

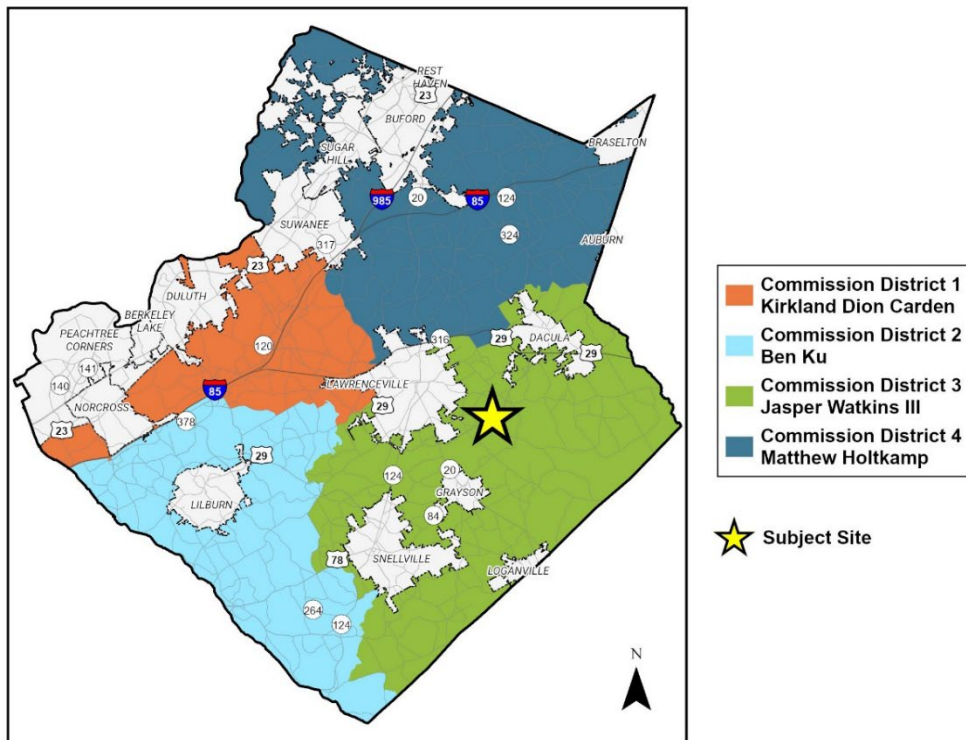


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2022-00055
Current Zoning: R-100 (Single-Family Residence District)
Request: Special Use Permit
Address: 1197 Hiram Davis Road
Map Number: R5203 223
Site Area: 3.09 acres
Square Feet: 4,414
Proposed Development: Family Personal Care Home
Commission District: District 3 – Commissioner Watkins
Character Area: Suburban Estate Living and Vibrant Communities

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 1/3/2023
Board of Commissioners Advertised Public Hearing Date: 1/24/2023 (Public Hearing Held / Action Tabled To 2/21/2023)

Applicant: Petal Missette
4350 Autry Way
Johns Creek, GA 30022

Owner: Kenneth Ajobor
4350 Autry Way
Johns Creek, GA 30022

Contact: Petal Missette

Contact Phone: 718.839.0011

Zoning History

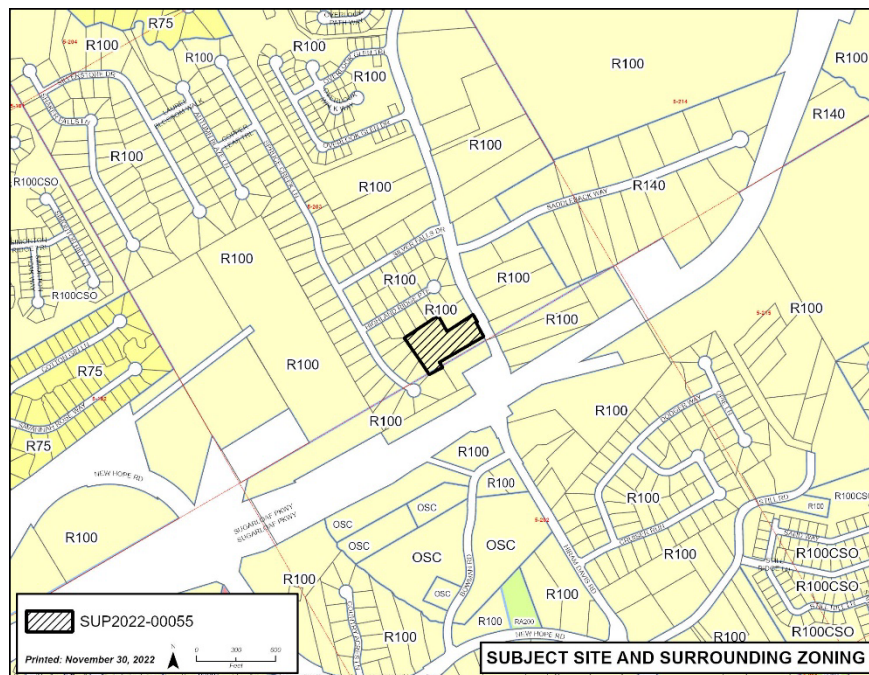
The subject property is zoned R-100 (Single-Family Residence District). There are no prior rezoning applications on record for this property.

Existing Site Condition

The subject site is a 3.09-acre property located along the west side of Hiram Davis Road, north of its overpass of Sugarloaf Parkway. The site is developed with a single-family home and a swimming pool. The rear portion of the site is wooded. The site rises from Hiram Davis Road towards the rear by approximately 30 feet. Overhead powerlines are present along Hiram Davis Road and there are no sidewalks on either side of the road. The nearest Gwinnett County Transit stop is 4.4 miles from the site.

Surrounding Use and Zoning

The subject site is surrounded by detached single-family residential uses. To the west and north is the Falls at North Cliff, a single-family detached residential subdivision. Single-family residences on large lots are located to the east and south of the subject property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Family Personal Care Home	R-100	0.73 units per acre
North	Single-Family Residential	R-100	1.90 units per acre
East	Single-Family Residential	R-100	0.34 units per acre
South	Single-Family Residential	R-100	0.60 units per acre
West	Single-Family Residential	R-100	1.90 units per acre

Project Summary

The applicant requests a special use permit on a 3.09-acre property zoned R-100 to establish a family personal care home, including:

- A two-story, 4,414 square-foot existing single-family residence, containing eight bedrooms and a two-car garage.
- Eight adult residents capable of self-preservation.
- Services provided such as meal preparation, medication reminders, laundry, housekeeping, and assistance with bathing, dressing, and grooming.
- Two staff (administrator and support staff) during the day, and one staff at night, providing a twenty-four-hour assistance.
- Four parking spaces including a two-car garage and two parking spaces to the south side of the house.
- Access via a single driveway from Hiram Davis Road with sufficient parking area for visitors and employees.
- An existing septic system serving the site.

Zoning and Development Standards

The applicant is requesting a special use permit for a family personal care home in the R-100, Single-Family Residence District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Existing	Meets Standard?
Off-Street Parking	Minimum: 1 per 3 beds (2 spaces) Maximum: 1 per 2 beds (4 spaces)	4	YES
Front Yard Setback	Minimum: 50'	>50'	YES
Side Yard Setback	Minimum: 10'	>10'	YES
Rear Yard Setback	Minimum: 40'	>40'	YES
Lot Size for Personal Care Home	Minimum: 1 acre	3.09	YES
Number of Residents	Maximum: 8	8	YES

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 may also be required related to transportation, stormwater, water, and sewer utilities.

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 surrounding area is characterized by single-family residential uses. The special use would be suitable considering the compatible uses on the surrounding properties, the property's size being over three times the minimum lot size of one acre, and its adequate separation from neighboring properties.

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

The family personal care home would be compatible with the area's single-family residential land use pattern. The proposed use would not adversely affect the existing use or usability of the adjacent or nearby properties with regard to lighting, noise, or traffic impacts.

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.

