

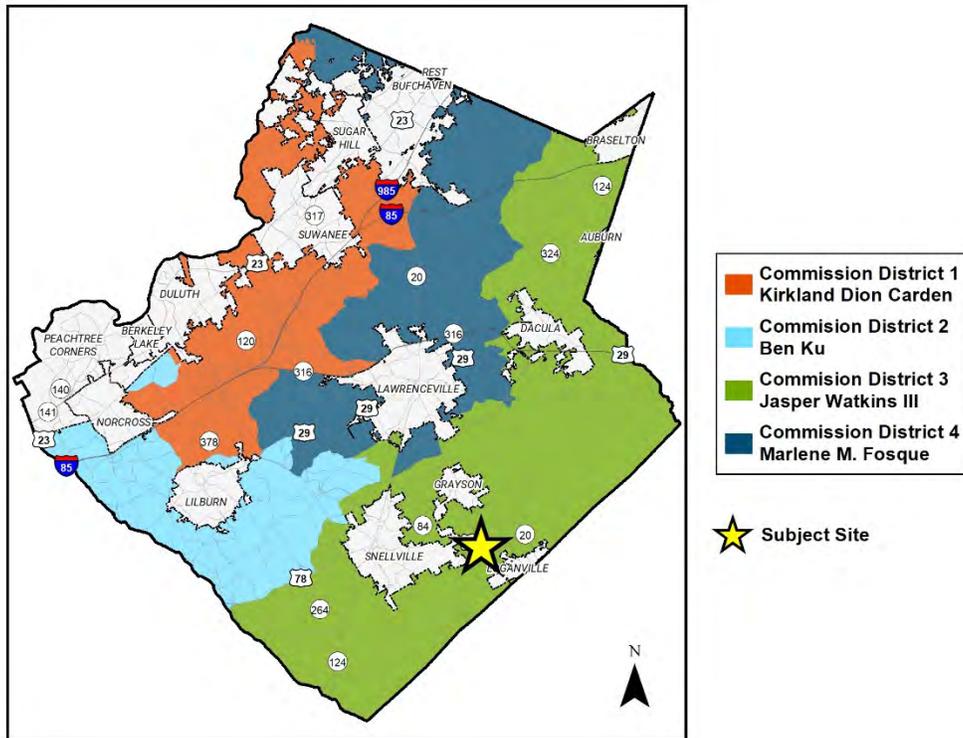


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2022-00046
Current Zoning: C-2 (General Business District)
Request: Special Use Permit
Address: 3462 Diversified Drive
Map Number: R5126 119
Site Area: 0.67 acres
Square Feet: 5,375
Proposed Development: Outdoor Storage (Renewal)
Commission District: District 3 – Commissioner Watkins
Character Area: Community Mixed-Use

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 9/6/2022
Board of Commissioners Advertised Public Hearing Date: 9/27/2022

Applicant: Tammy Smith
P.O. Box 3379
Loganville, GA 30052

Owners: Boyd Smith and
Tammy Smith
3462 Diversified Drive
Loganville, GA 30052

Contact: Tammy Smith

Contact Phone: 770.616.0846

Zoning History

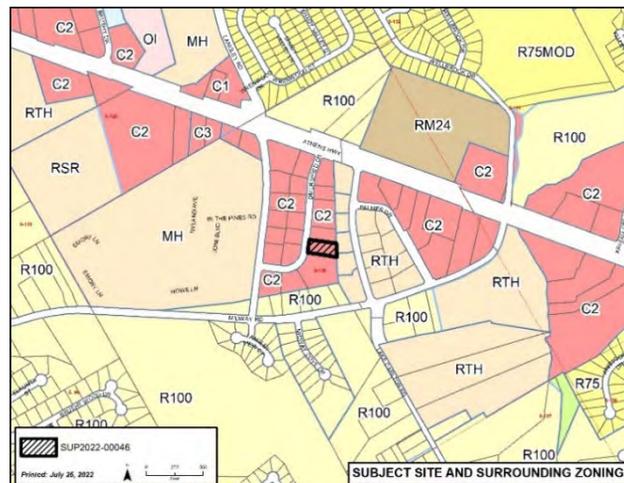
The subject property is zoned C-2 (General Business District). A 1973 areawide rezoning was approved on the property from RA-200 (Agriculture-Residence District) to R-100 (Single-Family Residence District). A rezoning approval in 1998, RZ-98-135, modified the property's zoning from R-100 to C-2 for an automobile sales and service center. A special use permit, SUP2020-00040, and change in conditions request, CIC2020-00022, were approved on the property for outdoor storage. This request is a renewal of the 2020 special use permit.

Existing Site Condition

The subject site is a 0.67-acre property located along Diversified Drive, near its intersection with Athens Highway to the north and Langley Road to the southwest. The subject property is located within the Langley Business Park subdivision. The site is currently developed with a 5,375 square foot office/industrial building, constructed in 2004. An electrical supply business currently operates on the property. Paved parking spaces are located along the southern property line. Access is provided to Diversified Drive from a full access driveway. The site is largely flat, with some mature landscaping along the front and rear property lines. No sidewalks or overhead utilities are present along Diversified Drive. The nearest Gwinnett County Transit stop is approximately 8.0 miles from the site.

Surrounding Use and Zoning

The subject site is located within an office and industrial subdivision and is surrounded by uses of a similar scale and nature. A recently approved townhouse development is located to the east. Further commercial uses are located to the west and east along Athens Highway. Residences on large lots and small subdivisions are located further north and south. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Existing	Office/Industrial	C-2	N/A
North	Office/Industrial	C-2	N/A
East	Townhouses	R-TH	8.75 units per acre (approved)
South	Undeveloped	C-2	N/A
West	Office/Industrial	C-2	N/A

Project Summary

The applicant requests the renewal of a special use permit on a 0.67-acre property zoned C-2 for outdoor storage, including:

- An existing 5,375 square foot office and industrial building occupied by an electrical supplier.
- Outdoor storage located to the rear of the property enclosed by a chain link fence with privacy screening.
- Eight paved parking spaces along the southern property line.
- Hours of operation Monday through Friday, from 7am to 4pm.
- No code enforcement violations are on record for the property since the Special Use Permit and Change in Conditions were obtained in 2020. Therefore, an additional sunset period is not included in the staff recommended conditions.

