit Photo

[attached]



View of two outdoor storage areas under metal canopies



View of two outdoor storage areas under metal canopies



View of an outdoor storage area for recycling waste (anti-freeze, oil, and oil filters)



View of an outdoor storage area for recycling waste



View from Cumming Highway of a metal canopy for RV repair



View from gravel parking area

Exhibit B: Previously Approved Resolution (RZ: 63-79 and RZ: 184-85)

[attached]

At a regular meeting of the Municipal-Gwinnett Planning and Zoning Commission held on June 7, 1979 at 9:00 A. M. in the Planning and Zoning Department, public hearing was held on the Zone Change Application for a rezoning amendment to the Gwinnett County Zoning Resolution adopted June 2, 1970 and map as amended June 9, 1970 of John G. Johnson from present Zone

C-1 to C-2. Proposed use is Auto Repair Garage, Car Wash, and Hardware Store

SEE ATTACHED DESCRIPTION:

Opposition was not voiced or filed on said application. Motion was made by Carrol Higgins and Duly seconded by George Pierce that the Municipal-Gwinnett Zoning and Planning Commission recommend to the Honorable Board of Gwinnett County Commissioners approval* of the application. Motion was unanimously carried.

John G. Johnson
5840 Long Island Drive, N. W.
Atlanta, GA 30328

Respectfully submitted,

Lewis Brinkley III

*With stipulations as shown on attached sheet.

A RESOLUTION
COMMISSIONERS OF ROADS AND REVENUES
GWINNETT COUNTY, GEORGIA

WHEREAS, the Municipal-Gwinnett Planning and Zoning Commission has filed a formal recommendation with the Board of Gwinnett County Commissioners upon application of JOHN G. JOHNSON for rezoning amendment to rezone a tract of land from C-1 to C-2 for the proposed use of AUTO REPAIR GARAGE, CAR WASH, & HARDWARE STORE and

WHEREAS, Notice to the Public regarding said amendment to Zoning Map and Ordinance has been published in the Home Weekly the official news organ of Gwinnett County, and

WHEREAS, Public Hearing was held in the Office of the Board of County Commissioners on TUESDAY, JULY 24, 1979 and objections were not filed.

THEREFORE, BE IT RESOLVED That the Board of County Commissioners do hereby * ADOPT W/STIP. the rezoning from C-1 to C-2. This is the 24th day of July, 1979.

BOARD OF GWINNETT COUNTY COMMISSIONERS

Wayne H. Mason

Wayne H. Mason, Chairman

*STIPULATIONS:

1. That the zoning line be established where the existing zoning line bisects the property, thus leaving an undisturbed buffer as proposed on his plan
2. That a minimum of a twenty-foot natural or planted buffer be maintained so as to provide a visual screen to adjoining properties on either side
3. No outbuildings and structures allowed in conjunction with the repair garage or hardware store. (This includes the storage of automobiles in an undrivable condition.)

PLANNING AND ZONING
BOOKS

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

000537

WHEREAS, the Municipal-Gwinnett County Planning Commission has filed a formal recommendation to the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to C-2 by JOHN G. JOHNSON, III, 5831 SUWANEE DAM ROAD, BUFORD, GA. 30518

for the proposed use of PARKING LOT & WATER DETENTION POND FOR AN AUTO REPAIR SHOP on a tract of land described by the attached legal description, and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been published in Gwinnett Daily, the Official News Organ of Gwinnett County, and

WHEREAS, a Public Hearing was held in the Commission Meeting Room by the Gwinnett County Board of Commissioners on September 24, 1985 and objections were not filed.

THEREFORE, BE IT RESOLVED that the Gwinnett County Board of Commissioners do hereby Approved* the Amendment to the Official Zoning Map from R-100 to C-2 on the 24th day of September, 1985.

CONDITIONS:

* 1. That a 40 foot natural undisturbed buffer is established where site adjoins residential zoning. This buffer is to be furthering any landscaping scene to provide an effective visual screen.

GWINNETT COUNTY BOARD OF COMMISSIONERS



LILLIAN WEBB, CHAIRMAN

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 339 of the 7th District, Gwinnett County, Georgia containing 1.0511 acres and being more particularly described as follows:

Beginning at the intersecting centerlines of Suwanee-Buford Dam Road (30 foot right-of-way) and Georgia Highway 20 (50 foot right-of-way); thence along the centerline of Georgia Highway 20 North $33^{\circ} 05'$ West, 54.6 feet to a point; thence south-westerly at an angle of 90° to the preceding course 50 feet to a point on the southwesternmost right-of-way line of Georgia Highway 20; thence North $83^{\circ} 44'$ West, 360.0 feet to a point and the True Point of Beginning; thence North $83^{\circ} 44'$ West, 361.8 feet to a point; thence North $53^{\circ} 34'$ East, 118.9 feet to a point; thence North $61^{\circ} 50'$ East, 281.5 feet to a point; thence South $03^{\circ} 43' 24"$ East 243.5 feet to the True Point of Beginning.

Exhibit C: Site Plan

[attached]

Site Plan for Special Use Permit

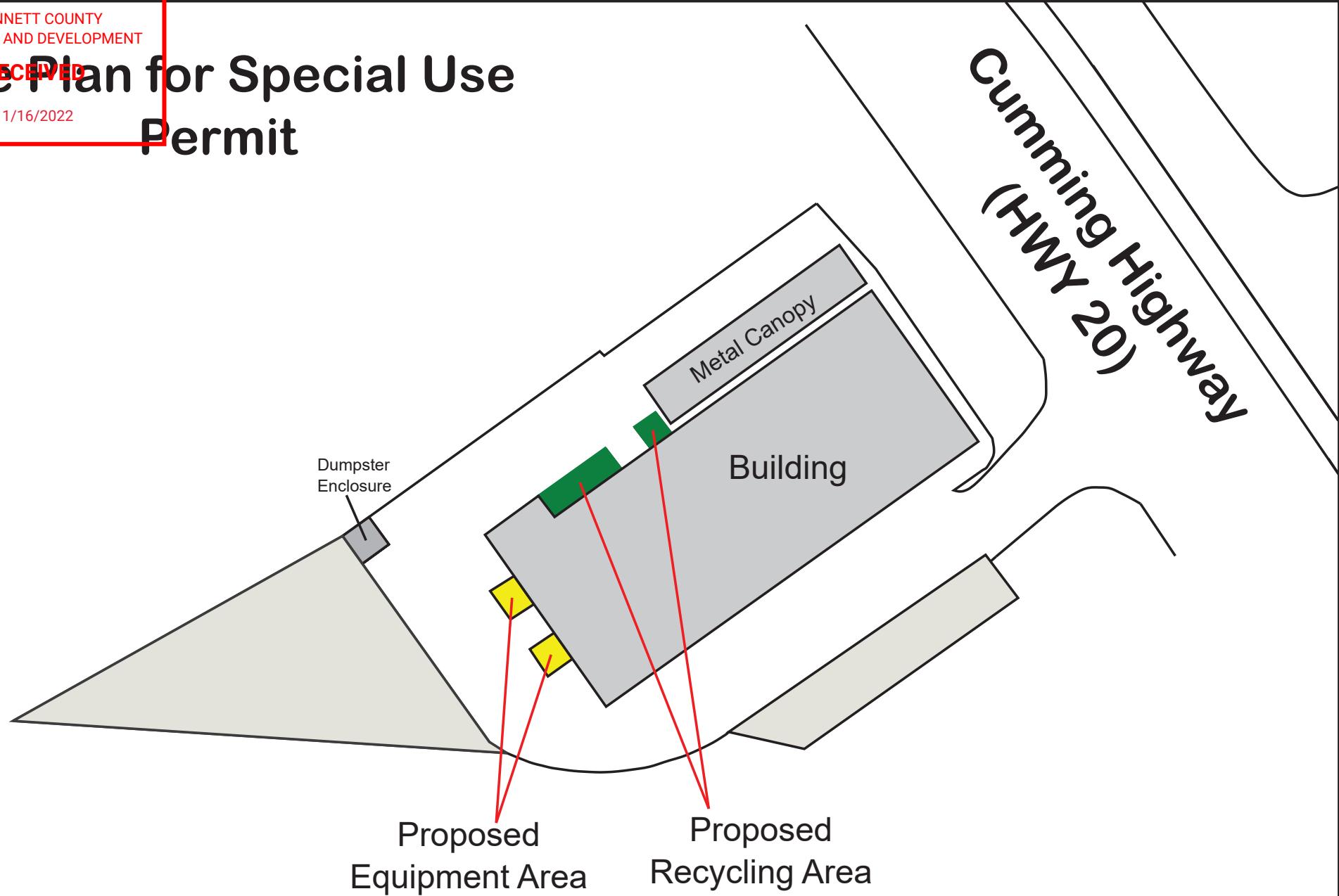


Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

RECEIVED LETTER OF INTENT FOR CHANGE IN CONDITION AND SPECIAL USE
PERMIT APPLICATION

11/16/2022

GWINNETT COUNTY, GEORGIA

JEFFREY A JOHNSON, JJG LLC (the "Owner") requests a Special Use Permit for the property of 1.98 acres located at 5932 Cumming Highway, Sugar Hill, Georgia 30518. (Parcel Identification Number R7339 014A) (the "Property") The owner would like to modify the conditions of zoning pertaining to the property to allow for outdoor storage.

Gwinnett County code enforcement recently visited the property and issued several code violation warnings. This special use permit is specifically concerning sections/codes UDO 240-10.3.A & UDO 230-130.4.H. The overall property has been developed as an automotive repair shop since 1988 and has just celebrated its 100th year in business. Please see the attached site plan for additional information.