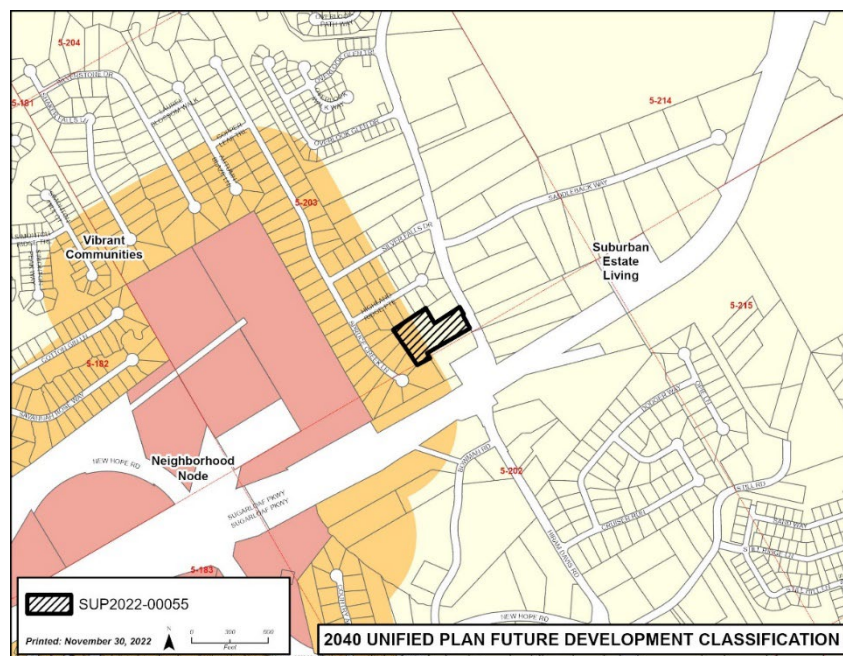
D. Whether the proposed special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The requested special use permit would create minimal impacts on public facilities 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 are 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 and Future Development Map indicates the front half of the subject

property lies within the Suburban Estate Living Character Area and the rear half lies within the Vibrant Communities Character Area. The Suburban Estate Living character area is currently mainly residential large tracts of land for greenfield development and includes some remnants of agricultural uses. This area includes areas where there is a desire to preserve the historical and agricultural character so that new development is low in intensity and consists primarily of large residential lots. The lot is three times larger than the minimum required lot size for a family personal care home. The applicant is proposing to use the existing eight-bedroom single-family home and preserve the wooded area to the rear. Vibrant Communities also recommends residential uses within a variety of housing types. A personal care home would provide additional living opportunities in the area. Therefore, the proposed personal care home use aligns with the intent of the character areas, and with recommended conditions, the requested special use permit would be consistent with the intent of the 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.

Personal care homes approved by the Board of Commissioners are similarly located on classified roadways and on properties that provide adequate separation from neighboring residences, which supports approval of the request.

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, as Amended)

Approval of a special use permit for a family personal care home, subject to the following conditions:

1. The personal care home shall provide residence and care for a maximum of ~~eight~~ **four** individuals (clients) residing in the home.
2. Exterior signage advertising the family personal care home shall be prohibited.
3. The special use permit shall be valid for no more than a two-year period, at which time the special use permit must be reapplied for and approved by the Board of Commissioners to continue the use.
4. **The applicant shall receive all approvals from the State prior to issuance of a license.**
5. **The applicant shall provide a six-foot-tall wrought iron fence around the perimeter of the property.**

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Applicant's Response to Standards
- D. Application and Disclosure of Campaign Contributions
- E. Internal and External Agency Review Comment
- F. Maps

Exhibit A: Site Visit Photo

[attached]



View of the property from Hiram Davis Road



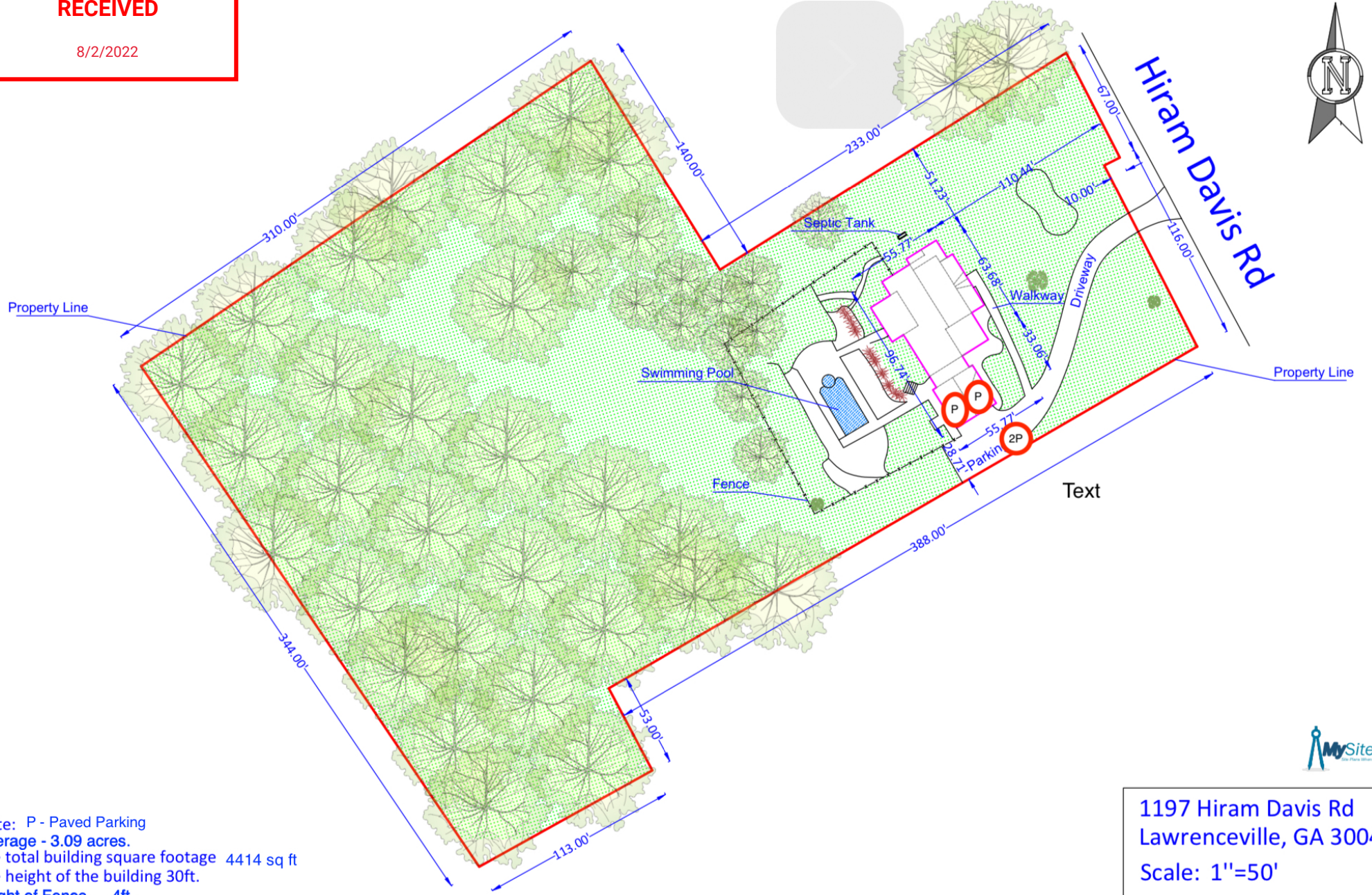
View of the property from Hiram Davis Road

Exhibit B: Site Plan

[attached]

RECEIVED

8/2/2022



Note: P - Paved Parking
Acerage - 3.09 acres.
The total building square footage 4414 sq ft
The height of the building 30ft.
Height of Fence — 4ft.

1197 Hiram Davis Rd
Lawrenceville, GA 30045
Scale: 1"=50'



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

[attached]

RECEIVED

July 21, 2022
8/2/2022

Petal Missette
Integrated Wellness LLC
4350 Autry Way
Johns Creek, GA 30022

Gwinnett County Department of Planning and Development (Planning Division)
446 West Crogan Street
Suite 300
Lawrenceville, GA 30046

Re: Letter of Intent For Proposed Personal Care Home at 1197 Hiram Davis Rd, Lawrenceville, GA 30045.

