

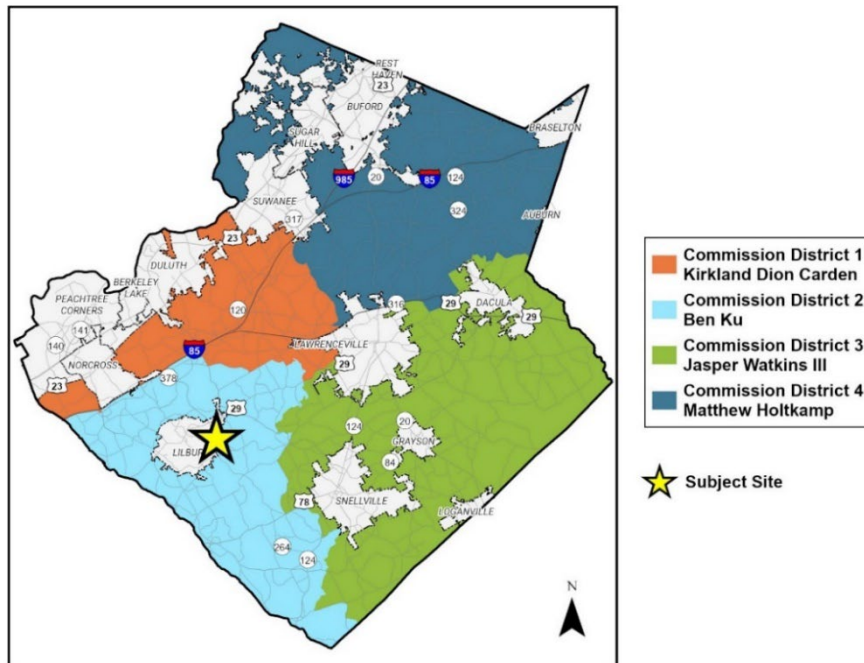


**PLANNING AND DEVELOPMENT DEPARTMENT  
CASE REPORT**

**Case Number:** SUP2023-00001  
**Current Zoning:** M-1 (Light Industry District)  
**Request:** Special Use Permit (Renewal)  
**Additional Request:** Variance  
**Address:** 4140 Arcadia Industrial Circle  
**Map Number:** R6132 046  
**Site Area:** 1.50 acres  
**Square Feet:** 7,500  
**Proposed Development:** Automobile Repair and Body Shop  
**Commission District:** District 2 – Commissioner Ku  
**Character Area:** Established Neighborhoods

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVAL WITH CONDITIONS



**Planning Commission Advertised Public Hearing Date: 1/3/2023 (Public Hearing Held/Recommendation Tabled to 5/2/2023)**  
**Board of Commissioners Advertised Public Hearing Date: 3/28/2023 (Public Hearing Tabled to 5/23/2023)**

**Applicant:** Fabio Mattioli  
2342 East Hill Way  
Norcross, GA 30071

**Owner:** Mattioli Properties, LLC  
2342 East Hill Way  
Norcross, GA 30071

**Contact:** Fabio Mattioli

**Contact Phone:** 678.485.7913

## Zoning History

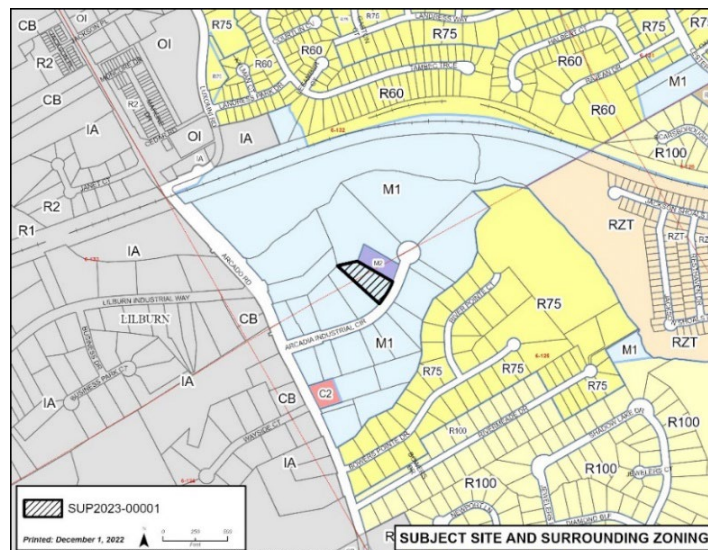
The subject property is zoned M-1 (Light Industry District). The property was rezoned from R-100 (Single-Family Residence District) to M-1 in 1970, pursuant to RZ-70-59. A special use permit was approved with conditions for the site to allow an automobile repair and body shop in 2019, pursuant to SUP2019-00013. This special use permit renewal is for SUP2019-00013.