SPECIAL USE PERMIT REQUEST: The BLUE areas shown on the site plan are the outdoor storage areas in question. They are to the right and back of the property, away from all customer accessed areas. The owner uses outdoor storage for three purposes:

A) Recycling Storage - The BLUE areas marked **A** on the site map is where we hold recycling items until they are transported. Jake Johnson's Garage is listed on the Gwinnett Clean & Beautiful website as a drop off for many different recycle items including some hard to recycle items such as: batteries, oil, gas, coolant, additives, tires, wheels, metal, etc. The business is in fact the ONLY location that accepts old/expired gasoline in the entire county. The volume of items in this area depends on 1) The quantity of items donated from Gwinnett Co residents. 2) The level of sales/service for JJG INC.

The waste oil and used coolant are each labeled and stored in 275 gallon containers which are covered from the elements. The waste oil is picked up by Farmer Oil once a month between the 11th and the 20th. The used coolant is picked up by Enviro-cool once a month between the 6th and the 13th. The tires are stored in an enclosed box truck parked at the rear of the building. Once the truck is full, they will be driven to Liberty Tire in ATL and

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recycled. Batteries are stored in the shop in the parts room and are donated to local battery vendors. The remaining items which are metal are stored in a sided trailer at the rear side of the building. Once the trailer is full, it will be taken to Hwy 400 Scrap. This is sometimes monthly and sometimes bimonthly.

B) Recreational Vehicle Carport – The carport installed to the right of the building is for repairing recreational vehicles that do not fit in the current building. It offers shelter from the elements when technicians are working on the exterior of units. *It is a metal canopy carport and measures 92 feet long, 18 feet high and 16 feet wide. The carport sets back 60.5 feet from the Right property line and 30.5 feet from the sidewalk and the Hwy 20 right-of-way.*

C) Equipment Storage – There are two small areas at the rear of the building that are covered by a roof and on a paved surface that we use for equipment storage. (manlift & trailer, pressure washer, wood splitter, etc.) Each area measures 10 feet by 20 feet.

VARIANCE REQUESTED: The ORANGE areas on the site map represent unpaved parking surfaces. They are at the rear of the building and are used for the following: Employee parking during the workday (3-4 cars) and parking for cars waiting on parts, customer approval, the collections process to be completed or the abandonment process to be completed (1-2 cars). *Per Section 240-10.5 Prohibited Uses: This parking area will not be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicle, unless permitted by the zoning district.*

VARIANCE REQUESTED: The BLUE area marked **B** on the site map represents an accessory structure (metal canopy) in the side yard. We ask for a variance pertaining to Section 230-120.7 All accessory buildings or structures shall be located in the rear yard.

Thank you for your consideration on this matter. Operating an automotive repair business has become increasingly difficult without some sort of outdoor storage/parking. We look forward to working with you on this situation.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

RECEIVED

11/3/2022

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Jeffrey Johnson</u>	NAME: <u>JJ G, LLC</u>
ADDRESS: <u>5932 Cumming Highway</u>	ADDRESS: <u>5932 Cumming Highway</u>
CITY: <u>Sugar Hill</u>	CITY: <u>Sugar Hill</u>
STATE: <u>Georgia</u> ZIP: <u>30518</u>	STATE: <u>Georgia</u> ZIP: <u>30518</u>
PHONE: <u>770 312 3645</u>	PHONE: <u>770 932 2920</u>
EMAIL: <u>jeffandBrendaJohnson@gmail.com</u>	EMAIL: <u>jakejgarage@gmail.com</u>
CONTACT PERSON: <u>Jeffrey Johnson</u>	PHONE: <u>770 312 3645</u>
CONTACT'S E-MAIL: <u>jakejgarage@gmail.com</u>	

APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICTS(S):	PRIOR ZONING CASE:	
PARCEL NUMBER(S): <u>R7339 014A</u>	ACREAGE:	
ADDRESS OF PROPERTY: <u>5932 Cumming Highway Sugar Hill, GA 30518</u>		
PROPOSED CHANGE IN CONDITIONS: <u>Remove Stipulation #3 / Outside Storage</u>		
RESIDENTIAL DEVELOPMENT: <u>N/A</u>	NON-RESIDENTIAL DEVELOPMENT:	
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/LOTS: <u>1</u>	
DWELLING UNIT SIZE (Sq. Ft.):	TOTAL GROSS SQUARE FEET: <u>12,000 Sq. Ft.</u>	
GROSS DENSITY:	DENSITY:	
NET DENSITY:	<u>A</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

11/3/2022

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

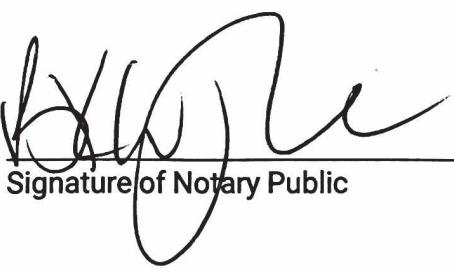
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL 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

10-27-22

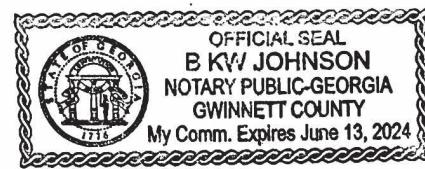
Date

JEFFREY A. JOHNSON
Type or Print Name and Title


Signature of Notary Public

10/27/22

Date



Notary Seal

RECEIVED

11/3/2022

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

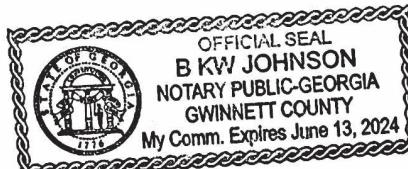
CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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.

Jeffrey A. Johnson 10-27-22
Signature of Property Owner Date

JEFFREY A. JOHNSON
Type or Print Name and Title

B. W. Johnson 10/27/22
Signature of Notary Public Date Notary Seal



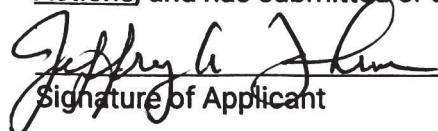
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11/3/2022

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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.


Signature of Applicant

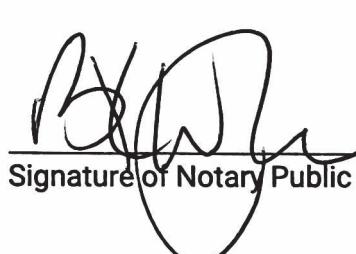
10-27-22
Date

JEFFREY A. JOHNSON OWNER
Type of Print Name and Title

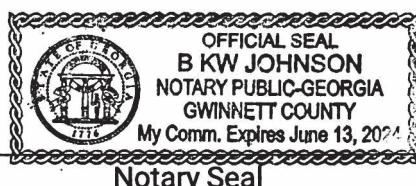
Signature of Applicant's
Attorney or Representative

Date

Type or Print Name and Title


Signature of Notary Public

10/27/22
Date



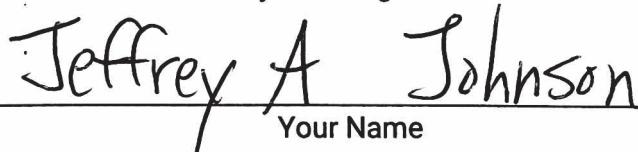
Notary Seal

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


Jeffrey A. Johnson
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)

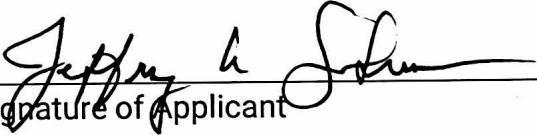
Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

11/3/2022

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

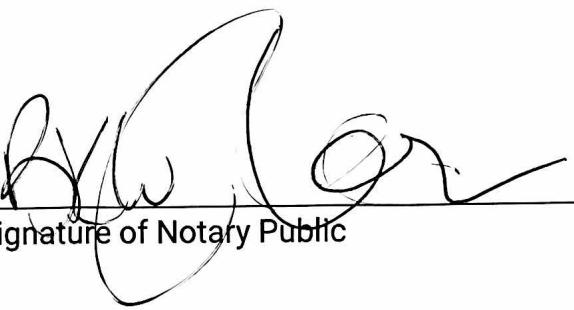
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.


Signature of Applicant

09-15-2022

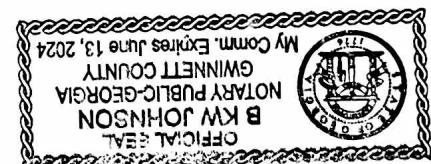
Date

JEFFREY A. JOHNSON OWNER
Type or Print Name and Title


Signature of Notary Public

9/15/22

Date



Notary Seal

RECEIVED

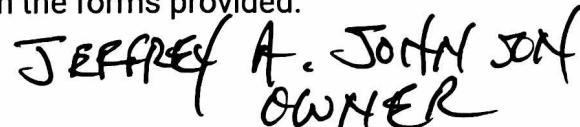
11/3/2022

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.


SIGNATURE OF APPLICANT

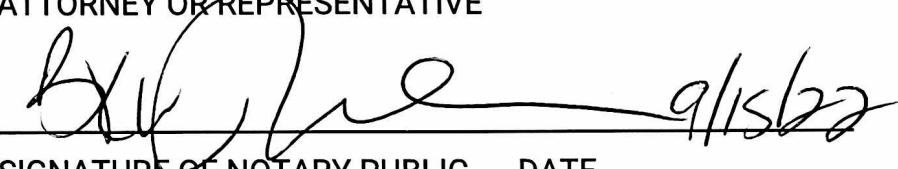
09-15-2022
DATE


JEFFREY A. JOHNSON
OWNER
TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE


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


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.

RECEIVED

11/3/2022

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.