To Whom It May Concern,

We are submitting this letter with the intent to acquire a Special Use Permit to run a Personal Care Home in the existing zoning R-100. We anticipate the proposed use of the property would be based on the following conditions.

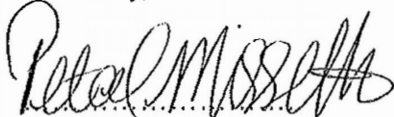
Integrated Wellness LLC would provide meal preparation, medication reminders, laundry, housekeeping, assistance with bathing, dressing and grooming. Clients will feel safe and families will have peace of mind.

All services will be provided in one dwelling. Total building square footage is 4414 sq ft. Building height is 30 feet, on a total of 3.09 acres. The building will have 8 bedrooms to accommodate 8 adults. We will be providing 24 hours care. Planned staffing will include 2 people (administrator and support staff) during the day, and 1 staff at night. This property can accommodate 4 parking spaces.

We appreciate you considering our request for a Special Use Permit to provide care for clients in the community needing personal and supportive care.

Thank you.

Sincerely,



Petal Missette.
rmissette@gmail.com

RECEIVED

8/2/2022

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:

Does not permit use for development of adjacent and nearby property.

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

This Special Use Permit/Property will not affect any existing adjacent or nearby property.

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

The nearby property will not be affected by this Special Use Permit request.

- (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:

The proposed Special Use Permit will not cause excessive or burdensome use of existing street or utilities.

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

YES.

- (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:

No.

Exhibit D: Application and Disclosure of Campaign Contributions

[attached]

RECEIVED

8/2/2022

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>PETAL MISSETTE</u>	NAME: <u>KENNETH AJABOR</u>
ADDRESS: <u>4350 AUTRY WAY</u>	ADDRESS: <u>4350 AUTRY WAY</u>
CITY: <u>JOHNS CREEK</u>	CITY: <u>JOHNS CREEK</u>
STATE: <u>GA</u> ZIP: <u>30022</u>	STATE: <u>GA</u> ZIP: <u>30022</u>
PHONE: <u>718.839.0011</u>	PHONE: <u>718.755.8819</u>
EMAIL: <u>pmissette@gmail.com</u>	EMAIL: <u>jaboronki@gmail.com</u>
CONTACT PERSON: <u>PETAL MISSETTE</u> PHONE: <u>718.839.0011</u>	
CONTACT'S E-MAIL: <u>pmissette@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:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>R-100</u>	BUILDING/LEASED SQUARE FEET: <u>4414</u>
PARCEL NUMBER(S) <u>R 5203 223</u>	ACREAGE: <u>3.09</u>
ADDRESS OF PROPERTY: <u>1197 HIRAM DAVIS RD. LAWRENCEVILLE</u> <u>30045</u>	
SPECIAL USE REQUESTED: <u>FAMILY PERSONAL CARE HOME</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

8/2/2022

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.

Petal Missette

Signature of Applicant

7-21-22

Date

PETAL MISSETTE

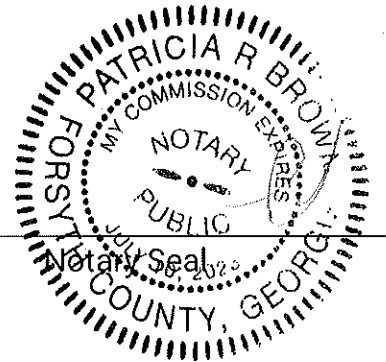
Type or Print Name and Title

Patricia R. Brown

Signature of Notary Public

7/21/2022

Date



RECEIVED

8/2/2022

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.

[Handwritten Signature]

Signature of Property Owner

07/21/22

Date

KENNETH AJABOR

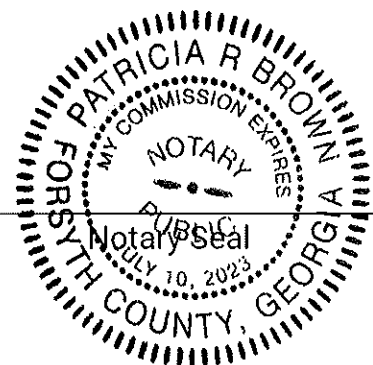
Type or Print Name and Title

[Handwritten Signature]

Signature of Notary Public

7/21/2022

Date



RECEIVED

8/2/2022

**SPECIAL USE PERMIT IN A
RESIDENTIAL DISTRICT**

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.

Petal Missette

Signature of Applicant

PETAL MISSETTE

Type or Print Name

7-21-22

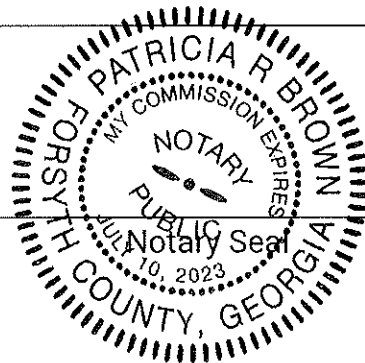
Date

Patricia R. Brown

Signature of Notary Public

8/21/2022

Date



RECEIVED

8/2/2022

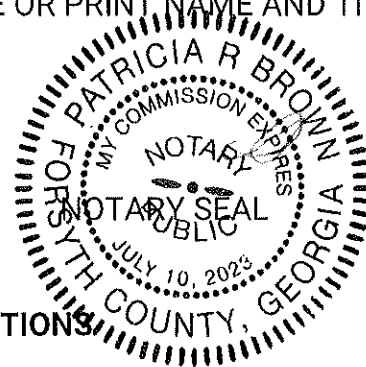
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

Petal Missette 7.21.22 PETAL MISSETTE
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Patricia R. Brown 7/10/2023
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 PETAL MISSETTE
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.

Exhibit E: Internal and External Agency Review Comments

[attached]



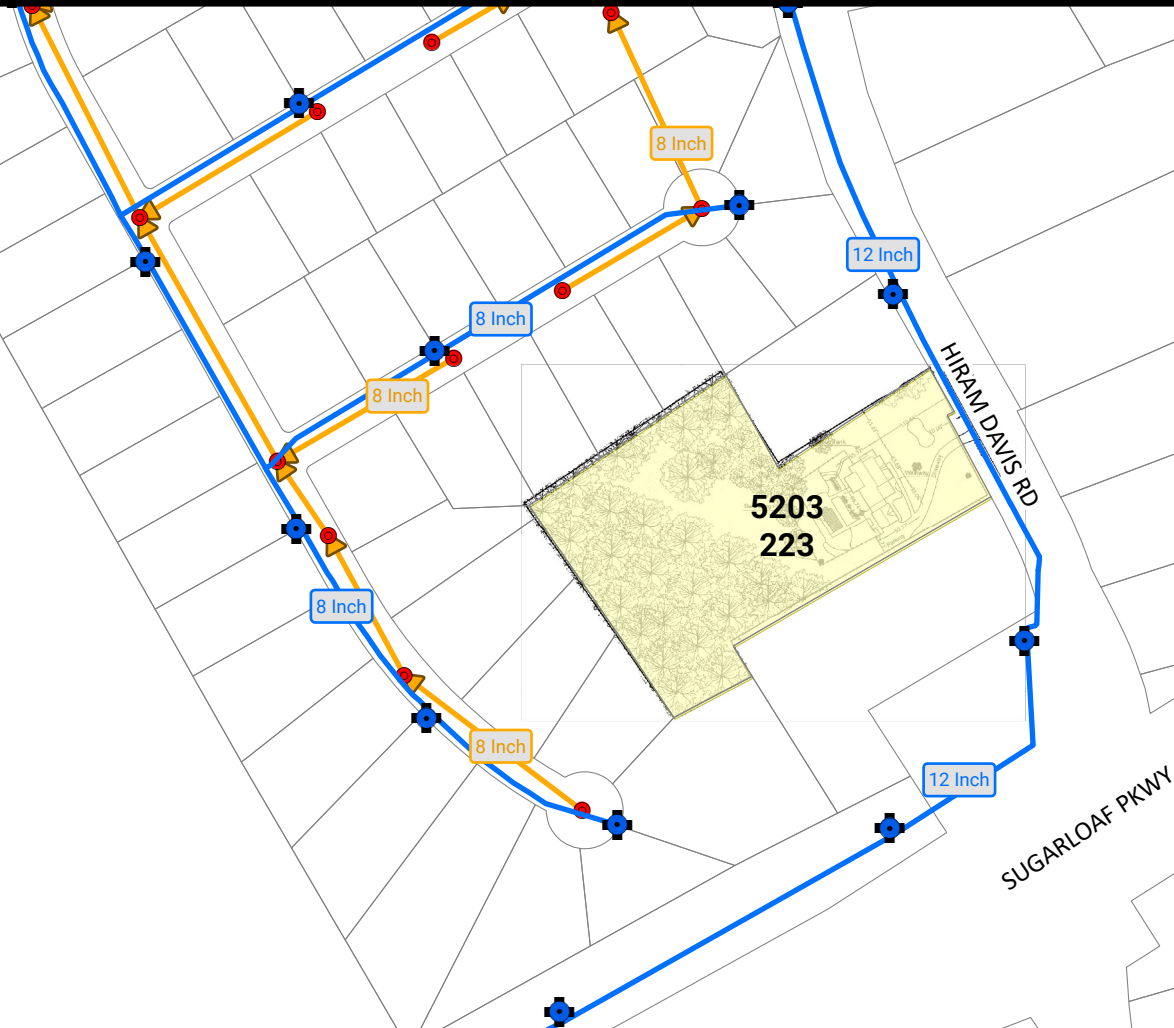
**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