## Existing Site Condition

The subject property is a 1.50-acre lot located within the Arcadia Industrial Park at 4140 Arcadia Industrial Circle, northeast of its intersection with Arcado Road. The property contains a 7,500-square-foot single-story, automobile repair shop constructed in 1977. A surface parking lot is located to the east and south of the building. The front of the property is screened by a 6-foot-tall wooden fence. The site is accessed through a paved driveway entrance, as well as a 20-foot-wide gravel driveway located along the southern portion of the property. The site slopes downward approximately 30 feet from the northeastern corner to the southeastern corner of the property, and downward along the southern property line approximately six feet. Trees are located along the northern and southern property line. There are no sidewalks along Arcadia Industrial Circle. The nearest Gwinnett County Transit stop is approximately 1.7 miles from the subject site.

## Surrounding Use and Zoning

The subject site is surrounded by similar uses. Automotive-related uses are located to the north, south, east, and west of the property. Additionally, an undeveloped industrial property is located to the north of the property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Existing	Automobile Repair and Body Shop	M-1	N/A
North	Undeveloped Industrial Property	M-1	N/A
	Light Industrial	M-2	N/A
East	Light Industrial	M-1	N/A
South	Light Industrial	M-1	N/A
West	Light Industrial	M-1	N/A

## Project Summary

The applicant requests renewal of a special use permit for an automobile repair and body shop on a 1.50-acre property zoned M-1, including:

- Continued use of the 7,500 square foot garage for serving automobiles.
- 98 paved existing parking spaces. A dumpster enclosure constructed of brick or cement block and located in the front yard adjacent to the gravel driveway.
- Replacement of the 6-foot-tall wooden privacy fence in front of the property with a 6-foot-tall split rail fence.
- A 6-foot-tall wooden privacy fence for the storage area located to the rear of the property.
- A inspection scheduled in January 2023 for previous code enforcement violations under CEU2020-09237 (Exhibit F). Many of these have been resolved or are addressed on the submitted site plan.

## Zoning and Development Standards

The applicant is requesting renewal of a special use permit for an automobile repair and body shop in the M-1, Light Industrial District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Existing	Meets Standard?
Building Height	Maximum: 45'	15'	YES
Front Yard Setback	Minimum: 50'	52'	YES
Side Yard Setback	Minimum: 25'	<25'	NO*
Rear Yard Setback	Minimum: 50'	137'	YES
Lot Width	Minimum: 150'	207'	YES
Off-Street Parking	Minimum: 7 spaces Maximum: 21 spaces	98 spaces	NO*

\*The building encroaches into the required side yard setback and exceeds the maximum number of parking spaces, these deficiencies are considered legally nonconforming.

## Variance Request

In addition to the special use permit renewal, the applicant is seeking a variance from the following provisions of Title II of the UDO:

1. Section 230-120.13. A. Location. Dumpsters shall be located in the rear or side yard. Dumpsters are not allowed in front yards. Dumpsters, including the enclosure structure, shall be located a minimum of 5 feet from property lines and buffers.

The applicant is requesting to improve the dumpster location with a concrete pad and enclosure. However, the dumpster is located within the front yard which does not meet the requirements of the UDO.

## 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 G). 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 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 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 a proposed special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The surrounding area is characterized by similar uses. To the north is an undeveloped industrial property. To the north, south, east, and west are automotive related uses. The applicant proposes to continue to operate an automobile repair and body shop in a 7,500 square foot building. Given the surrounding properties have substantially similar land uses, the renewal of the special use permit for an automobile repair and body shop is compatible with the surrounding uses.

**B. Whether a proposed 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 adversely impacted by the renewal of the special use permit. Surrounding uses adjacent to the property are substantially similar and include automobile repair and body shops.