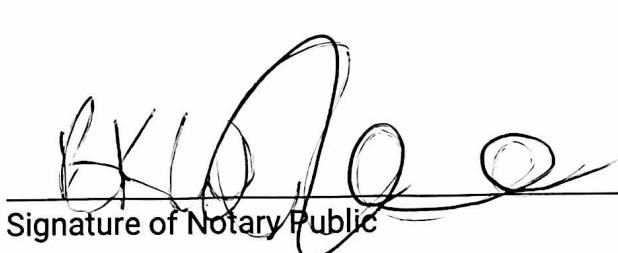

Signature of Property Owner

09-15-2022

Date

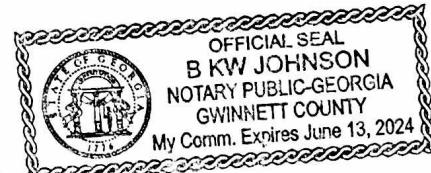
JEFFREY A. JOHNSON
Type or Print Name and Title

OWNER


Signature of Notary Public

9/15/22

Date



Notary Seal

RECEIVED

11/3/2022

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)

_____ - District - _____ - Land Lot - _____ - Parcel

R-7339 014 A

Jacqueleen Garcia
Signature of Applicant

09-15-2022
Date

JEFFREY A. JOHNSTON
Type or Print Name and Title

OWNER

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 Langley Drive, FOR THEIR APPROVAL BELOW.*****

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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

10/06/2022

DATE

Exhibit F: 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: CIC2023-00001 and SUP2023-00004	
Case Address: 5932 Cumming Highway	
Comments: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
1	Cumming Highway/SR 20 is a principal arterial. ADT = 43,400.
2	5.8 miles to the nearest transit facility (#2334754) Buford/SR 20 Park and Ride.
3	
4	
5	
6	
7	
Recommended Zoning Conditions: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
1	
2	
3	
4	
5	
6	
7	

Note: Attach additional pages, if needed

Revised 7/26/2021

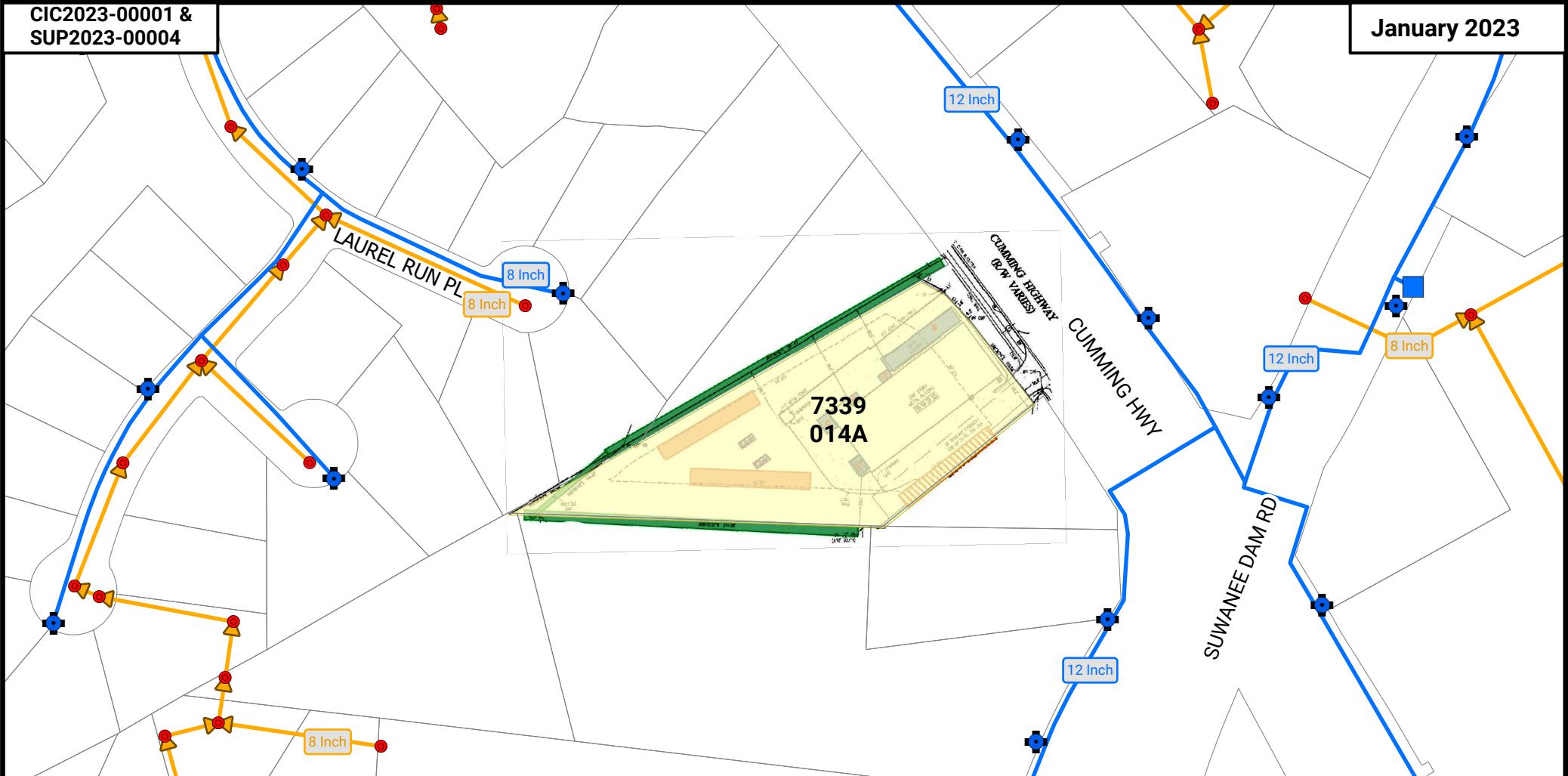


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:					
Department/Agency Name: DWR					
Reviewer Name: Mike Pappas					
Reviewer Title: GIS Planning Manager					
Reviewer Email Address: Michael.pappas@gwinnettcounty.com					
Case Number: CIC2023-00001 & SUP2023-00004					
Case Address: 5932 Cumming Highway					
Comments:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1	Water: DWR does not have comments for this development. The existing building is connected to public water.				
2	Sewer: DWR does not have comments for this development. The existing building is on septic and will remain on septic.				
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

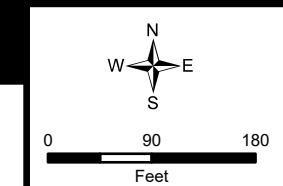


5932 Cumming Highway

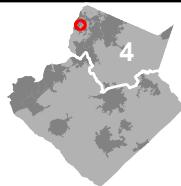
Water & Sewer Utility Map

LEGEND

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



LOCATION



Water Comments: DWR does not have comments for this development. The existing building is connected to public water.

Sewer Comments: DWR does not have comments for this development. The existing building is on septic and will remain 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.

Exhibit G: Code Enforcement Case CEU2022-01335 Inspection Workflow

[attached]

GWINNETT COUNTY

CASE NUMBER : CEU2022-01335

PRIMARY ADDRESS:	5932 CUMMING HWY, BUFORD, GA 30518
RECEIVED DATE:	2/23/2022
APPLICATION STATUS:	Court Hearing - Scheduled
DESCRIPTION:	OUTDOOR STORAGE, PARKING ON GRAVEL, ADDITIONS TO BUILDING WITHOUT PERMITS. I spoke with County in 2019 about the expansions that have taken place at Jake Johnson's Garage 5932 Cumming Highway, Tax Parcel 7-339-014A when they were applying for a car wash in 2019. Code enforcement was supposed to check out ALL the additions, expansions, them utilizing Tax Parcel 7-339-085 for parking without a development permit since 2010 or more, back in early 2020 per Ashley with Gwinnett County (see attached). I never heard back on anything other than the car wash request was withdrawn. They are again trying to use this property as a shared drive to develop a car wash next door. As I indicated and you can see from Google imaging the .49 acres has been being used by Jake Johnson garage since 2010 or earlier. This property should be brought into compliance with development permits, undisturbed buffers (75') adjacent residential zoned property, stormwater detention, septic approvals, setbacks and building permits that was not obtained prior to any approvals for a shared driveway for an expansion of a car wash. I verified with with the County in 2020 that no permits have been obtained since 1989 (see the attachment). I was asked by Catherine Long who was VERY HELPFUL to file a complaint with Code Enforcement. Although I am not sure why I have to file the complaint, if permits were not issued, I would think that Gwinnett Planning and Development would initiate/pursue this but I appreciate your help with this.

OWNER NAME	ADDRESS	CITY/STATE/ZIP	
JJG LLC	5932 CUMMING HWY	SUGAR HILL, GA, 30518-5612	
CONTACTS ROLE	NAME	ADDRESS	CITY/STATE/ZIP
Manager/Director	Jeff Johnson	5932 Cumming Highway	Buford GA

INSPECTIONS						
Inspection	Requested	Scheduled	Completed	Status	Inspector	Comment
Court Hearing	10/20/2022	1/18/2023		Scheduled	Travis Butler	
Court Inspection	10/20/2022	1/17/2023		Scheduled	Travis Butler	
Court Hearing	8/5/2022	10/19/2022	10/19/2022	Continued	Travis Butler	COUNTINUANCE FOR 1/18/2023
Court Inspection	8/5/2022	10/18/2022	10/18/2022	Not Complied	Travis Butler	JUNK VEHICLES, BUILDING PERMIT NEEDED FOR ACCESSORY STRUCTURE
Sworn Citation Service	8/11/2022	8/11/2022	8/15/2022	Served	Ed Wallace	CITATIONS FORWARDED TO GCSO FOR SERVICE
Sworn Citation Service	8/11/2022	8/11/2022	8/15/2022	Served	Ed Wallace	CITATIONS SERVED BY GCSO (#SO333)
Re-Inspection	6/2/2022	7/1/2022	8/5/2022	Citation Issued	Travis Butler	O/S, Vehicles parked on unpaved surfaces, Prohibited structure on property.
Re-Inspection	4/1/2022	5/3/2022	4/26/2022	Extension Granted	Travis Butler	More O/S has been moved, in process of moving all the tires. Should be done in a week or two. Applied for permit for structure on side of property with county.