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:		SUP2022-00055	
Case Address:		1197 Hiram Davis Road	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Hiram Davis Road is a major collector. ADT = 1,123.		
2	4.4 miles to the nearest transit facility (#2454884) Grayson Highway and VFW #5255.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			



**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

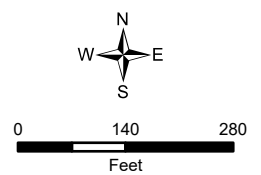
TRC Meeting Date:					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com			
Case Number:		SUP2022-00055			
Case Address:		1197 Hiram Davis Road			
Comments:		<input type="checkbox"/>	YES	<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					



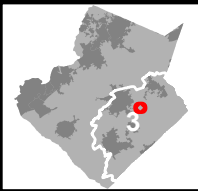
1197 Hiram Davis Rd
R-100
Water & Sewer
Utility Map

LEGEND

- Flow Management
- Pump Station
- Regional
- Manhole
- Hydrant
- City
- Water Main
- Reuse Main
- Sewer Force Main
- Effluent Outfall
- Sewer Collector
- 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 F: Maps

[attached]




HIGHLAND RIDGE PTE

HIRAM DAVIS RD

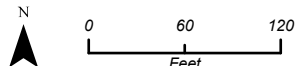
SPRUCE CREEK LN

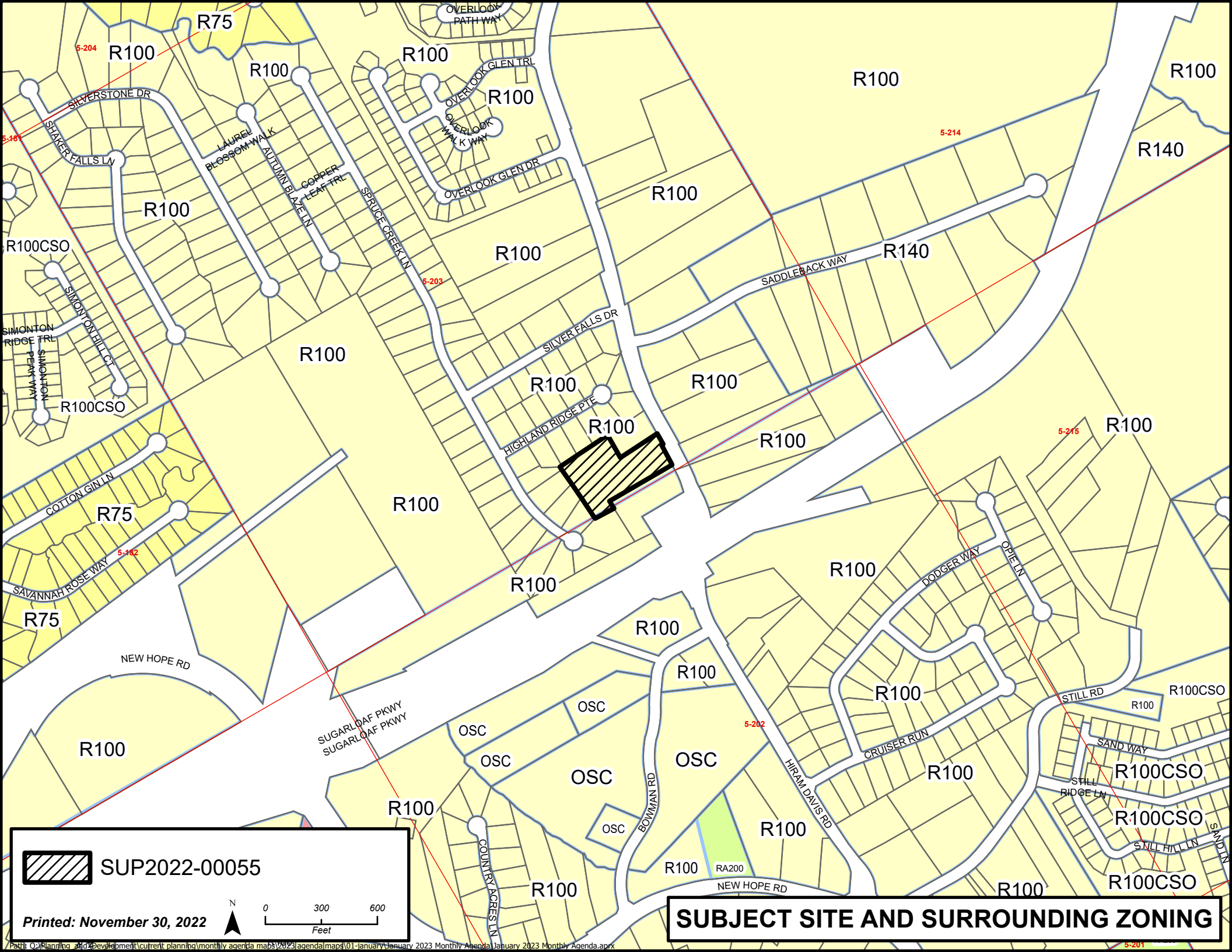
SUGARLOAF PKWY

SUGARLOAF PKWY

 SUP2022-00055

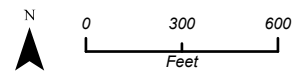
Printed: November 30, 2022



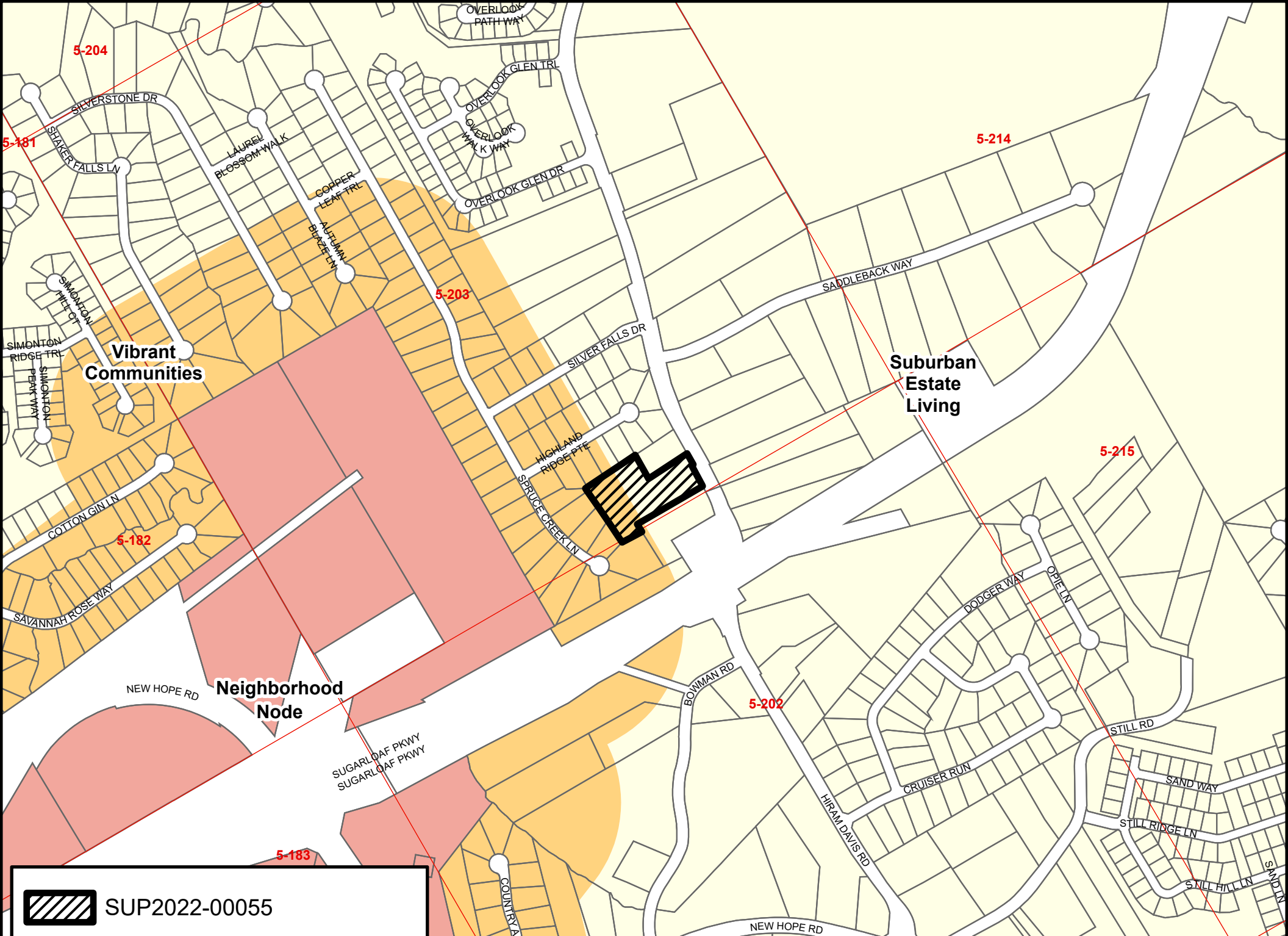


 SUP2022-00055

Printed: November 30, 2022



SUBJECT SITE AND SURROUNDING ZONING



 SUP2022-00055

Printed: November 30, 2022

N

0 300 600
Feet

2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

RECEIVED

8/2/2022

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>PETAL MISSETTE</u>	NAME: <u>KENNETH AJABOR</u>
ADDRESS: <u>4350 AUTRY WAY</u>	ADDRESS: <u>4350 AUTRY WAY</u>
CITY: <u>JOHNS CREEK</u>	CITY: <u>JOHNS CREEK</u>
STATE: <u>GA</u> ZIP: <u>30022</u>	STATE: <u>GA</u> ZIP: <u>30022</u>
PHONE: <u>718.839.0011</u>	PHONE: <u>718.755.8819</u>
EMAIL: <u>rmissette@gmail.com</u>	EMAIL: <u>jabronxki@gmail.com</u>
CONTACT PERSON: <u>PETAL MISSETTE</u> PHONE: <u>718.839.0011</u>	
CONTACT'S E-MAIL: <u>rmissette@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:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>R-100</u>	BUILDING/LEASED SQUARE FEET: <u>4414</u>
PARCEL NUMBER(S) <u>R 5203 223</u>	ACREAGE: <u>3.09</u>
ADDRESS OF PROPERTY: <u>1197 HIRAM DAVIS RD. LAWRENCEVILLE</u> <u>30045</u>	
SPECIAL USE REQUESTED: <u>FAMILY PERSONAL CARE HOME</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

8/2/2022

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.

Petal Missette

Signature of Applicant

7-21-22

Date

PETAL MISSETTE

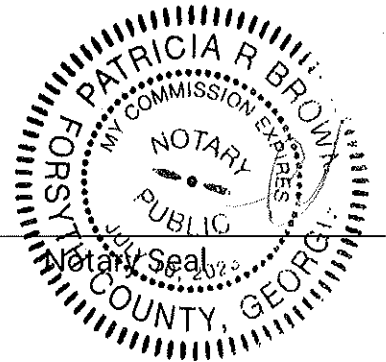
Type or Print Name and Title

Patricia R. Brown

Signature of Notary Public

7/21/2022

Date



RECEIVED

8/2/2022

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.

[Handwritten Signature]

Signature of Property Owner

07/21/22

Date

KENNETH AJABOR

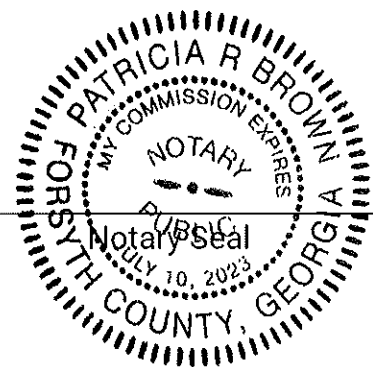
Type or Print Name and Title

[Handwritten Signature]

Signature of Notary Public

7/21/2022

Date



RECEIVED

8/2/2022

**SPECIAL USE PERMIT IN A
RESIDENTIAL DISTRICT**

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.

Petal Missette

Signature of Applicant

PETAL MISSETTE

Type or Print Name

7-21-22

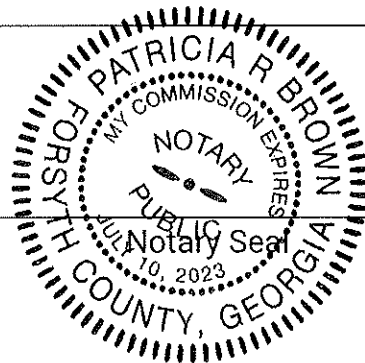
Date

Patricia R. Brown

Signature of Notary Public

8/21/2022

Date



RECEIVED

8/2/2022

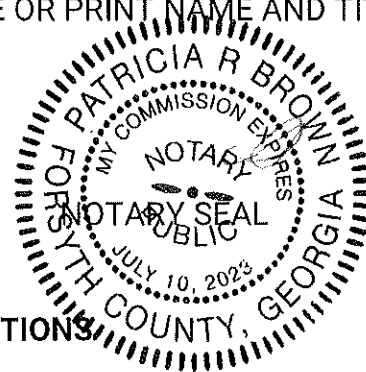
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

Petal Missette 7.21.22 PETAL MISSETTE
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Patricia R. Brown 7/10/2023
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 PETAL MISSETTE
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.

Exhibit E: Internal and External Agency Review Comments

[attached]