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

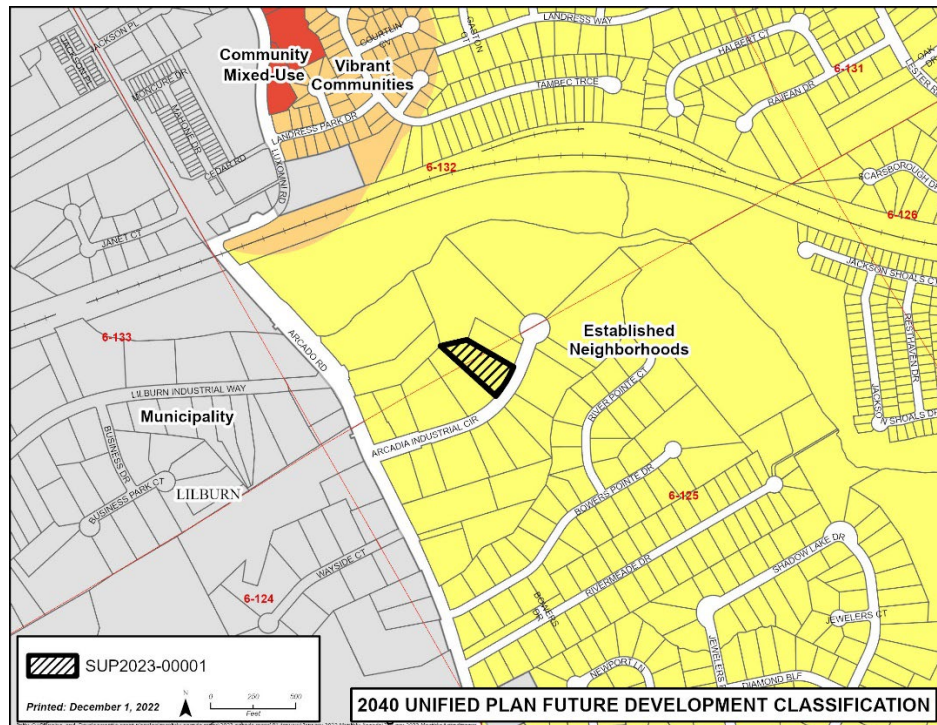
The property has a reasonable economic use as currently zoned.

**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 impact 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 G).

**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 indicate that the subject property is within the Established Neighborhoods Character Area. This Character Area includes those areas where changes in land use are not anticipated or encouraged, and any new development should be consistent in scale, architecture, and use with surrounding properties. The proposed special use permit for an automotive repair and body shop is not in conformity with the policy and intent of the Unified Plan and Future Development Map. However, the property is within an existing industrial park primarily developed automobile related use. Therefore, the continued use of an automobile repair and body shop is appropriate.



**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 existing auto repair shop is surrounded by properties with similar land uses. The subject property has been cited (CEU2020-09237) for noncompliance with the approved conditions of SUP2019-00013. While the use is appropriate, conditions of approval regarding property maintenance must be followed. The approved special use permit was filed under the previous owner. The current property owner has agreed to comply with the conditions of approval and initiated the process for the renewal of the special use permit. Therefore, approval of the special use permit renewal request for an automobile repair and body shop would be appropriate, given the surrounding land uses.

**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.

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

1. To allow a dumpster in the front yard.

**Planning Commission Recommendation:**

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

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

1. To allow a dumpster in the front yard.

**Planning Commission Recommended Conditions (includes Staff Recommended Conditions)**

Approval of a Special Use Permit for an Automobile Repair and Body Shop, subject to the following conditions:

1. No vehicle sales of any kind shall take place on the property.
2. Salvage of inoperable vehicles and outdoor storage of automotive parts or tires shall be prohibited. No inoperable vehicles shall be stored on the property for more than ten days. Any vehicles abandoned by their owners, whether before or after repair, shall be removed from the property within five days after they become abandoned under State and/or County law.
3. Any new buildings shall be of brick, stacked stone and/or glass finish on all sides (stucco may only be used as an accent material).
4. All repair activities shall take place indoors. No repairs may be conducted in the parking lot.

5. The property owner shall stripe parking spaces related to the automobile repair and body shop in accordance with Gwinnett County parking standards. All vehicles must be parked in a striped parking space on a paved surface.
6. All vehicles awaiting repair shall be parked in the paved area along the side and rear of the building behind the existing fence and gate. The paved area at the front of the lot, between Arcadia Industrial Circle and the front building facade and fence/gate, shall remain free of vehicles awaiting repair at all times, and shall be utilized for rear access and customer parking only.
7. The existing chain link fence shall be fitted with screening slats or fabric, to provide an effective screen from a view of Arcadia Industrial Circle.
8. Outdoor storage shall be limited to the rear of the property and screened per the requirements of the Unified Development Ordinance.
9. The dumpster shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
10. All necessary development and building permits shall be obtained to bring the site and structure(s) up to all applicable zoning, development, and building codes within 180 days of special use permit approval.
11. The Special Use Permit shall be valid for a one-year period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit.
12. The existing privacy fence shall be replaced with a minimum 6-foot-tall wooden privacy fence, subject to the review and approval of the Department of Planning and Development.