Zoning and Development Standards

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

Standard	Required	Existing	Meets Standard?
Off-Street Parking	8 spaces	8 spaces	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Building Height	Maximum 45'	16'	YES
Landscape Strip	10'	10'	YES
Zoning Buffer	75' Adjacent to R-TH	0'	NO*

*The property to the rear of the site was recently rezoned to R-H, which now required an undisturbed 75-foot-wide buffer on the subject property. However, since no new construction is proposed, the site is a legal nonconforming development.

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 E). 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

Special Use Permit Request Analysis: According to the UDO, the staff analysis and recommendation on each application for a special use permit shall follow the same procedures as those contained in Section 270-20. Emphasis shall be given to the evaluation of characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings. For special use permits, 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. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether the special use is a use that is suitable in view of the use and development of adjacent and nearby property.

The subject site is an existing business within an office and industrial business park. The renewal of the special use permit would be suitable in consideration of nearby properties. Further growth is anticipated along the nearby Athens Highway corridor. Provided the applicant continues to adhere to the requirements of the special use permit, the request would be appropriate on this property.

B. Whether the special use permit will adversely affect the existing use or usability of adjacent or nearby property.

The existing use and usability of adjacent or nearby properties would not be impacted by the special use permit request. Adjacent developments are similar in scale and nature.

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

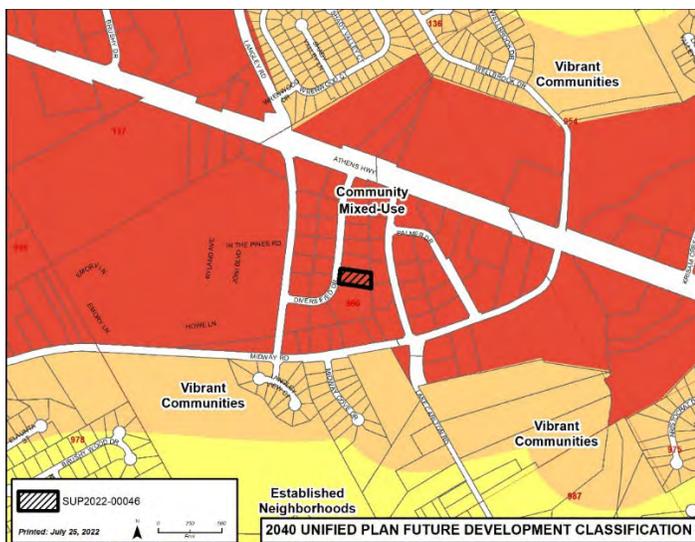
The property has a reasonable economic use as currently zoned.

D. Whether the proposed 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.

No impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this special use permit request is attached (Exhibit E).

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

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Community Mixed-Use Character Area. The Character Area intends for activity nodes and connecting areas located along major corridors, including commercial and residential uses. The continuation of the existing business with outdoor storage would be in conformity with the policy and intent of the 2040 Unified Plan and Future Development Map.



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.

The property is located within a developed office and industrial subdivision. No code enforcement violations have been issued since the original approval. As nearby areas have been recently rezoned to residential use, the availability of nearby property for the current use of the site is becoming more limited.

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 special use permit request.

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 special use permit request.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions)

Approval of a special use permit for outdoor storage, subject to the following conditions:

1. Outdoor storage shall be located to the rear of parcel 5126 119 and within an enclosed screened and fenced area. Outdoor storage materials shall be limited to PVC conduit, propane tanks, and wooden pallets.

2. Storage areas shall be kept in neat condition, free of junk, salvaged materials, trash, and other debris.
3. No outdoor storage of junk cars, parts, used tires, or other debris shall be permitted.
4. Dumpsters shall be screened by an opaque fence or wall at least six feet in height, and dumpster pickup shall be limited to between the hours of 7:00am and 9:00pm.
5. Materials stored outdoors shall not be placed or stacked at a height exceeding that of the screening fence.

Exhibits:

- A. Site Visit Photo
- B. Site Plan
- C. Previously Approved Resolutions
- D. Letter of Intent and Applicant's Response to Standards
- E. Internal and External Agency Review Comments
- F. Maps

Exhibit A: Site Visit Photo



Existing business with screened outdoor storage at rear

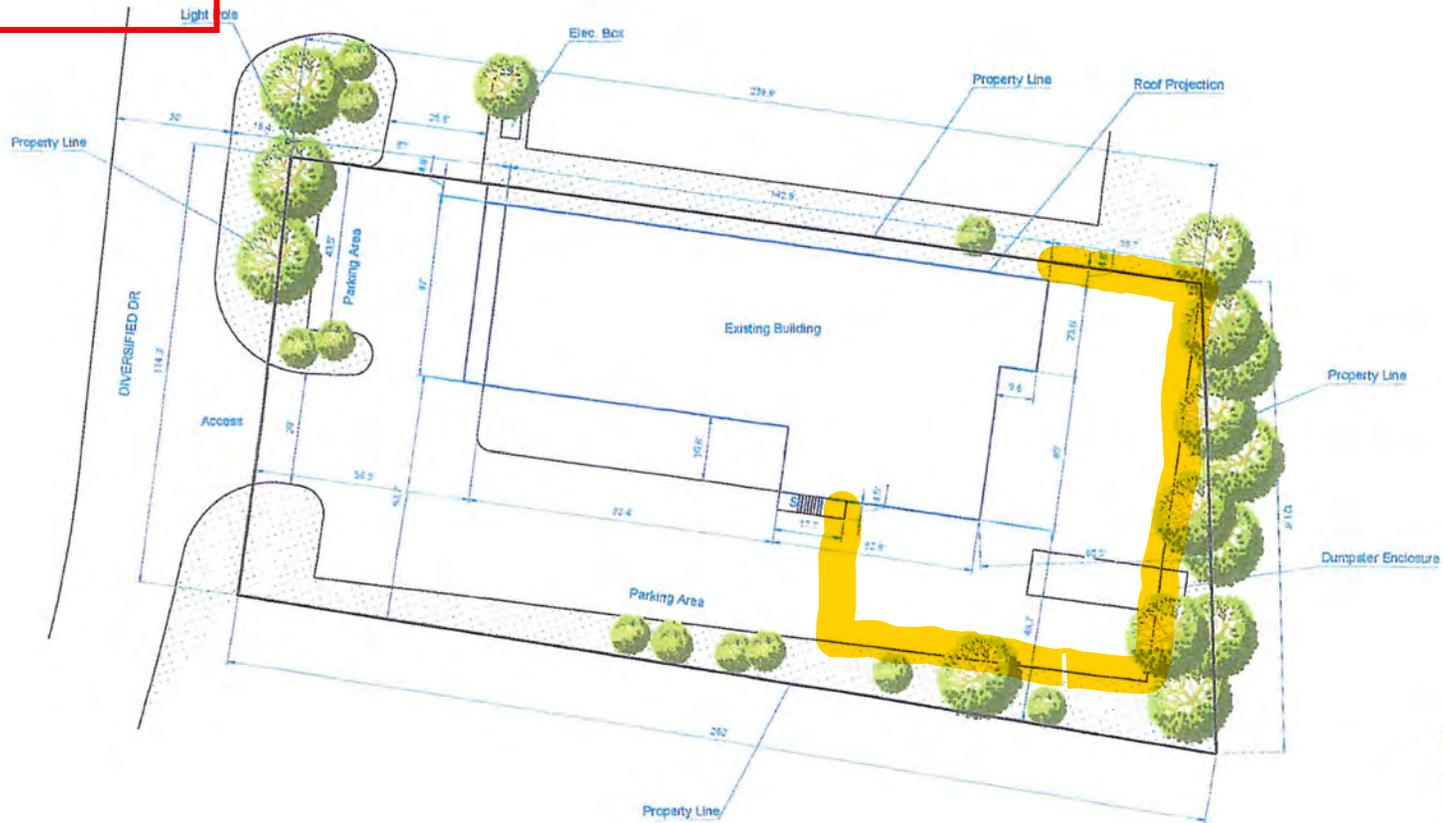
Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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6/29/2022