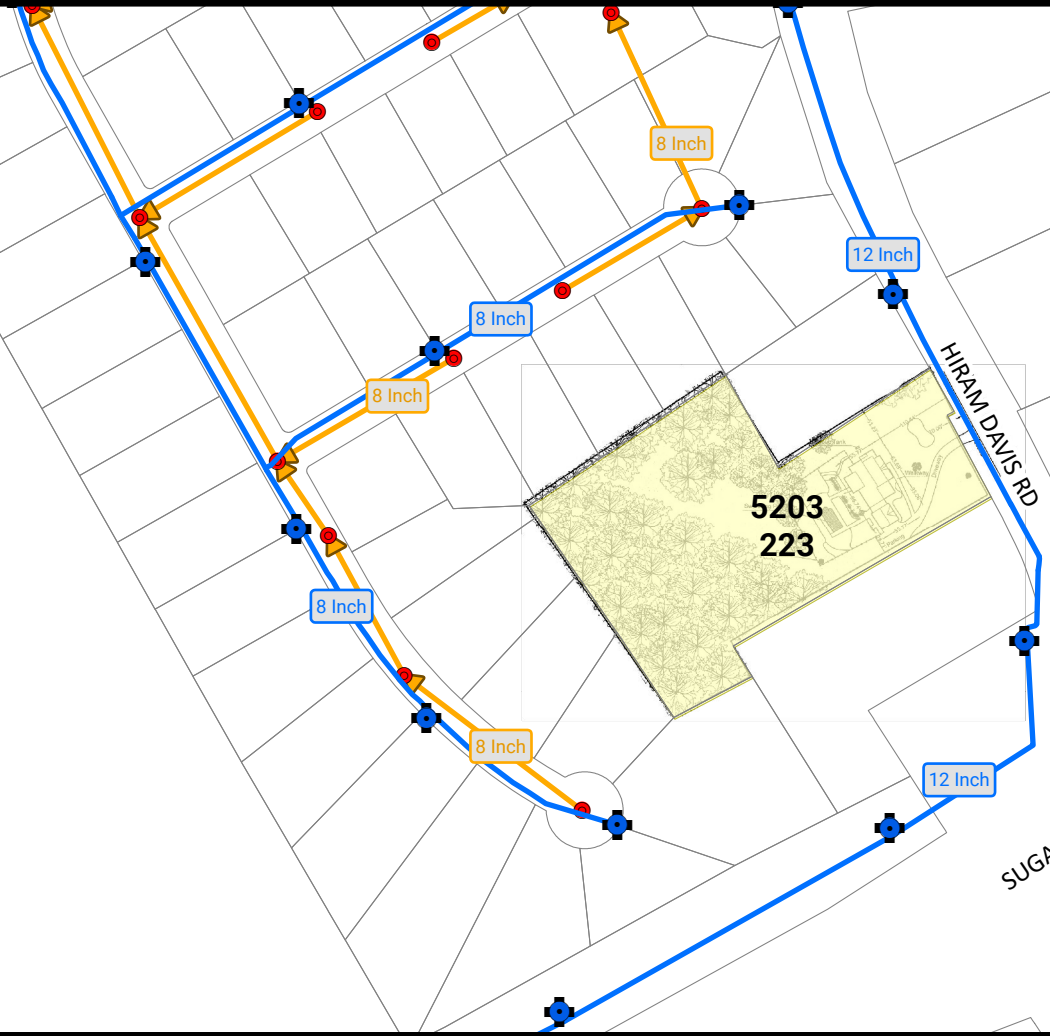
**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

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:		SUP2022-00055	
Case Address:		1197 Hiram Davis Road	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Hiram Davis Road is a major collector. ADT = 1,123.		
2	4.4 miles to the nearest transit facility (#2454884) Grayson Highway and VFW #5255.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			



**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:		SUP2022-00055			
Case Address:		1197 Hiram Davis Road			
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					

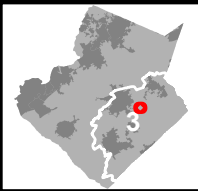


1197 Hiram Davis Rd
 R-100
Water & Sewer
Utility Map

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 F: Maps

[attached]