**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. Previously Approved Resolution (SUP2019-00013)
- F. Code Enforcement Case (CEU2020-09237)
- G. Internal and External Agency Review Comment
- H. Maps

**Exhibit A: Site Visit Photos**



**Existing Business**



**Gravel Driveway and Dumpster Enclosure**

**Exhibit B: Site Plan**

**[attached]**

**SITE PLAN**

4140 Arcadia Industrial Circle

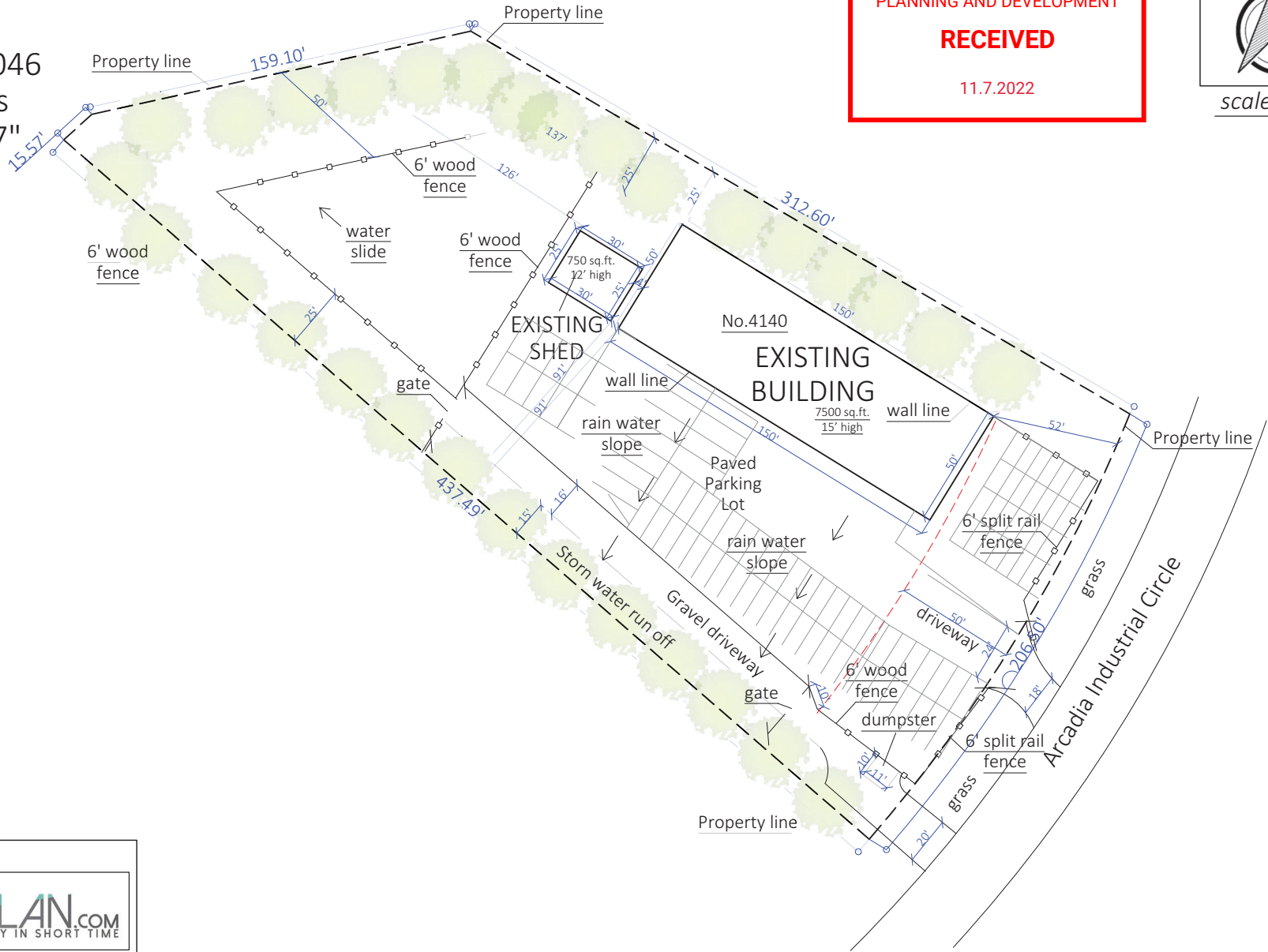
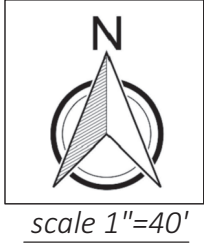
Lilburn, GA 30071

Parcel ID: 6-132 -046

Lot area: 1.5 Acres

Paper Size: 11"x17"

**GWINNETT COUNTY  
PLANNING AND DEVELOPMENT**  
**RECEIVED**  
11.7.2022



Created by:



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

**[attached]**

**RECEIVED**

11.7.2022

*Letter of Intent*

Mattioli Properties, LLC.  
Fabio Mattioli  
Property Owner of 4140 Arcadia Industrial Cir. Lilburn GA  
6784857913  
[fabiomattioli@hotmail.com](mailto:fabiomattioli@hotmail.com)

---

October 25<sup>th</sup>, 2022  
Miss Sushmita Arjyal  
Gwinnett County  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
446 West Crogan St, Suite 300, Lawrenceville, GA 30046  
[Sushmita.Arjya@gwinnettcountry.com](mailto:Sushmita.Arjya@gwinnettcountry.com)

RE: Letter of Intent to request a special use permit for an existing Auto Repair and Body Shop:

By Gwinnett county department of Planning and Development regulations, please accept our letter of intent to submit a request for a special use permit for an existing Auto Repair and Body Shop.