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JUN 04 2020

Planning & Development
SUP 20 04 0

Parcel No. (APN) 5-125-119
Land Use Cat. INDUSTRIAL
Land Use Desc. WAREHOUSE, STORAGE
Building Area 5,375 SF
Lot Area 29,185 SF (0.67 ACRES)
Building/Lot Ratio 0.18

3462 DIVERSIFIED DR
LOGANVILLE, GA 30052
Scale: 1"=30'

Exhibit C: Previously Approved Resolutions

[attached]

CASE NUMBER CIC2020-00022
GCID 2020-0756

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: CHANGE IN CONDITIONS OF ZONING

ADOPTION DATE: AUGUST 25, 2020

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

	<u>Present</u>	<u>Vote</u>
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. HUNTER, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application by TAMMY SMITH to Change the Conditions of Zoning on a tract of land zoned C-2 and described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on AUGUST 25, 2020 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, on this the 25th day of AUGUST 2020, that the aforesaid application to amend the Official Zoning Map is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include outdoor storage as a special use.
 - B. Outdoor storage shall be located to the rear of parcel 5126 119 and within an enclosed screened and fenced area. Outdoor storage materials shall be limited to PVC conduit, propane tanks and wooden pallets. The existing shipping container shall be removed within 30 days of approval of this Special Use Permit.
 - C. Storage areas shall be kept in neat condition, free of junk, salvaged materials, trash, and other debris.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings and replanting where sparsely vegetated, adjacent to residential zoning along the southern property line.
 - B. No more than two exists/entrances on U.S. 78.
 - C. No billboards are permitted.
 - D. Dumpsters shall be screened by an opaque fence or wall at least six feet in height, and dumpster pickup shall be limited to between the hours of 7:00am and 9:00pm.
 - E. Interparcel access shall be provided.
 - F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.

- G. Buildings shall be finished with architectural treatments of glass and/or brick, stone, or stucco; or any alternate architectural plans shall be subject to review and approval of the Planning Director prior to issuance of a building permit.
 - H. Provide landscaped islands throughout the parking areas, including a minimum ten-foot wide landscaped island at the end of each parking bay and a minimum six-foot wide landscaped island for each 225 feet of continuous bay length, or alternate plan as may be approved by the Director of Planning and Development.
 - I. Natural vegetation shall remain on the property until the issuance of a development permit.
 - J. No overnight idling of trucks or refrigeration equipment allowed.
 - K. Provide sidewalks adjacent to U.S. Highway 78 and Langley Road.
 - L. No banners, streamers or roping decorated with flags (other than U.S. or State of Georgia flags), tinsel, or other similar materials shall be displayed, hung or strung on the site.
 - M. Mini-warehouses shall be to the rear of the property.
 - N. No outdoor storage of junk cars, parts, used tires, or other debris shall be permitted.
3. To abide by the following requirements, dedications and improvements:
- A. Design required on-site stormwater detention facilities, which may be located within any required buffer.
 - B. The Special Use Permit shall be valid for a 24-month period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit.

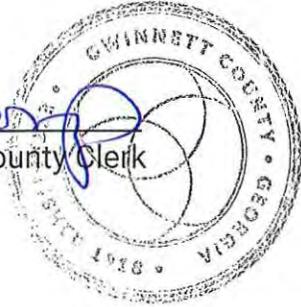
GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 9/11/20

ATTEST:

Diana King
County Clerk/Deputy County Clerk



CASE NUMBER SUP2020-00040
GCID 2020-0757

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: AUGUST 25, 2020

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

	<u>Present</u>	<u>Vote</u>
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. HUNTER, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by TAMMY SMITH for the proposed use of OUTDOOR STORAGE on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on AUGUST 25, 2020 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 25th day of AUGUST 2020, that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses, which may include outdoor storage as a special use.
 - B. Outdoor storage shall be located to the rear of parcel 5126 119 and within an enclosed screened and fenced area. Outdoor storage materials shall be limited to PVC conduit, propane tanks and wooden pallets. The existing shipping container shall be removed within 30 days of approval of this Special Use Permit.
 - C. Storage areas shall be kept in neat condition, free of junk, salvaged materials, trash, and other debris.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural buffer, undisturbed except for approved perpendicular access and utility crossings and replanting where sparsely vegetated, adjacent to residential zoning along the southern property line.
 - B. No more than two exists/entrances on U.S. 78.
 - C. No billboards are permitted.
 - D. Dumpsters shall be screened by an opaque fence or wall at least six feet in height, and dumpster pickup shall be limited to between the hours of 7:00am and 9:00pm.

- E. Interparcel access shall be provided.
 - F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.
 - G. Buildings shall be finished with architectural treatments of glass and/or brick, stone, or stucco; or any alternate architectural plans shall be subject to review and approval of the Planning Director prior to issuance of a building permit.
 - H. Provide landscaped islands throughout the parking areas, including a minimum ten-foot wide landscaped island at the end of each parking bay and a minimum six-foot wide landscaped island for each 225 feet of continuous bay length, or alternate plan as may be approved by the Director of Planning and Development.
 - I. Natural vegetation shall remain on the property until the issuance of a development permit.
 - J. No overnight idling of trucks or refrigeration equipment allowed.
 - K. Provide sidewalks adjacent to U.S. Highway 78 and Langley Road.
 - L. No banners, streamers or roping decorated with flags (other than U.S. or State of Georgia flags), tinsel, or other similar materials shall be displayed, hung or strung on the site.
 - M. Mini-warehouses shall be to the rear of the property.
 - N. No outdoor storage of junk cars, parts, used tires, or other debris shall be permitted.
3. To abide by the following requirements, dedications and improvements:
- A. Design required on-site stormwater detention facilities, which may be located within any required buffer.
 - B. The Special Use Permit shall be valid for a 24-month period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit.