HIGHLAND RIDGE PTE

HIRAM DAVIS RD

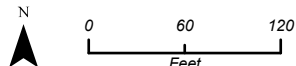
SPRUCE CREEK LN

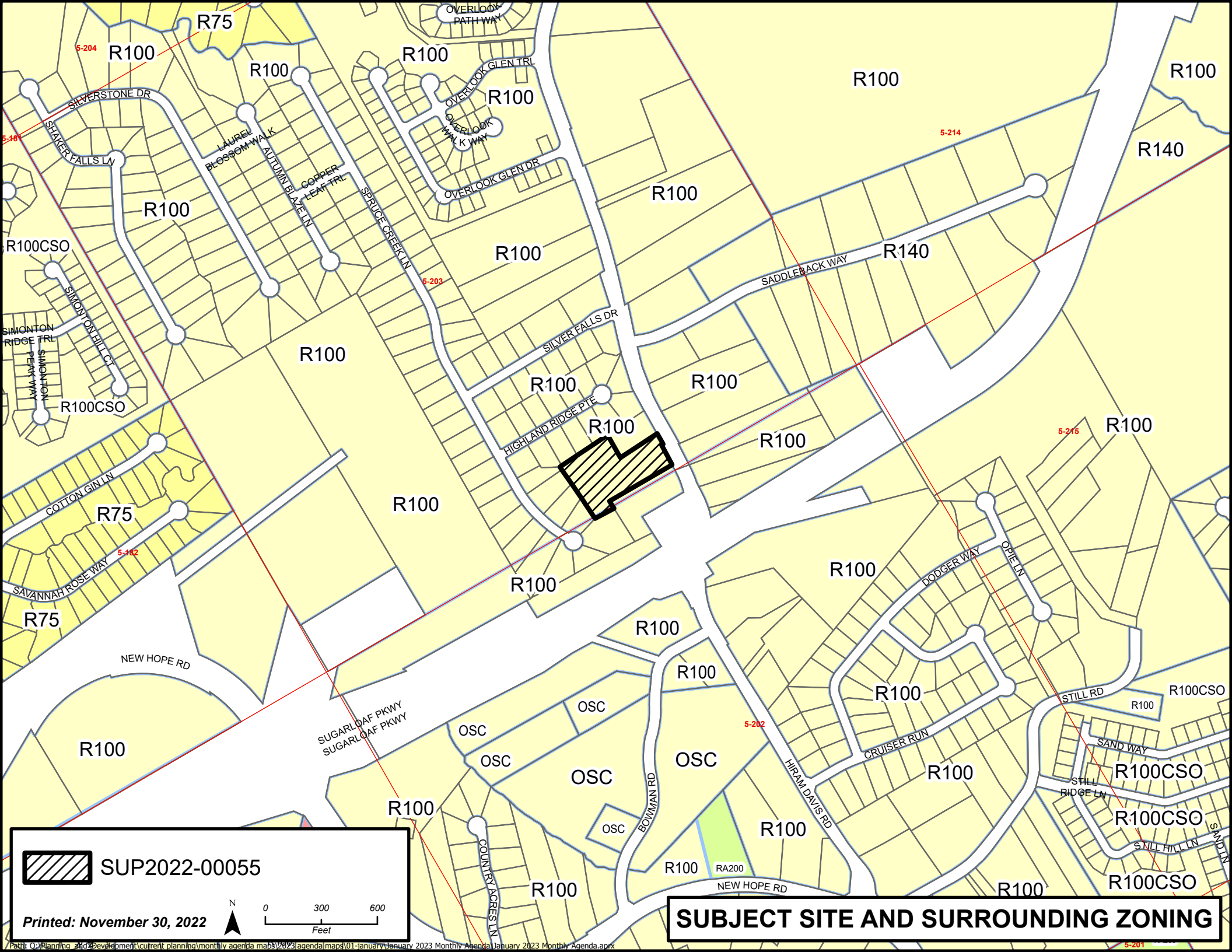
SUGARLOAF PKWY

SUGARLOAF PKWY

 SUP2022-00055

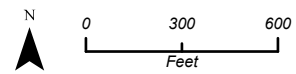
Printed: November 30, 2022



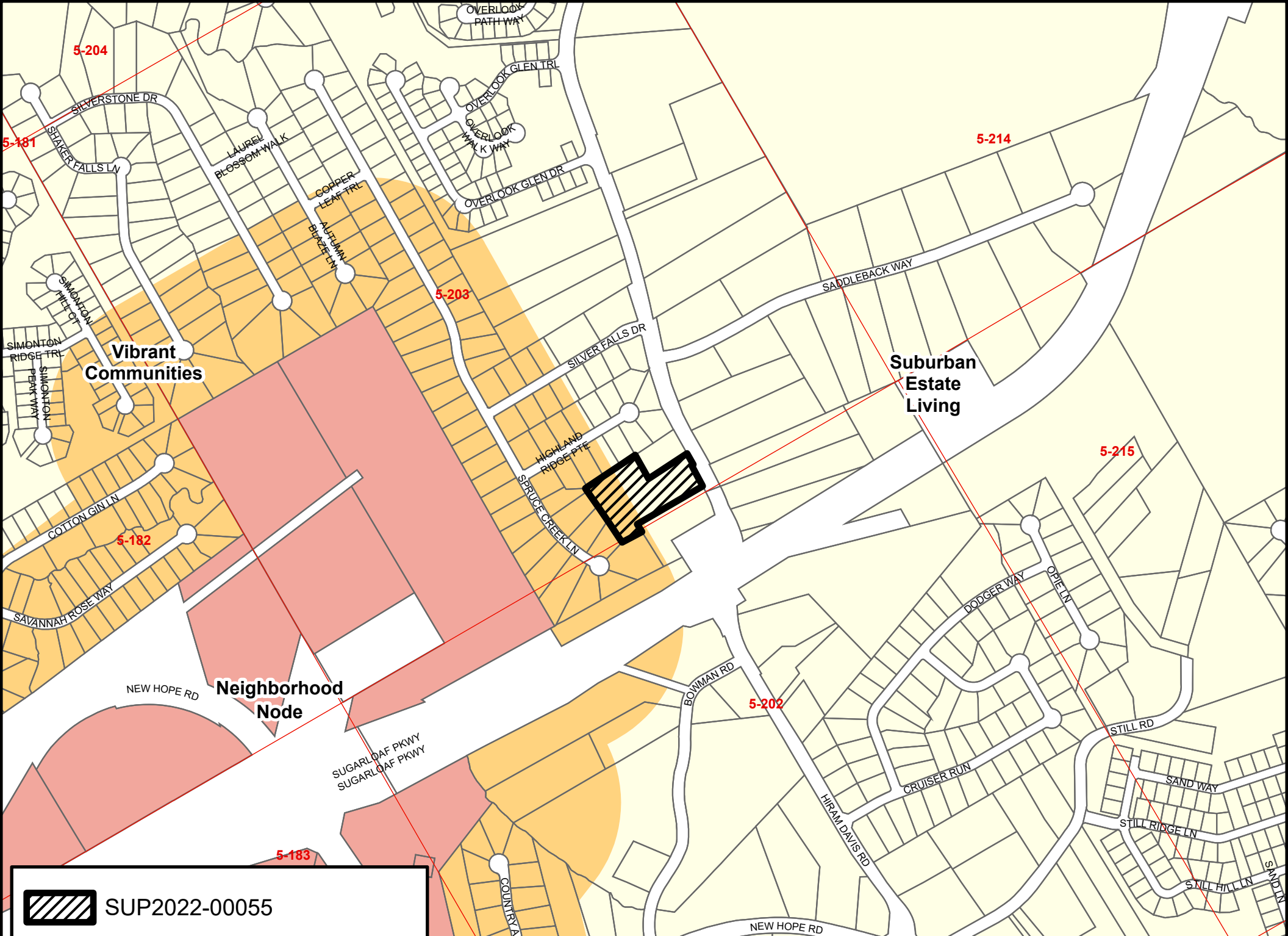


 SUP2022-00055

Printed: November 30, 2022



SUBJECT SITE AND SURROUNDING ZONING



 SUP2022-00055

Printed: November 30, 2022




2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

RECEIVED

8/2/2022

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>PETAL MISSETTE</u>	NAME: <u>KENNETH AJABOR</u>
ADDRESS: <u>4350 AUTRY WAY</u>	ADDRESS: <u>4350 AUTRY WAY</u>
CITY: <u>JOHNS CREEK</u>	CITY: <u>JOHNS CREEK</u>
STATE: <u>GA</u> ZIP: <u>30022</u>	STATE: <u>GA</u> ZIP: <u>30022</u>
PHONE: <u>718.839.0011</u>	PHONE: <u>718.755.8819</u>
EMAIL: <u>pmissette@gmail.com</u>	EMAIL: <u>jaboronki@gmail.com</u>
CONTACT PERSON: <u>PETAL MISSETTE</u> PHONE: <u>718.839.0011</u>	
CONTACT'S E-MAIL: <u>pmissette@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:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>R-100</u>	BUILDING/LEASED SQUARE FEET: <u>4414</u>
PARCEL NUMBER(S): <u>R 5203 223</u>	ACREAGE: <u>3.09</u>
ADDRESS OF PROPERTY: <u>1197 HIRAM DAVIS RD. LAWRENCEVILLE</u> <u>30045</u>	
SPECIAL USE REQUESTED: <u>FAMILY PERSONAL CARE HOME</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

July 21, 2022

8/2/2022

Petal Missette
Integrated Wellness LLC
4350 Autry Way
Johns Creek, GA 30022

Gwinnett County Department of Planning and Development (Planning Division)
446 West Crogan Street
Suite 300
Lawrenceville, GA 30046

Re: Letter of Intent For Proposed Personal Care Home at 1197 Hiram Davis Rd, Lawrenceville, GA 30045.

To Whom It May Concern,

We are submitting this letter with the intent to acquire a Special Use Permit to run a Personal Care Home in the existing zoning R-100. We anticipate the proposed use of the property would be based on the following conditions.

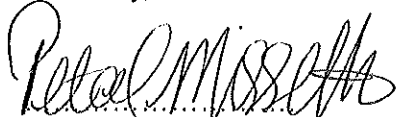
Integrated Wellness LLC would provide meal preparation, medication reminders, laundry, housekeeping, assistance with bathing, dressing and grooming. Clients will feel safe and families will have peace of mind.

All services will be provided in one dwelling. Total building square footage is 4414 sq ft. Building height is 30 feet, on a total of 3.09 acres. The building will have 8 bedrooms to accommodate 8 adults. We will be providing 24 hours care. Planned staffing will include 2 people (administrator and support staff) during the day, and 1 staff at night. This property can accommodate 4 parking spaces.

We appreciate you considering our request for a Special Use Permit to provide care for clients in the community needing personal and supportive care.

Thank you.

Sincerely,



Petal Missette.

rmissette@gmail.com

RECEIVED

8/2/2022