Our vision is to:

- \*Keep a total of 98 paved parking spaces on the property each is already painted and stated on the site plan.
- \*Keep the dumpster in front of the property as it is now, the dumpster will be placed on top of a concrete slab, with an improvement of three sides of block or brick, and a metal gate to keep it locked and clean.
- \*The rear side of the lot will be used as storage total independent from auto and body shops divided by a 6' wood fence as stated on the site plan.
- \*The wood fence in front of the property will be replaced by a split rail fence 6' in height.

We look forward to working with you toward completing our petition and years forward.

Sincerely,

---

Fabio Mattioli

RECEIVED

11.7.2022

**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:

YES

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

No

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

No Applicable

- (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

- (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:

YES

**Exhibit D: Application and Disclosure of Campaign Contributions**

**[attached]**

**RECEIVED**

11.7.2022

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Fabio Mattioli</u>	NAME: <u>Mattioli properties LLC</u>
ADDRESS: <u>2342 East Hill way</u>	ADDRESS: <u>2342 East Hill way</u>
CITY: <u>Norcross</u>	CITY: <u>Norcross</u>
STATE: <u>GA</u> ZIP: <u>30071</u>	STATE: <u>GA</u> ZIP: <u>30071</u>
PHONE: <u>678 485 7913</u>	PHONE: <u>678 485 7913</u>
EMAIL: <u>fabaomattioli@hotmail.com</u>	EMAIL: <u>fabaomattioli@hotmail.com</u>
CONTACT PERSON: <u>Fabio Mattioli</u> PHONE: <u>678 485 7913</u>	
CONTACT'S E-MAIL: <u>fabaomattioli@hotmail.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 type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>M-1</u>	BUILDING/LEASED SQUARE FEET: <u>8250</u>
PARCEL NUMBER(S): <u>6-132-046</u>	ACREAGE: <u>1.5</u>
ADDRESS OF PROPERTY: <u>4140 Arcadia Industrial Cir Lilburn GA</u>	
SPECIAL USE REQUESTED: <u>Automobile repair &amp; Body shop</u>	

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

**RECEIVED**

11.7.2022

Gwinnett County Planning Division  
Special Use Permit Application  
Last Updated 10/2021

**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.

*Fabio Mattioli*

*11/7/2022*

Signature of Applicant

Date

*Fabio Mattioli*

Type or Print Name and Title

*Ashley Page*

Signature of Notary Public

*11/7/22*

Date



RECEIVED

11.7.2022

Gwinnett County Planning Division  
Special Use Permit Application  
Last Updated 10/2021

**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.

*Fabio Mattioli*

Signature of Property Owner

*11/7/2022*

Date

*Fabio Mattioli*

Type or Print Name and Title

*Ashley Page*

Signature of Notary Public

*11/7/22*

Date



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11.7.2022

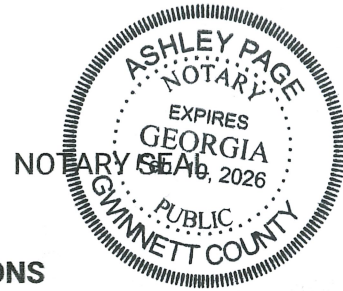
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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.

Fabio Mattioli 11/7/2022 Owner Fabio Mattioli  
SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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

Ashley Page 11/7/22  
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    Fabio Mattioli  
YOUR NAME

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

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

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



**Exhibit E: Previously Approved Resolution (SUP2019-00013)**

**[attached]**

GWINNETT COUNTY  
BOARD OF COMMISSIONERS  
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF A SPECIAL USE PERMIT

ADOPTION DATE: FEBRUARY 26, 2019

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. KU, 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 MICHAEL D. SWAIM for the proposed use of AUTOMOBILE REPAIR & BODY SHOP 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 FEBRUARY 26, 2019, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 26<sup>th</sup> day of FEBRUARY 2019, that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. Limited to light industrial uses, which may include automobile repair and automobile body repair as special uses. Salvage/junkyard operations shall be prohibited. No vehicle sales of any kind shall occur at this location.
2. Salvage of inoperable vehicles and outdoor storage of automotive parts or tires shall be prohibited. No inoperable vehicles shall be stored on the property for more than ten days. Any vehicles abandoned by their owners, whether before or after repair, shall be removed from the property within five days after they become abandoned under State and/or County law.
3. Any new buildings shall be of a brick, stacked stone and/or glass finish on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.
4. All repair activities shall take place indoors. No repairs may be conducted in the parking lot.
5. The property owner shall stripe parking spaces in accordance with Gwinnett County parking standards. All vehicles must be parked in a striped parking space on a paved surface.
6. All vehicles awaiting repair shall be parked in the paved area along the side and rear of the building behind the existing fence and gate. The existing fence shall be fitted with screening slats or fabric, to provide an effective screen from view of Arcadia Industrial Circle. The paved area at the front of the lot, between Arcadia Industrial Circle and the front building façade and fence/gate, shall remain free of vehicles

awaiting repair at all times, and shall be utilized for rear access and customer parking only. The existing wooden privacy fence in the front yard shall be removed.