CASE NUMBER SUP2020-00040

GCID 2020-0757

WINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 9-15-20

ATTEST:

Diane King
County Clerk/Deputy County Clerk



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

[attached]

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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:

yes, storage is behind a fence

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

no, no one can see in the screened fence

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

yes, it will allow us to continue our business

- (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:

no, we are off the street and have woods behind us.

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

yes, the storage is enclosed and is completely within 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:

outdoor storage won't affect any one and is necessary for our business

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6/29/2022

Letter Of Intent

Gwinnett County Planning Division
Change in Conditions
Special Use Permit Renewal

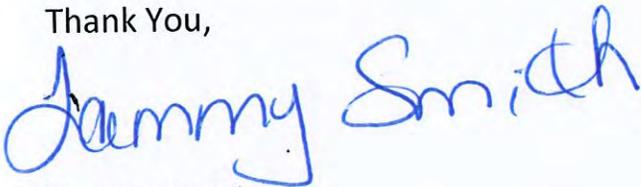
Re: 3462 Diversified Dr.
Loganville, GA 30052

Request for renewal of SUP2020-0040 GCID 2020-0757 adopted on August 25,
2020

We are requesting a renewal of the approved special use permit and would like to ask that it be permanent as long as we're in business here. There is no one behind or beside us that would be negatively affected by this.

The acreage size is .67
There are 8 parking spaces
The building is 16ft high
No change in buffers
Hours of operations are Mon-Fri, 7am- 4 pm

Thank You,



Tammy Smith
770.616.0846

Exhibit E: Internal and External Agency Review Comments

[attached]

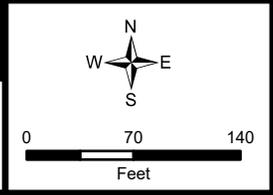
TRC Meeting Date:		8.17.22	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		SUP2022-00046	
Case Address:		3462 Diversified Drive	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Diversified Drive is a local street. No ADT on file.		
2	8.0 miles to nearest transit facility (#2335042) Johnson Road and Sugarloaf Landing Plaza.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

TRC Meeting Date:		8/17/2022		
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		SUP2022-00046		
Case Address:		3462 Diversified Drive		
Comments:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>
1	Water: There are no DWR water comments for this case, the existing building is already connected to Gwinnett County water.			NO
2	Sewer: There are no DWR sewer comments for this case. The existing building is already connected to Gwinnett County sewer.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				



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

SUP2022-00046
 C-2
Water & Sewer
Utility Map



Water Comments: There are no DWR water comments for this case, the existing building is already connected to Gwinnett County water.

Sewer Comments: There are no DWR sewer comments for this case. The existing building is already connected to Gwinnett County sewer.

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 F: Maps

[attached]