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:

Does not permit use for development of adjacent and nearby property.

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

This Special Use Permit/Property will not affect any existing adjacent or nearby property.

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

The nearby property will not be affected by this Special Use Permit request.

- (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:

The proposed Special Use Permit will not cause excessive or burdensome use of existing street or utilities.

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

YES.

- (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:

No.

Type: DEED Book: 53679 Page: 00066

BK53679 PG0066**EXHIBIT A**

All that tract or parcel of land lying and being in Land Lot 202 and Land Lot 203 of the 5th District of Gwinnett County, Georgia, embracing 3 0901 acres, and being more particularly described as follows

Beginning at the iron pin set on the westerly side of Hiram Davis Road, said iron pin set being the tie point of the intersection of Gwinnett County DOT R/W Sugarloaf Parkway and Hiram Davis Road, following the curvature thereof an arc distance of 134 18 Feet to a point (said curve having a radius of 463.38 feet, a Chord Bearing North 23 Degrees, 34 Minutes, 53 Seconds West a distance of 133 71 Feet) running thence North 29 Degrees, 56 Minutes, 57 Seconds West a distance of 31 24 Feet to an iron pin set, said iron pin set being the true point of beginning

From the true point of beginning, running thence South 57 Degrees, 27 Minutes, 11 Seconds West a distance of 388.90 Feet to an iron pin set, running thence South 34 Degrees, 24 Minutes, 5 Seconds East a distance of 53 96 Feet to an iron pin set, running thence South 63 Degrees, 53 Minutes, 5 Seconds West a distance of 48 37 Feet to a Blade; running thence South 64 Degrees, 50 Minutes, 51 Seconds West a distance of 65 76 Feet to an iron pin set, running thence North 35 Degrees, 40 Minutes, 19 Seconds West a distance of 334 18 Feet to a 1 5" Axle Found; running thence North 54 Degrees, 19 Minutes, 41 Seconds East a distance of 310 94 Feet to an iron pin set, running thence South 30 Degrees, 1 Minute, 14 Seconds East a distance of 140 10 Feet to an iron pin set, running thence North 54 Degrees, 19 Minutes, 41 Seconds East a distance of 233 64 Feet to an iron pin set; running thence South 30 Degrees, 1 Minute, 14 Seconds East a distance of 67 99 Feet to an iron pin set, running thence South 60 Degrees, 3 Minutes, 30 Seconds West a distance of 10.68 Feet to an iron pin set, running thence South 29 Degrees, 56 Minutes, 30 Seconds East a distance of 116 04 Feet to the true point of beginning

Said tract being more particularly shown on the survey for Jerry and Martha Tullis by Earth Pro Land Surveying & Planning, Gary S. Harvin, Jr., GA RLS # 3105, dated June 19, 2015