GWINNETT COUNTY

CASE NUMBER : CEU2022-01335

Re-Inspection	2/24/2022	3/8/2022	3/31/2022	Extension Granted	Travis Butler	Progress made on removing junk vehicles, moved dumpster.
Initial Inspection	2/23/2022	2/23/2022	2/23/2022	Field Courtesy Notice	Travis Butler	O\S, junk vehicles, parking on unpaved surfaces, Dumpster not screened.

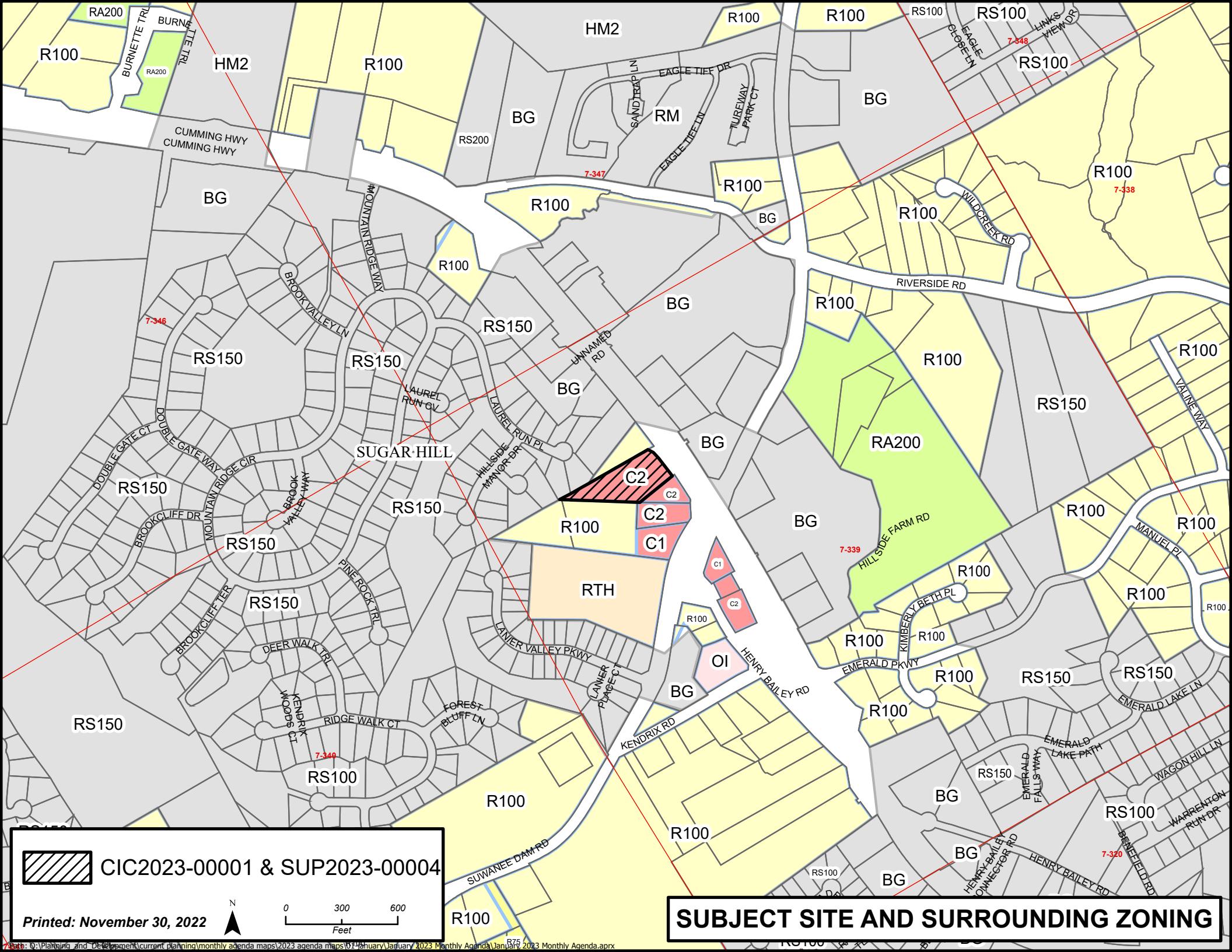
WORKFLOW HISTORY

Workflow Task	Assigned	Due	Completed	Status	Inspector	Comment
Enforcement Intake	2/23/2022	2/23/2022	2/23/2022	Complaint Accepted	Savannah Richardson	

Exhibit H: Maps

[attached]





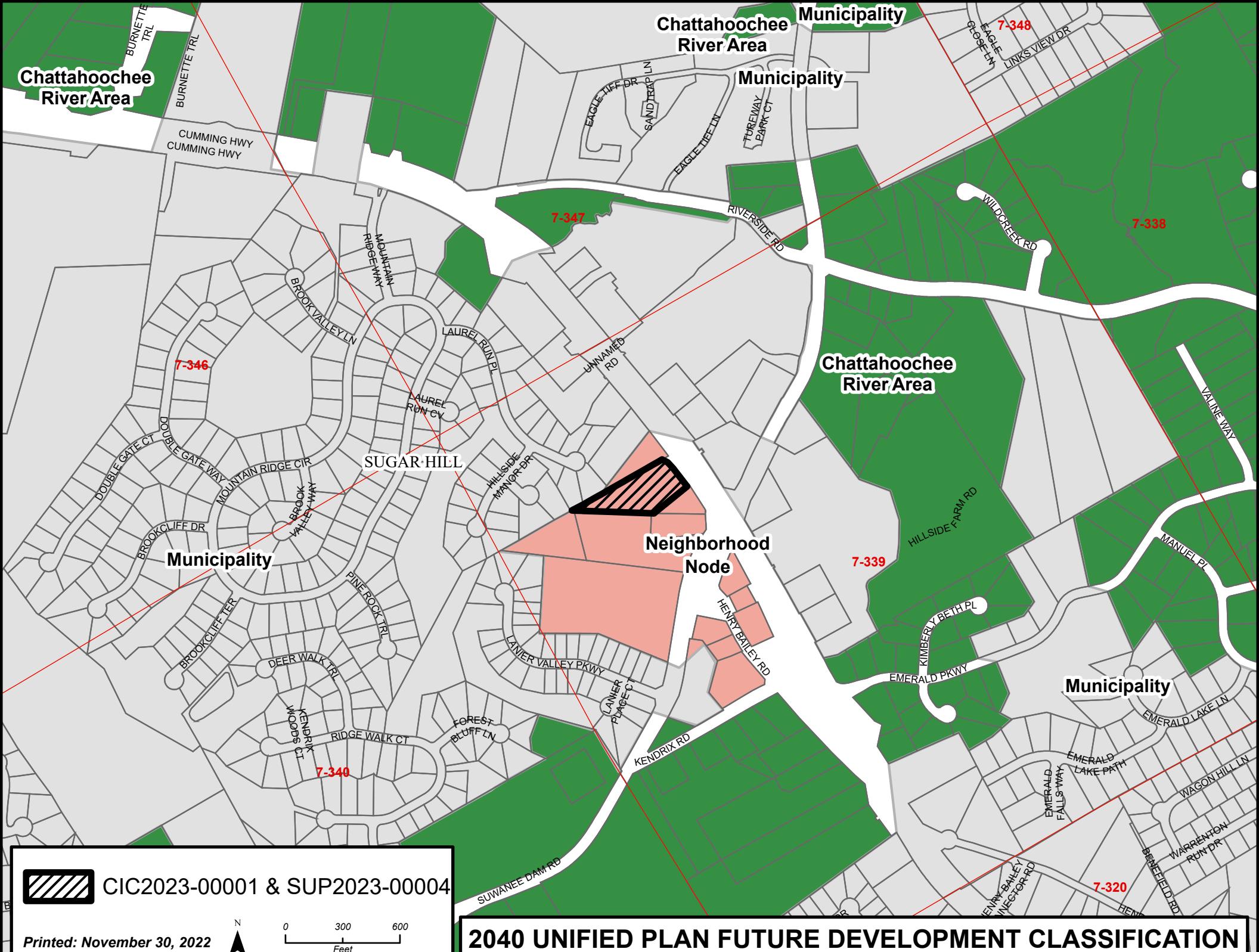
 CIC2023-00001 & SUP2023-00004

Printed: November 30, 2022



A horizontal number line starting at 0 and ending at 600. There is a tick mark in the middle of the line, labeled with the number 5 below it.