PALMER DR

IN THE PINES RD

LANGLEY RD

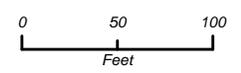
DIVERSIFIED DR

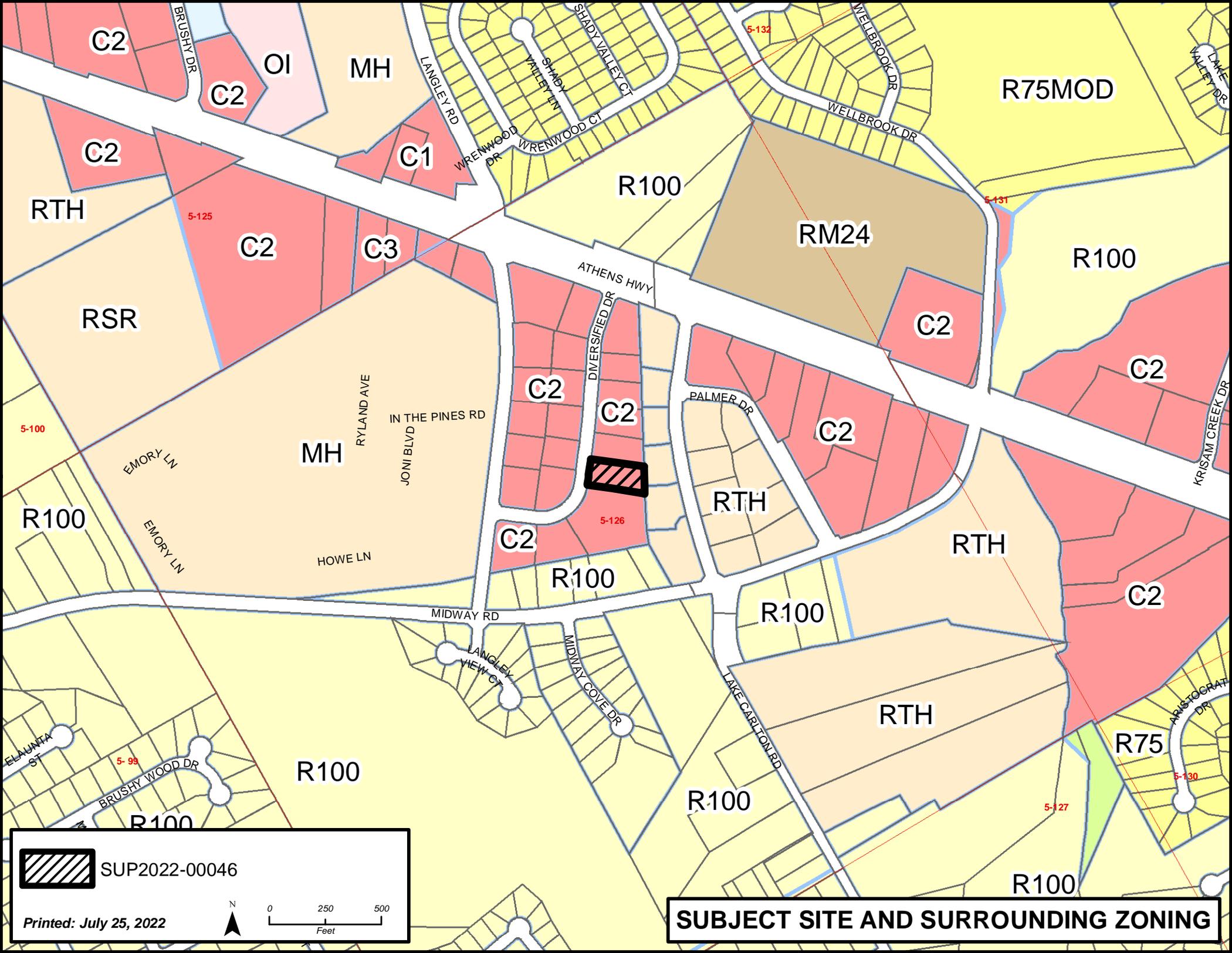
LAKE CARLTON RD



 SUP2022-00046

Printed: July 25, 2022



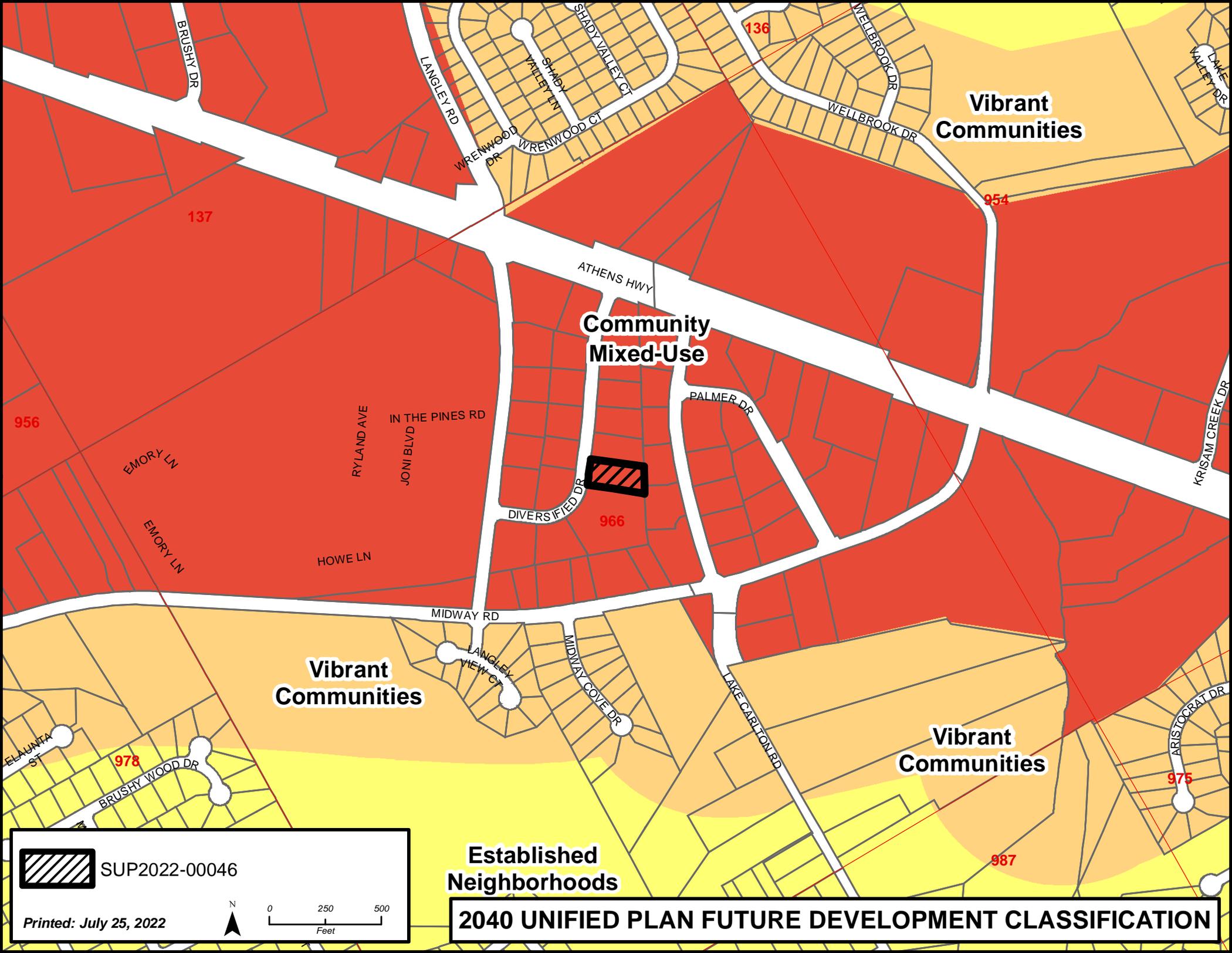


 SUP2022-00046

Printed: July 25, 2022



SUBJECT SITE AND SURROUNDING ZONING



**Vibrant
Communities**

**Community
Mixed-Use**

**Vibrant
Communities**

**Vibrant
Communities**

**Established
Neighborhoods**

2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

 SUP2022-00046

Printed: July 25, 2022



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6/29/2022

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Tammy Smith</u>	NAME: <u>Boyd & Tammy Smith</u>
ADDRESS: <u>P.O. Box 3379</u>	ADDRESS: <u>3462 Diversified Dr.</u>
CITY: <u>Loganville</u>	CITY: <u>Loganville</u>
STATE: <u>GA</u> ZIP: <u>30052</u>	STATE: <u>GA</u> ZIP: <u>30052</u>
PHONE: <u>770.666.0846</u>	PHONE: <u>770.666.0846</u>
CONTACT PERSON: <u>Tammy Smith</u> PHONE: <u>770.666.0846</u>	
CONTACT'S E-MAIL: <u>tammy5630@gmail.com</u>	

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

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: C2 BUILDING/LEASED SQUARE FEET: 7500 sq. ft

PARCEL NUMBER(S): R5121119 ACREAGE: .6744

ADDRESS OF PROPERTY: 3462 Diversified Dr. Loganville

SPECIAL USE REQUESTED: allow storage behind building in the screened area as long as were in business

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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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:

yes, storage is behind a fence

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

no, no one can see in the screened fence

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

yes, it will allow us to continue our business

- (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:

no, we are off the street and have woods behind us.