7. Outdoor storage shall be limited to the rear of the property and screened per the requirements of the Unified Development Ordinance.
8. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
9. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
10. Obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes within 180 days of zoning approval.
11. The Special Use Permit shall be valid for a two-year period, at which time the use shall cease or an application shall be made for renewal of the Special Use Permit.

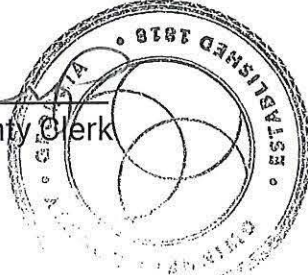
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 3/19/19

ATTEST:

[Signature]  
County Clerk/Deputy County Clerk



49159  
00020

EXHIBIT "A" BK 49159 PG 0020

All that tract or parcel of land lying and being in Land Lots 125 and 132 of the 5th Land District, Gwinnett County, Georgia, containing 1.50 acres according to a plat of survey by Hannon, Meeks & Baywell, Surveyors & Engineers, Inc., dated June 10, 1977 and being recorded in Plat Book 6, page 93B, Gwinnett County Records. Said property being more particularly described as follows:

BEGINNING at a point on the western side of the 80-foot right of way of Arcadia Industrial Circle, said point being 788.10 feet northeasterly, as measured along the western side of said right of way, from the 100-foot right of way of Arcadia Road; thence running North 50 degrees 15 minutes 50 seconds East 437.49 feet to an iron pin corner; thence North 44 degrees 43 minutes East 19.57 feet to an iron pin corner; thence North 76 degrees 32 minutes 50 seconds East 159.10 feet to an iron pin corner; thence South 61 degrees 14 minutes 10 seconds East 312.60 feet to an iron pin corner on the Western side of the right of way of Arcadia Industrial Circle; thence Southwesterly along the said right of way, 206.50 feet to an iron pin and the point of beginning.

**Exhibit F: Code Enforcement Case (CEU2020-09237) Inspection Workflow**

**[attached]**

# GWINNETT COUNTY

**CASE NUMBER : CEU2020-09237**

<b>PRIMARY ADDRESS:</b>	4140 ARCADIA INDUSTRIAL CIR, LILBURN, GA 30047
<b>RECEIVED DATE:</b>	12/14/2020
<b>APPLICATION STATUS:</b>	RINSP
<b>DESCRIPTION:</b>	CHECK FOR SUP COMPLIANCE

OWNER NAME	ADDRESS	CITY/STATE/ZIP
FABIO MATTIOLI	2342 E HILL WAY	NORCROSS, GA, 30071-3221

CONTACTS ROLE	NAME	ADDRESS	CITY/STATE/ZIP

INSPECTIONS						
Inspection	Requested	Scheduled	Completed	Status	Inspector	Comment
Re-Inspection	12/1/2022	1/6/2023		Scheduled	Ed Wallace	Inspection rescheduled to provide time for determination from zoning on outstanding inquiry
Re-Inspection	7/1/2022	8/2/2022	8/20/2022	Mailed Official Notice	Ed Wallace	CHECK FOR COMPLIANCE WITH CONDITIONS OF EXPIRED SUP. PROPERTY IS IN VIOLATION OF MULTIPLE CONDITIONS. OTHER ZONING AND PROPERTY MAINTENANCE VIOLATIONS ALSO PRESENT. PHOTOS TAKEN. CASE TO BE UPDATED AND ONOV MAILED. DUE TO CHARACTER RESTRICTION, CORRECTION ACTION SPLIT UP OVER 2 LETTERS AND COMBINED FOR MAILING.
Re-Inspection	8/20/2022	10/3/2022	10/3/2022	Extension Granted	Ed Wallace	EXTENSION GRANTED AFTER COMMUNICATION WITH PROPERTY/BUSINESS OWNER AND PROGRESS TOWARD COMPLIANCE. RIGHT-OF-WAY RE-SODDED AND ALL VEHICLES PARKED WITHIN SPACES.
Re-Inspection	3/26/2021	3/26/2021	3/26/2021	Mailed Notice of Violation	Maria Sicard	NOV issued for SUP Violations 1, 2 4, 5, 6, 7, 8, 10, 11.
Initial Inspection	1/8/2021	1/5/2021	1/8/2021	Mailed Notice of Violation	Ed Wallace	CHECK FOR SUP COMPLIANCE
Initial Inspection	1/8/2021	1/5/2021	1/8/2021	Mailed Notice of Violation	Ed Wallace	PROPERTY IN VIOLATION OF SUP CONDITIONS 1, 2, 4, 5, 6, 7, 8 & 10. NOV TO BE PREPARED AND MAILED.