SUBJECT SITE AND SURROUNDING ZONING



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11/3/2022

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Jeffrey Johnson</u>	NAME: <u>JJ G, LLC</u>
ADDRESS: <u>5932 Cumming Highway</u>	ADDRESS: <u>5932 Cumming Highway</u>
CITY: <u>Sugar Hill</u>	CITY: <u>Sugar Hill</u>
STATE: <u>Georgia</u> ZIP: <u>30518</u>	STATE: <u>Georgia</u> ZIP: <u>30518</u>
PHONE: <u>770 312 3645</u>	PHONE: <u>770 932 2920</u>
EMAIL: <u>jeffandBrendaJohnson@gmail.com</u>	EMAIL: <u>jakejgarage@gmail.com</u>
CONTACT PERSON: <u>Jeffrey Johnson</u>	PHONE: <u>770 312 3645</u>
CONTACT'S E-MAIL: <u>jakejgarage@gmail.com</u>	

APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICTS(S):	PRIOR ZONING CASE:	
PARCEL NUMBER(S): <u>R7339 014A</u>	ACREAGE:	
ADDRESS OF PROPERTY: <u>5932 Cumming Highway Sugar Hill, GA 30518</u>		
PROPOSED CHANGE IN CONDITIONS: <u>Remove Stipulation #3 / Outside Storage</u>		
RESIDENTIAL DEVELOPMENT: <u>N/A</u>	NON-RESIDENTIAL DEVELOPMENT:	
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/LOTS: <u>1</u>	
DWELLING UNIT SIZE (Sq. Ft.):	TOTAL GROSS SQUARE FEET: <u>12,000 Sq. Ft.</u>	
GROSS DENSITY:	DENSITY:	
NET DENSITY:	<u>A</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED LETTER OF INTENT FOR CHANGE IN CONDITION AND SPECIAL USE
PERMIT APPLICATION

11/16/2022

GWINNETT COUNTY, GEORGIA

JEFFREY A JOHNSON, JJG LLC (the "Owner") requests a Special Use Permit for the property of 1.98 acres located at 5932 Cumming Highway, Sugar Hill, Georgia 30518. (Parcel Identification Number R7339 014A) (the "Property") The owner would like to modify the conditions of zoning pertaining to the property to allow for outdoor storage.

Gwinnett County code enforcement recently visited the property and issued several code violation warnings. This special use permit is specifically concerning sections/codes UDO 240-10.3.A & UDO 230-130.4.H. The overall property has been developed as an automotive repair shop since 1988 and has just celebrated its 100th year in business. Please see the attached site plan for additional information.

SPECIAL USE PERMIT REQUEST: The BLUE areas shown on the site plan are the outdoor storage areas in question. They are to the right and back of the property, away from all customer accessed areas. The owner uses outdoor storage for three purposes:

A) Recycling Storage - The BLUE areas marked **A** on the site map is where we hold recycling items until they are transported. Jake Johnson's Garage is listed on the Gwinnett Clean & Beautiful website as a drop off for many different recycle items including some hard to recycle items such as: batteries, oil, gas, coolant, additives, tires, wheels, metal, etc. The business is in fact the ONLY location that accepts old/expired gasoline in the entire county. The volume of items in this area depends on 1) The quantity of items donated from Gwinnett Co residents. 2) The level of sales/service for JJG INC.

The waste oil and used coolant are each labeled and stored in 275 gallon containers which are covered from the elements. The waste oil is picked up by Farmer Oil once a month between the 11th and the 20th. The used coolant is picked up by Enviro-cool once a month between the 6th and the 13th. The tires are stored in an enclosed box truck parked at the rear of the building. Once the truck is full, they will be driven to Liberty Tire in ATL and

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recycled. Batteries are stored in the shop in the parts room and are donated to local battery vendors. The remaining items which are metal are stored in a sided trailer at the rear side of the building. Once the trailer is full, it will be taken to Hwy 400 Scrap. This is sometimes monthly and sometimes bimonthly.

B) Recreational Vehicle Carport – The carport installed to the right of the building is for repairing recreational vehicles that do not fit in the current building. It offers shelter from the elements when technicians are working on the exterior of units. *It is a metal canopy carport and measures 92 feet long, 18 feet high and 16 feet wide. The carport sets back 60.5 feet from the Right property line and 30.5 feet from the sidewalk and the Hwy 20 right-of-way.*

C) Equipment Storage – There are two small areas at the rear of the building that are covered by a roof and on a paved surface that we use for equipment storage. (manlift & trailer, pressure washer, wood splitter, etc.) Each area measures 10 feet by 20 feet.

VARIANCE REQUESTED: The ORANGE areas on the site map represent unpaved parking surfaces. They are at the rear of the building and are used for the following: Employee parking during the workday (3-4 cars) and parking for cars waiting on parts, customer approval, the collections process to be completed or the abandonment process to be completed (1-2 cars). *Per Section 240-10.5 Prohibited Uses: This parking area will not be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicle, unless permitted by the zoning district.*

VARIANCE REQUESTED: The BLUE area marked **B** on the site map represents an accessory structure (metal canopy) in the side yard. We ask for a variance pertaining to Section 230-120.7 All accessory buildings or structures shall be located in the rear yard.

Thank you for your consideration on this matter. Operating an automotive repair business has become increasingly difficult without some sort of outdoor storage/parking. We look forward to working with you on this situation.

11/3/2022

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BK55355 PG0283

WHEN RECORDED, PLEASE RETURN TO
MORRIS LEGAL AND TAX, LLC
C/O EVERETT MORRIS
3333 PEACHTREE ROAD NE
SUITE 400
ATLANTA, GEORGIA 30326

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

17 AUG 28 AM 8:00

RICHARD ALEXANDER, CLERK

Legal Description

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FULTON

PT-61#67 2017-022900
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ none
RICHARD T. ALEXANDER, JR. CLERK OF
SUPERIOR COURT

This indenture made this 22nd day of August, in the year Two Thousand Seventeen, between JEFFREY A. JOHNSON, as party of the first part, hereinunder called "Grantor", and, JJG LLC, a Georgia Limited Liability Company, as party of the second part, hereinafter called "Grantee" (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits)

WITNESSETH THAT Grantor, for and in consideration of the sum of TEN (\$10 00) DOLLARS and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto the said Grantee, the following described property, to-wit.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 339 OF THE 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO LOCATE THE TRUE POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE CENTERLINE OF SUWANEE-BUFORD DAM ROAD (30 FOOT RIGHT-OF-WAY) WITH THE CENTERLINE OF GEORGIA HIGHWAY 20 (100.00 FOOT RIGHT-OF WAY) AND PROCEED NORTH 24 DEGREES 15 MINUTES 00 SECONDS EAST A DISTANCE OF 15.6 FEET TO A POINT; THENCE PROCEED NORTH 83 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 79.4 FEET TO A POINT; THENCE CONTINUE 83 DEGREES 44 MINUTES WEST ALONG THE NORTHERLY LINE OF PROPERTY NOW OWNED BY JENNIFER ANTRUBUS (FORMERLY OWNED BY J.M. WOOD) FOR A DISTANCE OF 333.86 FEET TO AN IRON PIN LOCATED AT THE TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING, CONTINUE NORTH 83 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 387.94 FEET TO AN IRON PIN; RUNNING THENCE NORTH 53 DEGREES 34 MINUTES EAST A DISTANCE OF 118.9 FEET TO AN IRON PIN; THENCE RUNNING NORTH 61 DEGREES 50 MINUTES 00 SECONDS EAST A DISTANCE OF 431.5 FEET TO AN IRON PIN LOCATED ON THE SOUTHWESTERLY RIGHT-OF-WAY OF GEORGIA HIGHWAY 20; RUNNING THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID GEORGIA HIGHWAY 20 ALONG A COURSE OF SOUTH 35 DEGREES 46 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 134.2 FEET TO A POINT; THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SAID GEORGIA HIGHWAY 20 SOUTH

0079806

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Book: 55355 Page: 00284

11/3/2022

55355 00284

34 DEGREES 09 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 77.03 FEET TO A POINT; THENCE RUNNING SOUTH 55 DEGREES 51 MINUTES 00 SECONDS WEST A DISTANCE OF 256.32 FEET TO AN IRON PIN FOUND AT THE TRUE POINT OF BEGINNING. SAID TRACT CONTAINING 2.15 ACRES, MORE OR LESS, AND BEING A PART OF THE PROPERTY ACQUIRED BY JOHN G. JOHNSON, III, BY WARRANTY DEED DATED JULY 31, 1979, RECORDED IN DEED BOOK 1761, PAGE 112, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF GWINNETT COUNTY, GEORGIA.

ALSO CONVEYED HEREBY ARE ALL FO THE RICHTS AND INTEREST OF THE TESTATOR, JOHN G. JOHNSON, III, IN AND TO THAT CERTAIN CONSTRUCTION EASEMENT, SLOPE EASEMENT, DRAINAGE EASEMENT AND RESTRICTIVE COVENANTS AS SHOWN IN THAT INSTRUMENT RECORDED IN DEED BOOK 4801, PAGE 101, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF GWINNETT COUNTY, GEORGIA, AND BY HIS ACCEPTANCE OF THIS DEED, THE GRANTEE HEREIN ASSUMES ALL OF THE OBLIGATIONS OF THE TESTATOR SET OUT IN SAID EASEMENT AGREEMENT.

TOGETHER with any and all easements, rights of way, appurtenances, or rights appurtenances, or rights appertaining or in anywise belonging thereto including, without limitation, any portion of the Property lying within the right of way of any publicly dedicated street roadway or alleyway, and TOGETHER with any and all improvements, structures or fixtures located therein or thereon

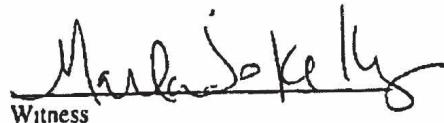
TO HAVE AND TO HOLD the said tract or parcel of land to Grantees, so that neither the Grantor nor her heirs, nor any other persons claiming under the Grantor shall at any time, by any means or way, have, claim or demand any right or title to the aforesaid tract or parcel of land or appurtenances, or any rights thereof

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantees against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed this document under seal or has caused the same to be executed under seal by her duly authorized representative the day and year first above written

Signed, sealed, and delivered in the presence of:


JEFFREY A. JOHNSON, Grantor


Witness


Notary Public



WARRANTY DEED - JEFFREY A. JOHNSON to JJG LLC, a Georgia Limited Liability Company

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11/3/2022

R2:63-79

At a regular meeting of the Municipal-Gwinnett Planning and Zoning Commission held on June 7, 1979 at 9:00 A. M. in the Planning and Zoning Department, public hearing was held on the Zone Change Application for a rezoning amendment to the Gwinnett County Zoning Resolution adopted June 2, 1970 and map as amended June 9, 1970 of John G. Johnson from present Zone

C-1 to C-2. Proposed use is Auto Repair Garage, Car Wash, and Hardware Store

SEE ATTACHED DESCRIPTION:

Opposition was not voiced or filed on said application. Motion was made by Carroll Higgins and Duly seconded by George Pierce that the Municipal-Gwinnett Zoning and Planning Commission recommend to the Honorable Board of Gwinnett County Commissioners approval* of the application. Motion was unanimously carried.