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

yes, the storage is enclosed and is completely within 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:

outdoor storage won't affect any one and is necessary for our business

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06 JUL 18 PM 2:00
TOM LAWLER, CLERK

PLAT BOOK 95-2002-028307
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 580.00
TOM LAWLER CLERK OF
SUPERIOR COURT

After recording return to
DICKINSON & WILLIS, LLC
ATTORNEYS AT LAW
338 NORTH BROAD STREET
MONROE, GEORGIA 30655
FILE # 06-217

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF WALTON

THIS INDENTURE, Made the 17th day of July in the year two thousand and six, between **HERRON PROPERTIES, INC.**, a Georgia Corporation, as party or parties of the first part, hereinafter called "Grantors," and **BOYD S. SMITH and TAMMY P. SMITH**, of the County of Walton and State of Georgia, as party or parties of the second part, hereinafter called "Grantee" (the words "Grantors" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantors for and in consideration of the sum of Ten (\$ 10.00) Dollars and other valuable considerations in hand paid at and 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 does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

All that tract or parcel of land lying and being in Land Lot 126 of the 5th Land District of Gwinnett County, Georgia, being shown as Lot 6, Block "A", on a final plat entitled "Langley Business Park", dated March 29, 2002, revised October 28, 2002, prepared by Engineering Management Associates, Inc., certified by Robert Von Itter, Georgia Registered Professional Land Surveyor No. 2251, and being recorded in Plat Book 95, Page 218, Gwinnett County, Georgia Records, which plat is incorporated herein by reference for a more complete and accurate description.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the above described property unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantors have signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in presence of:

Planning & Development

HERRON PROPERTIES, INC.

SUP 20040

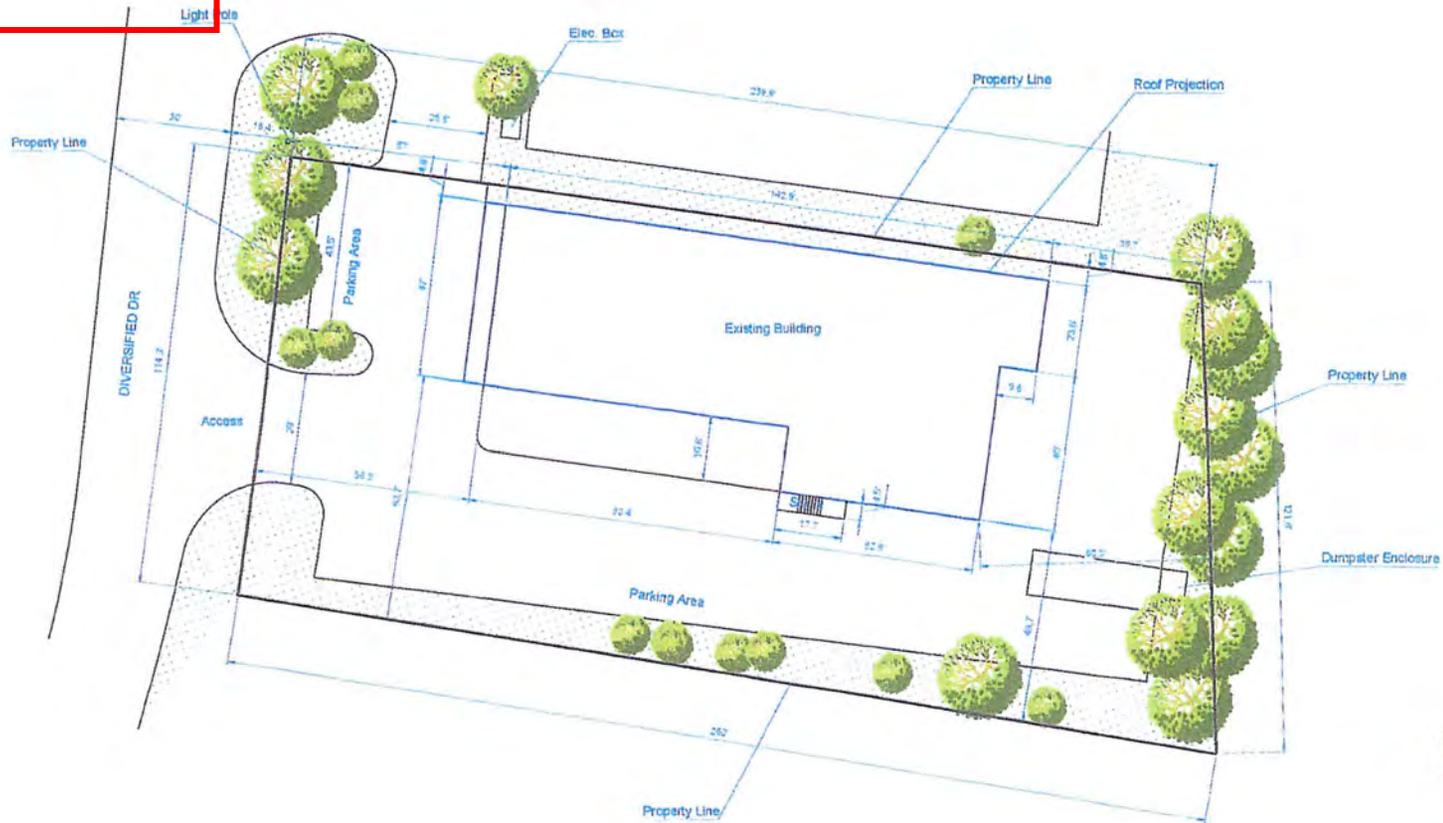
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JUL 11 2020

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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6/29/2022



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JUN 04 2020

Planning & Development
SUP 20 0 4 0

Parcel No. (APN) 5-125-119
Land Use Cat. INDUSTRIAL
Land Use Desc. WAREHOUSE, STORAGE
Building Area 5,375 SF
Lot Area 29,185 SF (0.67 ACRES)
Building/Lot Ratio 0.18