# GWINNETT COUNTY

**CASE NUMBER : CEU2020-09237**

## WORKFLOW HISTORY

Workflow Task	Assigned	Due	Completed	Status	Inspector	Comment
Enforcement	12/14/2020	9/30/2022	8/20/2022	Mailed Official Notice	Ed Wallace	<p>OBTAIN A PERMIT FOR THE INSTALLATION OF SECURITY CAMERAS AND LED LIGHTING FIXTURES INSTALLED WITHOUT A PERMIT -OR- PROPERLY REMOVE AND DISCONNECT ELECTRICAL WIRING TO EACH.</p> <p>ALL EXTERIOR LIGHTING FIXTURES SHALL BE CUTOFF LUMINARIES WHOSE SOURCE IS COMPLETELY CONCEALED WITH AN OPAQUE HOUSING. FIXTURES SHALL BE RECESSED IN THE OPAQUE HOUSING.</p> <p>POST AND MAINTAIN THE BUILDING ADDRESS AND APPROPRIATE SUITE NUMBERS IN A CONSPICUOUS PLACE OF THE PROPERTY, VISIBLE FROM THE STREET PROVIDING PUBLIC ACCESS, ON A CONTRASTING BACKGROUND THAT WILL ALLOW 24-HOUR VISIBILITY. IF THE NUMBERS ARE NOT PLACED WITHIN 15 FEET OF THE BACK OF THE STREET CURBING OR EDGE OF THE STREET SURFACE, THEN SUCH FIGURES SHALL BE AT LEAST SIX INCHES HIGH, OTHERWISE THE FIGURES MAY BE FOUR INCHES HIGH.</p>
Enforcement	12/14/2020	9/30/2022	8/20/2022	Mailed Official Notice	Ed Wallace	<p>THE CURRENT USE OF THIS PROPERTY REQUIRES A SPECIAL USE PERMIT FOR THE AUTO REPAIR AND AUTO BODY USES AND EACH BUSINESS MUST OBTAIN A VALID CERTIFICATE OF OCCUPANCY AND OCCUPATION TAX CERTIFICATE.</p> <p>AUTO STORAGE AND AUTO SALVAGE ACTIVITIES ARE PROHIBITED ON THIS PROPERTY. CEASE ALL UNAUTHORIZED USES AND REMOVE ALL JUNK VEHICLES FROM THE PROPERTY.</p> <p>NO INOPERABLE VEHICLES SHALL BE STORED ON THE PROPERTY FOR MORE THAN TEN DAYS. ANY VEHICLES ABANDONED BY THEIR OWNERS, WHETHER BEFORE OR AFTER REPAIR, SHALL BE REMOVED FROM THE PROPERTY WITHIN 5 DAYS AFTER THEY BECOME ABANDONED UNDER STATE AND/OR COUNTY LAW.</p> <p>NO PARKING AREAS MAY BE USED FOR THE SALE, REPAIR, DISMANTLING, SERVICING OR LONG-TERM STORAGE OF ANY VEHICLES OR EQUIPMENT. ALL REPAIR ACTIVITIES SHALL TAKE PLACE INDOORS.</p> <p>PARKING SPACES AT THE FRONT OF THE BUILDING MAY ONLY BE USED FOR CUSTOMER AND EMPLOYEE PARKING. ALL VEHICLES AWAITING REPAIR SHALL BE PARKED IN THE PAVED AREA ALONG THE SIDE AND REAR OF THE BUILDING BEHIND THE EXISTING FENCE AND GATE. AT LEAST ONE CUSTOMER PARKING SPACE MUST MEET THE ADA GUIDELINES FOR VAN ACCESSIBLE PARKING. VAN PARKING SPACES SHALL BE MARKED TO DEFINE A MINIMUM WIDTH OF 132 INCHES AND AN</p>

# GWINNETT COUNTY

CASE NUMBER : CEU2020-09237

ADJACENT ACCESS AISLE A MINIMUM OF 60 INCHES IN WIDTH EXTENDING THE FULL LENGTH OF THE PARKING SPACE(S) SERVED. ACCESS AISLES SHALL BE MARKED TO DISCOURAGE PARKING AND SHALL NOT OVERLAP WITH THE VEHICULAR WAY. ALL ACCESS AISLES SHALL CONNECT TO AN APPROVED ACCESSIBLE ROUTE FROM THE PARKING SPACE TO AN ACCESSIBLE BUILDING ENTRANCE.