John G. Johnson
5840 Long Island Drive, N. W.
Atlanta, GA 30328

Respectfully submitted,

Lewis Brinkley III

*With stipulations as shown on attached sheet.

A RESOLUTION
COMMISSIONERS OF ROADS AND REVENUES
GWINNETT COUNTY, GEORGIA

WHEREAS, the Municipal-Gwinnett Planning and Zoning Commission has filed a formal recommendation with the Board of Gwinnett County Commissioners upon application of JOHN G. JOHNSON for rezoning amendment to rezone a tract of land from C-1 to C-2 for the proposed use of AUTO REPAIR GARAGE, CAR WASH, & HARDWARE STORE and

WHEREAS, Notice to the Public regarding said amendment to Zoning Map and Ordinance has been published in the Home Weekly the official news organ of Gwinnett County, and

WHEREAS, Public Hearing was held in the Office of the Board of County Commissioners on TUESDAY, JULY 24, 1979 and objections were not filed.

THEREFORE, BE IT RESOLVED That the Board of County Commissioners do hereby *ADOPT W/STIP. the rezoning from C-1 to C-2. This is the 24th day of July, 1979.

BOARD OF GWINNETT COUNTY COMMISSIONERS

*STIPULATIONS:

1. That the zoning line be established where the existing zoning line bisects the property, thus leaving an undisturbed buffer as proposed on his plan
2. That a minimum of a twenty-foot natural or planted buffer be maintained so as to provide a visual screen to adjoining properties on either side
3. No outside storage of any kind be allowed in conjunction with the repair garage or hardware store. (This includes the storage of automobiles in an undrivable condition.)

Wayne H. Mason

Wayne H. Mason, Chairman

Jeffrey L. Johnson

GWINNETT COUNTY PLANNING AND DEVELOPMENT

STATE OF GEORGIA,

Gwinnett

COUNTY

in the year of our Lord One Thousand Nine Hundred and

RECEIVED THIS INDENTURE, Made the 10th day of
forty Three, between H. S. Buice
of the County of Gwinnett of the one
of the County of Gwinnett of the other part
11/3/2022

11/3/2022

of the one part, and Gladstone
the other part. WITNESSETH: That the said

Gladstone Sudderth

H. S. Buice

of the County of Gwinnett, State of Georgia, on the 1st day of January, 1888, for and in consideration of the sum of Two Hundred Seventy-five & no/100 DOLLARS, in hand paid at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm, unto the said heirs and assigns, all that tract or parcel of land lying and being in the State of Georgia, County of Gwinnett, 7th land district thereof, described as follows: Beginning at the center of the intersection of the New Buford and Cumming with the old Cumming and Level Creek road and running in a Northerly direction along the line of Hubert Samples to an iron pin corner with Jim Parker; Thence in an Easterly direction along the line of Jim Parker to the new Buford and Cumming Highway; Thence in a Southerly direction along the New Buford and Cumming Highway to the beginning point. Being three acres more or less.

RZ: 63-79

(Revenue Stamps Attached - .55¢)

To Have and to Hold the said bargained premises, with all and singular the rights, members and appurtenances thereto appertaining, to the only proper use, benefit and behoof of the said party of the second part, his heirs, executors, administrators and assigns, in fee simple. And the said party of the first part the said bargained premises unto the said party of the second part, his heirs, executors, administrators and assigns, and against the said party of the first part his heirs, executors and administrators, and against all and every other person or persons, shall and will warrant and forever defend, by virtue of these presents.

In Witness Whereof, The said party of the first part ha~~s~~ hereunto set his hand and affixed
these presents, the day and year first above written. H. S. Buice (Seal.)

Signed, Sealed and Delivered in the Presence of: (Seal.)

Ruby L. Sudderth.....(Seal.)

E. A. Wilbanks, N. P.

File No. Record Sept. 13, 1943 at 10 A. M. Henry F. Wages, Clerk

Filed for Record Sept. 16, 1946 at 20
Recorded Sept. 13, 1943

Recorded Sept. 15, 1948

Henry F. Wages, Clerk

Recorded Sept. 13, 1943

Recorded Sept. 10, 1911

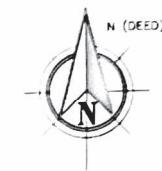
GWINNETT COUNTY PLANNING AND DEVELOPMENT

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11/16/2022

ENT
GENERAL NOTES:
1. This Plot has been prepared without the benefit of a current title report. Encumbrances or restrictions may exist that are not shown on this plot.
2. The plot is subject to any restrictions, easements, covenants or restrictions that may exist either written or verbally.
3. Underdeeds and interests not shown herein may exist. The Surveyor does not take responsibility for absence or presence of any such interests.
4. No Genetic monuments were found within 500 feet of this site.
5. This Plot has been prepared for the exclusive use of the person(s) or entities named herein.

Line Table		
Line #	Length	Direction
L1	33.18	S60°44'04"E
L2	42.61	S42°19'35"E



GRANT COUNTY	REFERENCE	PLAT BOOK 86 PC 1
ZONING C-2	BLK 49522 PC 522-529	
FRONT SETBACK 50'	BLK 50727 PC 358-363	
SIDE SETBACK - 10, 20' & 40' FEET	DEED BOOK 51725 PC 727-732	
RESIDENTIAL DISTRICT	BLK 50350 PC 281-284	
	DEED BOOK 56646 PC 181-182	

RESIDENTIAL DISTRICT
FIELD DATA
DATE OF FIELD SURVEY 8-1-22
FLOOD HAZARD NOTE THIS PROPERTY IS
NOT LOCATED IN A FLOOD HAZARD AREA
AS DEFINED BY FIRM MAP OF GANNETT
COUNTY, GEORGIA 1013500530 EFFECTIVE
LA E MARCH 4, 2013

THE CALCULATED POSITION OF THE
TRIFRACT BASED ON REDUNDANT
LINEAR MEASUREMENTS OF
OBSERVABLE FUSIONS WAS FOUND
TO BE 0.30 FT.

EQUIPMENT
ELECTRONIC TOTAL STATION AND NETWORK GPS
GPS RECEIVER: SP-85
SN: 512500001
NETCODE: TRINITY V65 Wm RTS GNSS

TOTAL AREA 75,215 SQ FT 1.750 AC

CALCULATED FLAT OREGON 1 FOOT IN 912,929 FEET

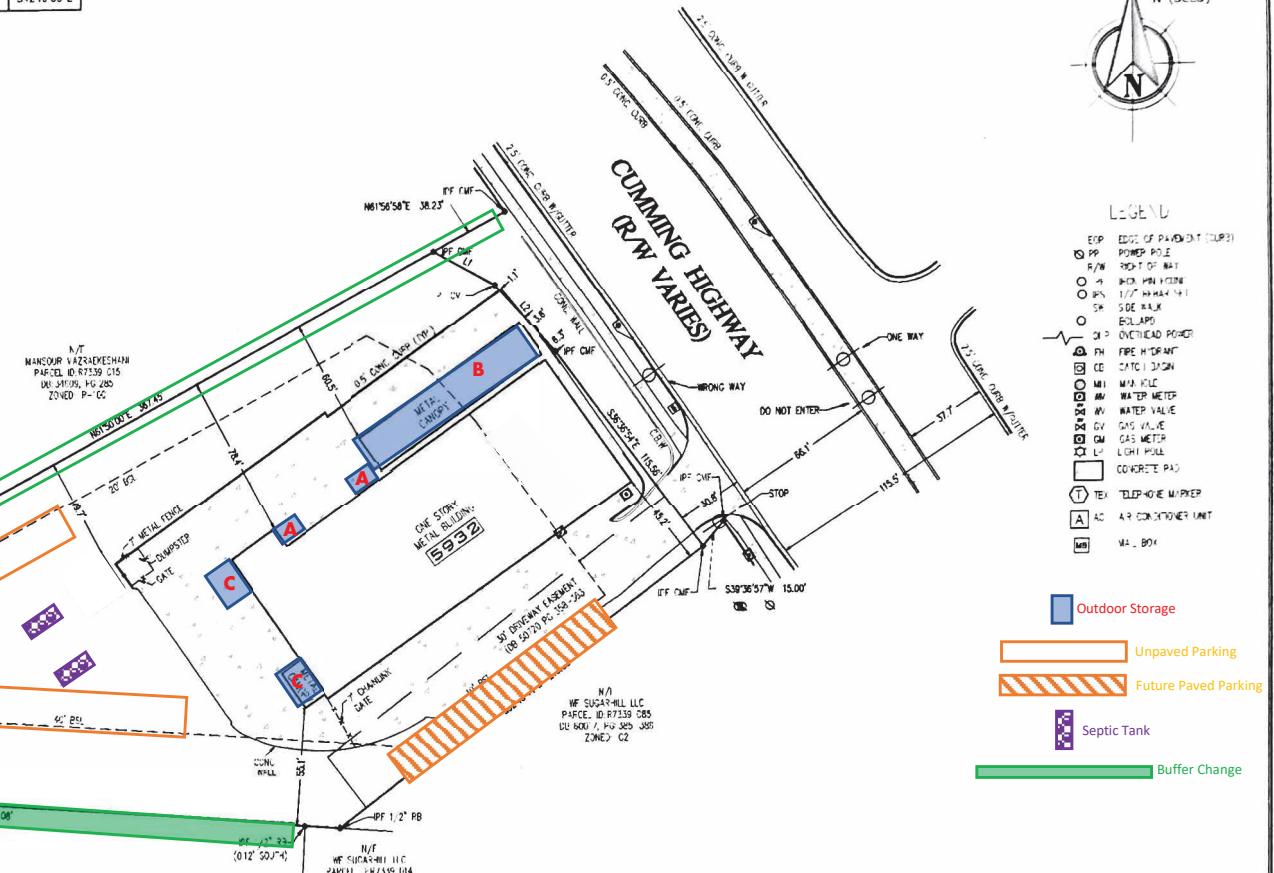
SAVE DATA

TYPE OF SURVEY: REINSTATEMENT
SCHOOL OF TITLE DESCRIPTION FOR SURVEY
PROPERTY: 26 50250 PG 283-284
PROPERTY OWNER AT TIME OF SURVEY:
JG LLC
PARCEL NUMBER: 4739 014A

BB
V/F
KELVIN & LUCILLE HUMPHREY
PARCEL D F7339 237
DA 33701 PG 242
PM 86 PG 11
ZONE PG 150

HERNANDEZ & MARIBEL GROZDO
14100 10th Street, Suite 150
DB 54604, PG 780-780
PB 55, PG 11
ZONED IS 150

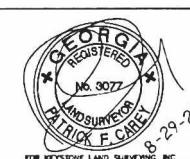
This plan is a reification of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plat, or other instruments which created the parcel or parcels are state herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PLATINGS, 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 O.C.G.A. Section 5-6-67.