3462 DIVERSIFIED DR
LOGANVILLE, GA 30052
Scale: 1"=30'

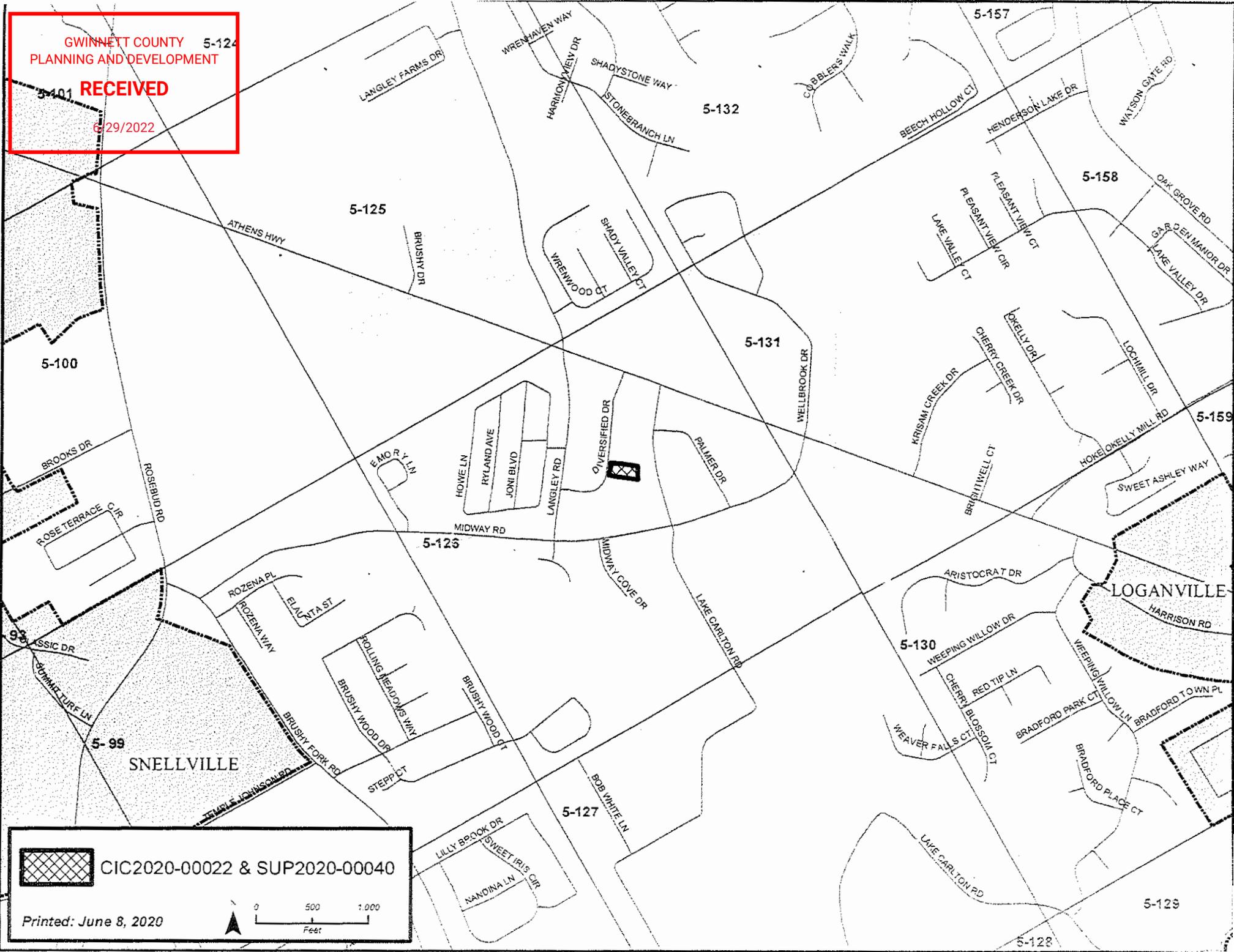


GWINNETT COUNTY
PLANNING AND DEVELOPMENT

5-124

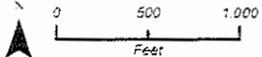
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6/29/2022



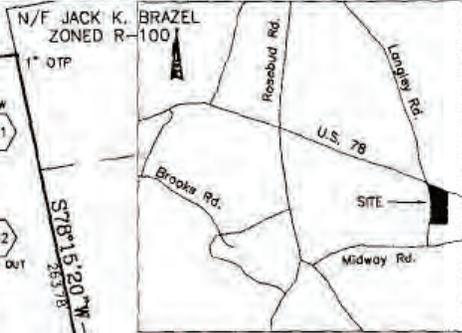
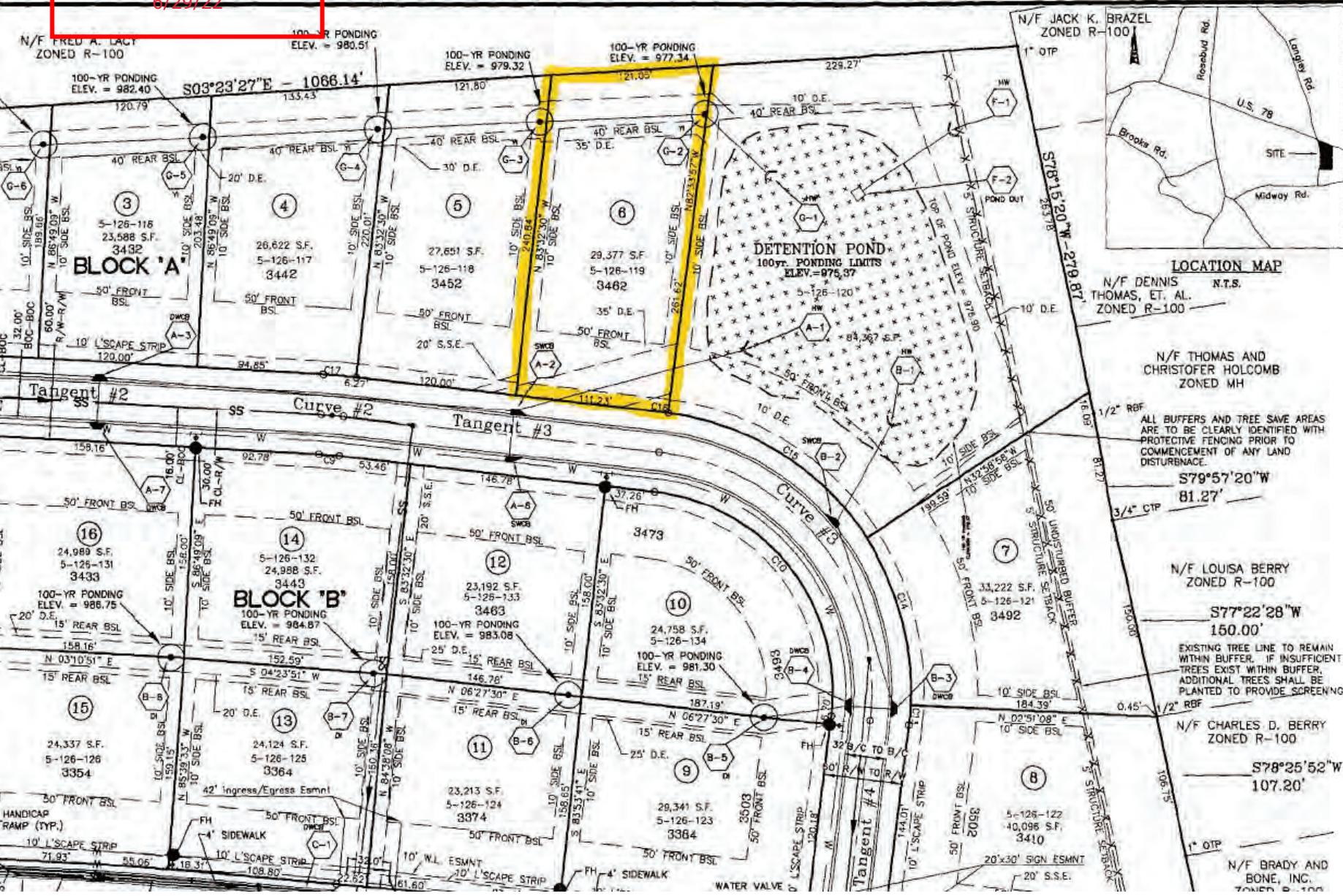
CIC2020-00022 & SUP2020-00040