GWINNETT COUNTY
PLANNING AND DEVELOPMENT**RECEIVED**

8/2/22

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

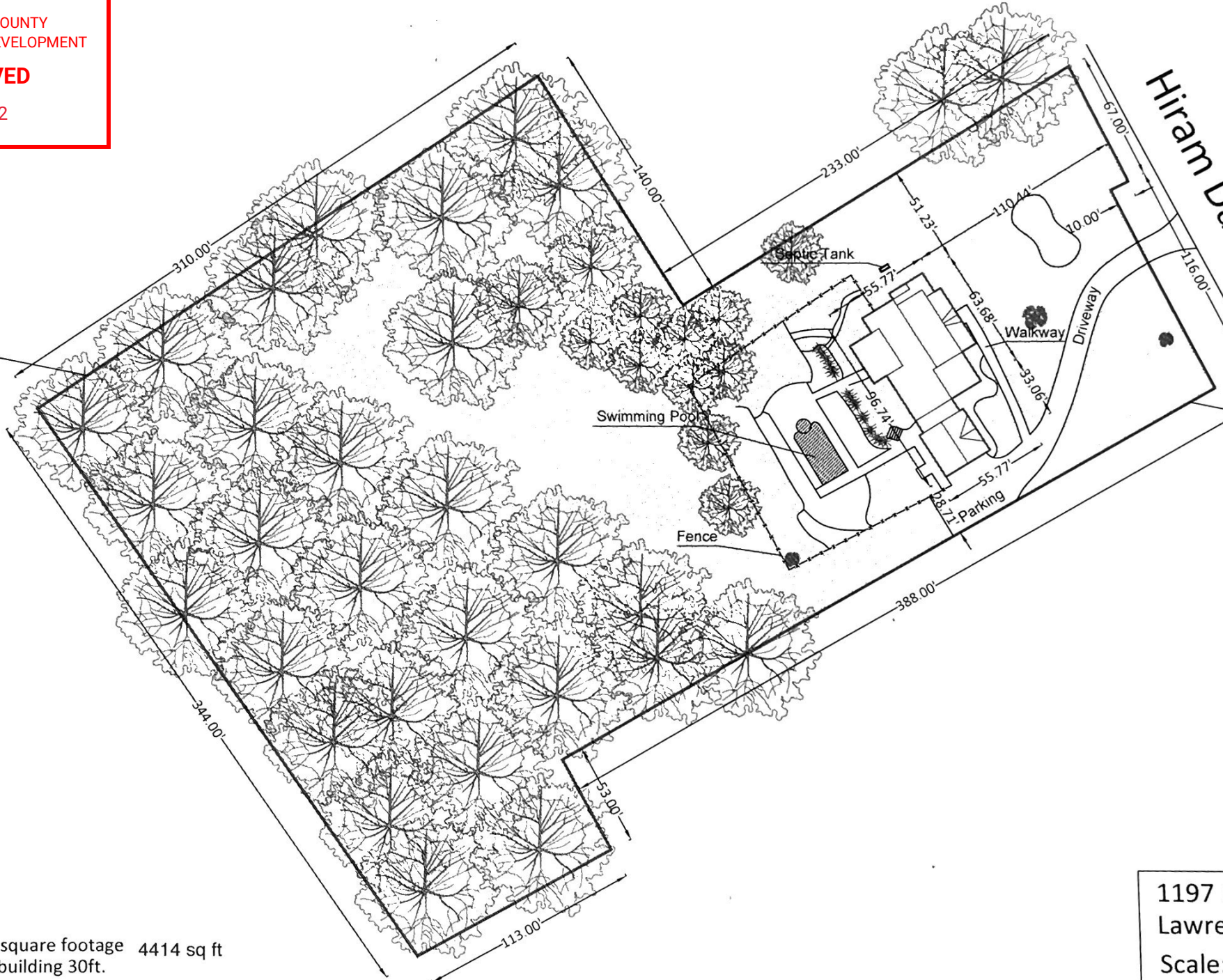
8/2/22



Hiram Davis Rd

Property Line

Property Line



Note:

The total building square footage 4414 sq ft
The height of the building 30ft.



1197 Hiram Davis Rd
Lawrenceville, GA 30045
Scale: 1"=50'

RECEIVED

8/2/2022

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.

Petal Missette

Signature of Applicant

7-21-22

Date

PETAL MISSETTE

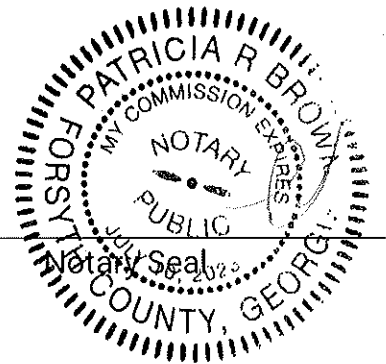
Type or Print Name and Title

Patricia R. Brown

Signature of Notary Public

7/21/2022

Date



RECEIVED

8/2/2022

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.

[Handwritten Signature]

Signature of Property Owner

07/21/22

Date

KENNETH AJABOR

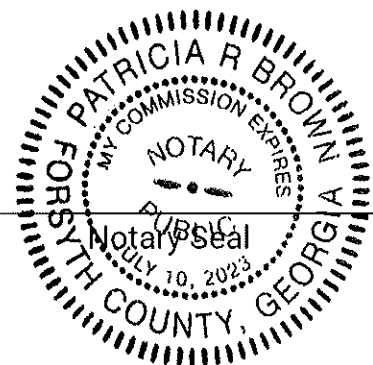
Type or Print Name and Title

[Handwritten Signature]

Signature of Notary Public

7/21/2022

Date



RECEIVED

8/2/2022

**SPECIAL USE PERMIT IN A
RESIDENTIAL DISTRICT**

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.

Petal Missette

Signature of Applicant

PETAL MISSETTE

Type or Print Name

7-21-22

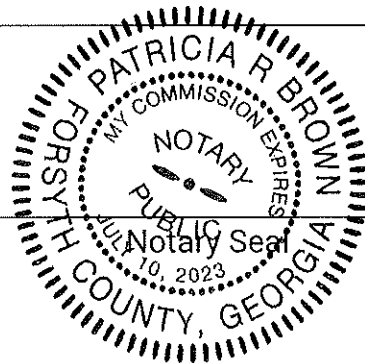
Date

Patricia R. Brown

Signature of Notary Public

8/21/2022

Date



RECEIVED

8/2/2022

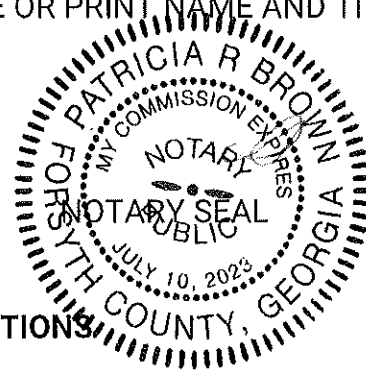
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

Petal Missette 7.21.22 PETAL MISSETTE
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Patricia R. Brown 8/2/2022
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 PETAL MISSETTE
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.

RECEIVED

8/2/2022

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: _____ - _____ - R5203223
(Map Reference Number) District Land Lot Parcel

Petal Missette
Signature of Applicant

7/19/2022
Date

PETAL MISSETTE
Type or Print Name and Title

*****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)

Jessilyn Moore
NAME

TSA #
TITLE

7/19/22
DATE

RECEIVED

8/2/2022

SPECIAL USE PERMIT CHECKLIST

The following is a checklist of information required for submission of a Special Use Permit application. The Planning and Development Department reserves the right to reject any incomplete application.

- Application Form
- Legal Description
- Boundary Survey and Existing Conditions
- Site Plan (One (1) digital copy)
- Standards Governing Exercise of the Zoning Power
- Letter of Intent
- Applicant Certification with Notarized Signature
- Property Owner Certification with Notarized Signature
- Conflict of Interest Certification/Campaign Contributions
- Verification of Paid Property Taxes (most recent year)
- Application Fee – make checks payable to Gwinnett County

Additional Exhibits (if required):

- Additional site plan requirements for OSC, TND, R-SR, R-TH, MU-N, MU-C, MU-R and HRR rezoning requests
- Traffic Study
- Review Form for Development of Regional Impact
- Building Compliance Inspection

Please bring this checklist when filing for a Special Use Permit.