COPYRIGHT 2019—THIS IS A 16 X 24 DRAWING AND
REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND
MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY
WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

BOUNDARY SURVEY FOR
JEFF JOHNSON
5932 CUMMING HIGHWAY, BUFORD, GEORGIA 30518

LAND LOT 339 - 7TH DISTRICT, GWINNETT COUNTY, GEORGIA

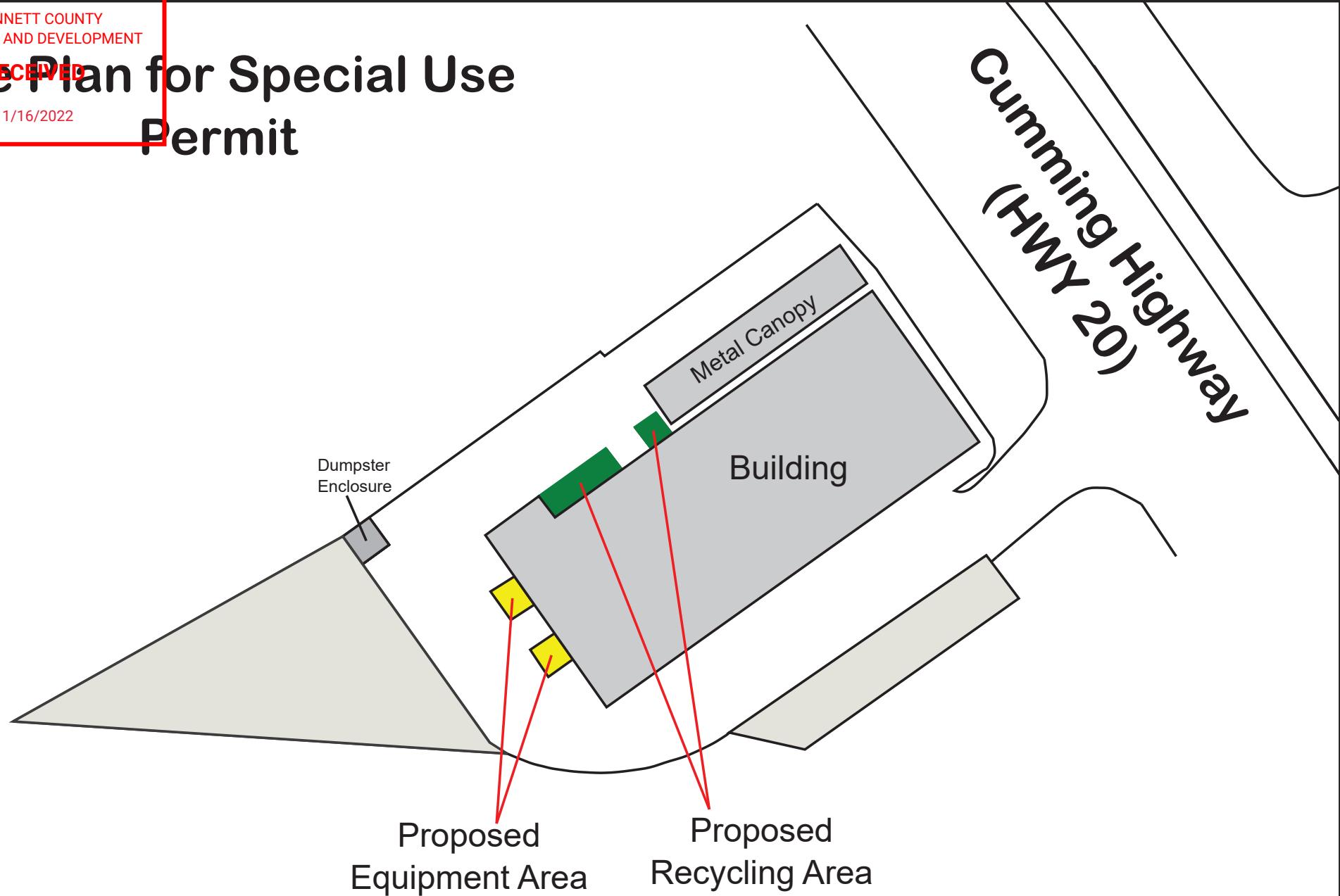


Date:	8-29-2022
Session:	1" = 40"
Client:	JEFF JOHNSON
Drawn By:	JIT

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11/16/2022

Site Plan for Special Use Permit



**GWINNETT COUNTY
PLANNING AND DEVELOPMENT**

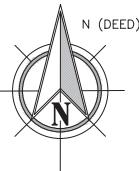
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NOTICE TO BUYER:
1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or otherwise.
3: Underground utilities not shown hereon may exist.
The Surveyor does not take responsibility for absence or presence of any such utilities.
4: No Geodetic monuments were found within 500 feet of this Plat.
5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

Line Table		
Line #	Length	Direction
L1	33.18	S60°44'04"E
L2	42.61	S42°19'35"E

0 40' 80'
1" = 40'



GWINNETT COUNTY
ZONING: C-2
FRONT SETBACK - 50'
SIDE SETBACK - 10', 20' IF ABUTS
RESIDENTIAL DISTRICT
REAR SETBACK - 15', 40' IF ABUTS
RESIDENTIAL DISTRICT

FIELD DATA:
DATE OF FIELD SURVEY 8-3-22.
THE CALCULATED POSITIONAL
TOLERANCE BASED ON REDUNDANT
LINEAR MEASUREMENTS OF
OBSERVED POSITIONS WAS FOUND
TO BE 0.00 FEET.

EQUIPMENT:
ELECTRONIC TOTAL STATION AND NETWORK GPS
GPS RECEIVER: SP 85
SN: 12950077
NETWORK: TRIMBLE VRS Now RTK GNSS

TOTAL AREA: 76,215 SQ FT, 1.750 AC

CALCULATED PLAT CLOSURE: 1 FOOT IN 912,999 FEET

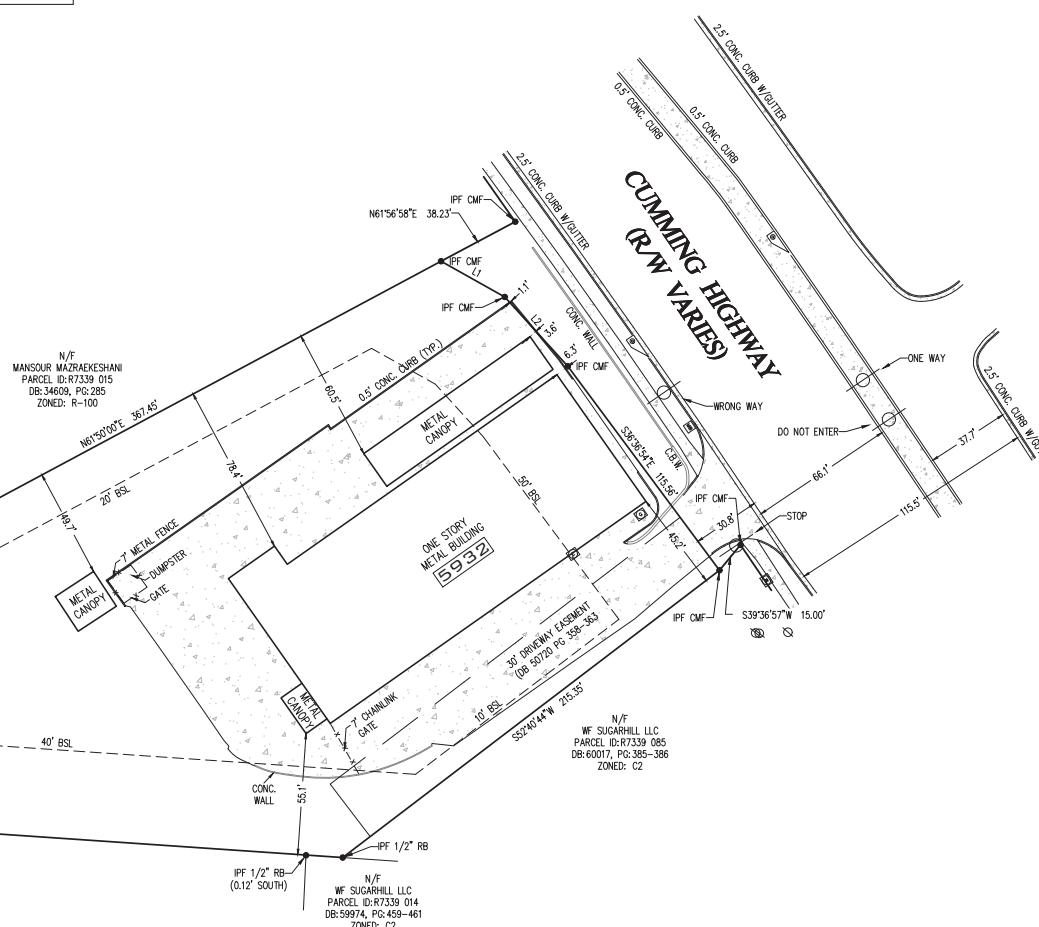
SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT
SOURCE OF TITLE DESCRIPTION FOR SUBJECT
PROPERTY: DB 55252 PG 283-284
PROPERTY OWNER AT TIME OF SURVEY:
JUG LLC
PARCEL NUMBER: R7339 014A