Printed: June 8, 2020



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LOCATION MAP

ENGINEERING MANAGEMENT ASSOCIATES, INC.
...ALL RIGHTS RESERVED.
THESE CONSTRUCTION DOCUMENTS AND PERMITTED REPRODUCTIONS, IN WHOLE OR IN PART, ARE INSTRUMENTS OF SERVICE FOR THE PROJECT AND SITE SPECIFIC. ENGINEERING MANAGEMENT ASSOCIATES, INC. UNLESS OTHERWISE AGREED TO, THEY SHALL NOT BE REPRODUCED OR COPIED FOR ANY OTHER PROJECTS WITHOUT WRITTEN PERMISSION FROM AND AGREEMENT WITH ENGINEERING MANAGEMENT ASSOCIATES, INC.

DATE	NO	DESCRIPTION

REVISION

N/F DENNIS THOMAS, ET. AL.
ZONED R-100
N.T.S.
N/F THOMAS AND CHRISTOPHER HOLCOMB
ZONED MH

1/2" RBF
ALL BUFFERS AND TREE SAVE AREAS ARE TO BE CLEARLY IDENTIFIED WITH PROTECTIVE FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
3/4" CTP

N/F LOUISA BERRY
ZONED R-100
S77°22'28"W
150.00'

N/F CHARLES D. BERRY
ZONED R-100
S78°25'52"W
107.20'

N/F BRADY AND BONE, INC.
ZONED R-100
1" OTP

EMA
ENGINEERING MANAGEMENT ASSOCIATES, INC.
CIVIL AND ENVIRONMENTAL ENGINEERS
P.O. BOX 2112
LAWRENCEVILLE, GEORGIA 30046-2112
(770) 962-1387 (FAX) (770) 962-8010

PK

RCOL 6
2/A

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Letter Of Intent

Gwinnett County Planning Division
Change in Conditions
Special Use Permit Renewal

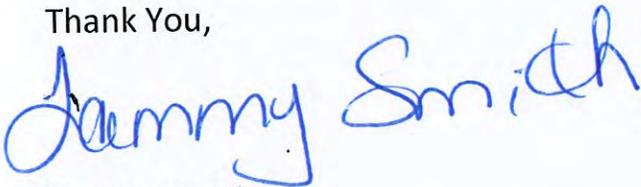
Re: 3462 Diversified Dr.
Loganville, GA 30052

Request for renewal of SUP2020-0040 GCID 2020-0757 adopted on August 25,
2020

We are requesting a renewal of the approved special use permit and would like to ask that it be permanent as long as we're in business here. There is no one behind or beside us that would be negatively affected by this.

The acreage size is .67
There are 8 parking spaces
The building is 16ft high
No change in buffers
Hours of operations are Mon-Fri, 7am- 4 pm

Thank You,



Tammy Smith
770.616.0846

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6/29/2022

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.

Tammy Smith
Signature of Applicant

6/29/2022
Date

Tammy Smith - owner
Type or Print Name and Title

[Signature]
Signature of Notary Public

6-29-22
Date

Notary Seal

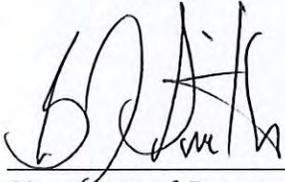


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6/29/2022

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.



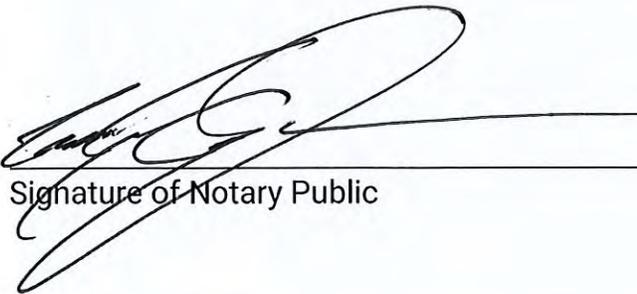
Signature of Property Owner

6-29-22

Date

Bayd Smith - owner

Type or Print Name and Title

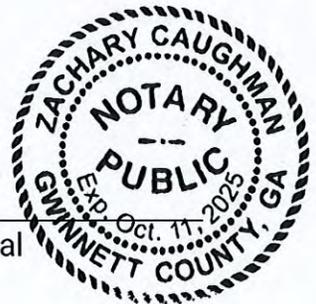


Signature of Notary Public

6-29-22

Date

Notary Seal



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6/29/2022

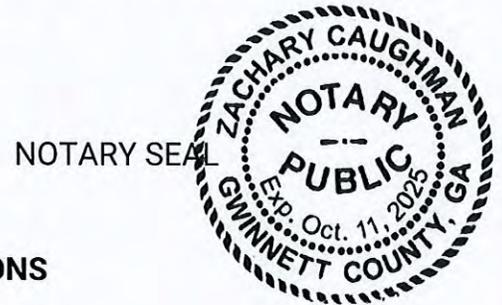
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

Tammy Smith 6/29/2022 Tammy Smith
owner
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 6-29-22
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 Tammy Smith
YOUR NAME

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

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

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

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6/29/2022

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: _____ 5126 - 119
(Map Reference Number) District Land Lot Parcel

Tammy Smith
Signature of Applicant

6/29/2022
Date

Tammy Smith
Type or Print Name and Title

6/29/2022

*****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)

Tonia Harmon
NAME

TSA
TITLE

6.29.2022

DATE