N/F
HERNANDO & MARYBEL OROZCO
PARCEL ID: R7339 236
DB: 54604, PG: 790-780
PB: 86, PG: 11
ZONED: RS-150

N/F
KEVIN & ELIZABETH THOMPSON
PARCEL ID: R7339 237
DB: 33701, PG: 240
PB: 86, PG: 11
ZONED: RS-150

N/F
WILLIAM & GLENDA DUTTON
PARCEL ID: R7339 051
DB: 49822, PG: 328-329
ZONED: R-100



This plat is a retrace 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, plat, 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 PERMITS, 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 for in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A Section 15-6-67

REVISIONS		
Date	Description	By



KEYSTONE LAND SURVEYING, INC.
162 E. CROGAN ST.
SUITE 100
LAWRENCEVILLE, GEORGIA
770.545.8700
www.keystonelandsurveying.com

BOUNDARY SURVEY FOR
JEFF JOHNSON
5932 CUMMING HIGHWAY, BUFORD, GEORGIA 30518

LAND LOT 339 - 7TH DISTRICT, GWINNETT COUNTY, GEORGIA



Date:	8-29-2022
Scale:	1" = 40'
Client:	JEFF JOHNSON
Drawn By:	JTF
Sheet 1 of 1	

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Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

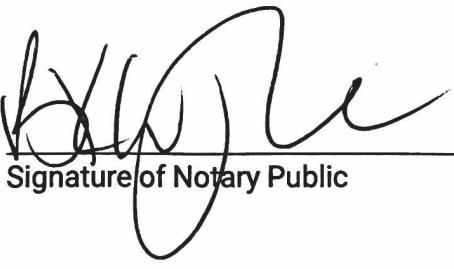
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL 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

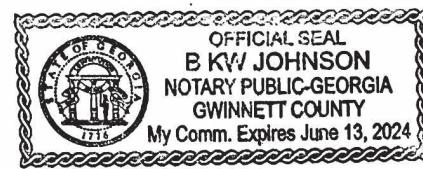
10-27-22

Date

JEFFREY A. JOHNSON
Type or Print Name and Title


Signature of Notary Public

10/27/22
Date



Notary Seal

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11/3/2022

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

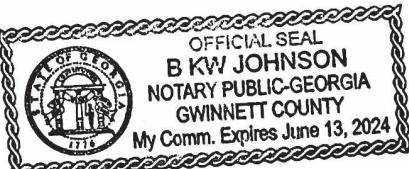
CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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.

Jeffrey A. Johnson 10-27-22
Signature of Property Owner Date

JEFFREY A. JOHNSON
Type or Print Name and Title

B. W. Johnson 10/27/22
Signature of Notary Public Date Notary Seal



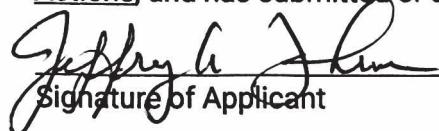
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Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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.


Signature of Applicant

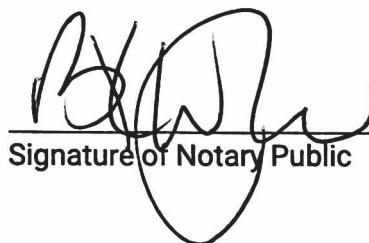
10-27-22
Date

JEFFREY A. JOHNSON OWNER
Type of Print Name and Title

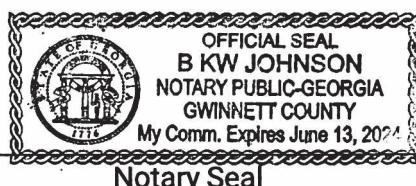
Signature of Applicant's
Attorney or Representative

Date

Type or Print Name and Title


Signature of Notary Public

10/27/22
Date



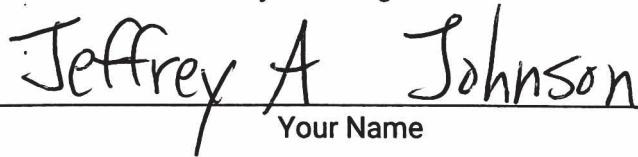
Notary Seal

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


Jeffrey A. Johnson
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.

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11/3/2022

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The applicant believes the proposed use is suitable.

(B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed use will not adversely affect the use of surrounding properties

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

The applicant believes the property has reasonable economic use.

(D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

The proposed use will not produce an adverse effect on existing infrastructure.

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

The applicant believes the proposed use to be in conformity.

(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 CHANGE IN CONDITIONS:

See letter of intent.

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11/3/2022

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

PURSUANT TO REQUIREMENT 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 SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The applicant believes the proposed use is suitable

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

The proposed use will not adversely affect the use of surrounding properties.

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

The applicant believes the Subject property will have increased economic use with approval of special use permit.

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

The proposed use will not produce an adverse effect on the existing infrastructure.

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

The applicant believes the proposed use permit to be in conformity

(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:

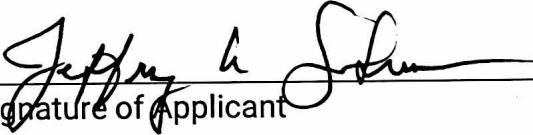
See letter of intent.

RECEIVED

11/3/2022

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

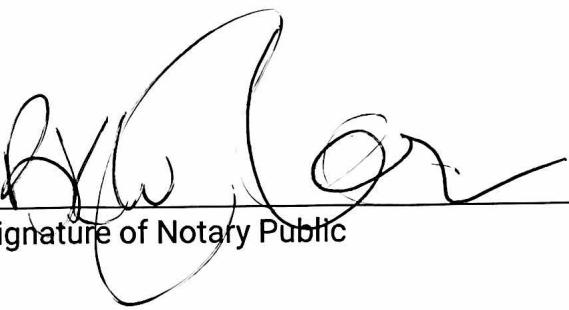
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.


Signature of Applicant

09-15-2022

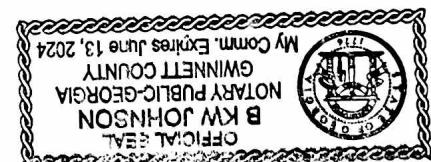
Date

JEFFREY A. JOHNSON OWNER
Type or Print Name and Title


Signature of Notary Public

9/15/22

Date



Notary Seal

RECEIVED

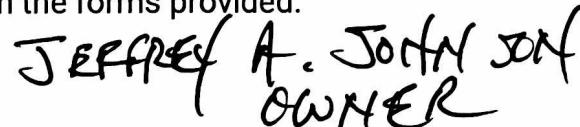
11/3/2022

CONFFLICT 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.


SIGNATURE OF APPLICANT

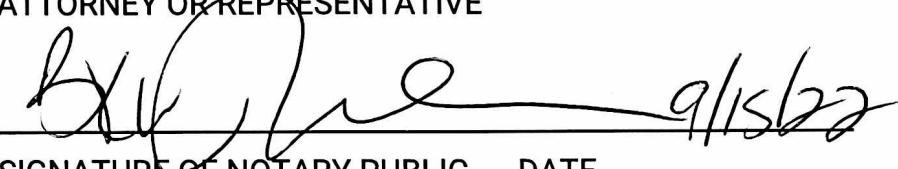
09-15-2022
DATE


JEFFREY A. JOHNSON
OWNER
TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE


SIGNATURE OF NOTARY PUBLIC

DATE



NOTARY SEAL

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


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.

RECEIVED

11/3/2022

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.

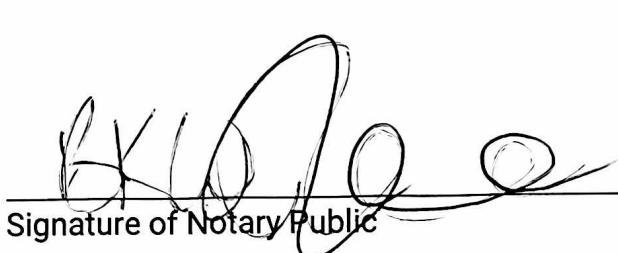

Signature of Property Owner

09-15-2022

Date

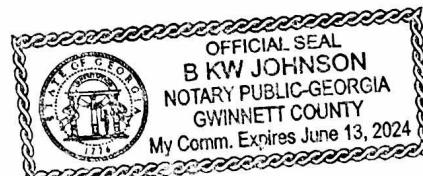
JEFFREY A. JOHNSON
Type or Print Name and Title

OWNER


Signature of Notary Public

9/15/22

Date



Notary Seal

RECEIVED

11/3/2022

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)

_____ - District - _____ - Land Lot - _____ - Parcel

R-7339 014 A

Jacqueleen Garcia
Signature of Applicant

09-15-2022
Date

JEFFREY A. JOHNSTON
Type or Print Name and Title

OWNER

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 Langley Drive, FOR THEIR APPROVAL BELOW.*****

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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

10/06/2022

DATE