ALL VEHICLES MUST BE PARKED IN A STRIPED PARKING SPACE ON AN APPROVED PAVED SURFACE. BUMPER STOPS A MINIMUM OF 6 INCHES IN HEIGHT AND 6 INCHES IN WIDTH (CONSTRUCTED OF CONCRETE, STONE, OR APPROVED EQUAL) SHALL BE INSTALLED AND PERMANENTLY SECURED TO THE PAVEMENT TO SEPARATE PARKING SPACES FROM SIDEWALKS, RIGHTS-OF-WAY, ADJACENT PROPERTIES AND LANDSCAPE STRIPS AND PREVENT OVERHANGS OR ENCROACHMENTS.

NO VEHICLES, EQUIPMENT OR MATERIALS SHALL BE PARKED OR STORED WITHIN THE PUBLIC RIGHT-OF-WAY. ADDITIONALLY, THE PAVED PORTION OF THE PARKING AREA WHICH IS CURRENTLY LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY MUST BE REMOVED AND REPLACED WITH TURF GRASS. THE SECONDARY DRIVEWAY ALONG THE SIDE OF THE PROPERTY GOING TO THE REAR MUST BE REMOVED.

THE OUTDOOR STORAGE OR ACCUMULATION OF AUTO PARTS, TIRES, TRASH, TREE DEBRIS OR OTHER SIMILAR MATERIALS OR DEBRIS IS PROHIBITED; APPROPRIATELY COLLECT AND REMOVE SUCH ITEMS FROM THE PROPERTY.

PERMISSIBLE OUTDOOR STORAGE SHALL BE LIMITED TO THE REAR OF THE PROPERTY AND BE SET BACK AT LEAST 15 FEET FROM SIDE AND REAR PROPERTY LINES. SUCH STORAGE SHALL BE FULLY SCREENED BY A SOLID WOOD FENCE, MASONRY WALL OR SLATTED CHAIN-LINK FENCE AT LEAST 8 FEET IN HEIGHT. MATERIALS STORED OUTDOORS SHALL NOT BE PLACED OR STACKED AT A HEIGHT EXCEEDING THAT OF THE SCREENING FENCE, AND THE SETBACK DISTANCE SHALL BE LANDSCAPED TO PROVIDE A YEAR-ROUND VEGETATIVE SCREEN.

WOOD PRIVACY FENCING WITHIN THE REQUIRED FRONT YARD MUST BE REMOVED. ANY WALL OR FENCE WHICH EXTENDS INTO THE REQUIRED FRONT YARD ON A PROPERTY LESS THAN 3 ACRES MUST BE ORNAMENTAL OR DECORATIVE AND CONSTRUCTED OF BRICK, STONE, WOOD, STUCCO, WROUGHT IRON, OR SPLIT RAIL. ALL REMAINING FENCING MUST BE REPAIRED OR REPLACED SO AS TO BE IN GOOD REPAIR AND APPROPRIATELY SCREEN PERMISSIBLE STORAGE AND OPERATIONS.

DUMPSTER(S) SHALL BE LOCATED ON AN APPROVED

# GWINNETT COUNTY

**CASE NUMBER : CEU2020-09237**

						<p>CONCRETE PAD IN THE REAR OR SIDE YARD A MINIMUM OF 5 FEET FROM PROPERTY LINES AND BUFFERS. DUMPSTER(S) SHALL BE SURROUNDED BY AN OPAQUE ENCLOSURE NOT LESS THAN 6 FEET IN HEIGHT WITH ACCESS VIA AN OPAQUE METAL GATE. DUMPSTER ENCLOSURES SHALL HAVE A FINISH CONSISTENT WITH THE FINISH MATERIALS OF THE BUILDING FAÇADE.</p> <p>ALL FENCING MUST BE REPAIRED OR REPLACED SO AS TO BE IN GOOD REPAIR AND APPROPRIATELY SCREEN PERMISSIBLE STORAGE AND OPERATIONS.</p> <p>MOW AND MAINTAIN GRASS/WEEDS ON PROPERTY AT A HEIGHT NOT TO EXCEED 12 INCHES.</p>
Enforcement Intake	12/14/2020	12/14/2020	12/14/2020	Complaint Accepted	Thor Neff	

**Exhibit G: Internal and External Agency Review Comments**

**[attached]**



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

<b>TRC Meeting Date:</b>		12.14.2022	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>	
Case Number:		SUP2023-00001	
Case Address:		4140 Arcadia Industrial Circle	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Arcadia Industrial Circle is a local street. No ADT on file.		
2	1.7 miles to the nearest transit facility (#2335086) Lawrenceville Highway and Arcado Road.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1			
2			
3			
4			
5			
6			
7			

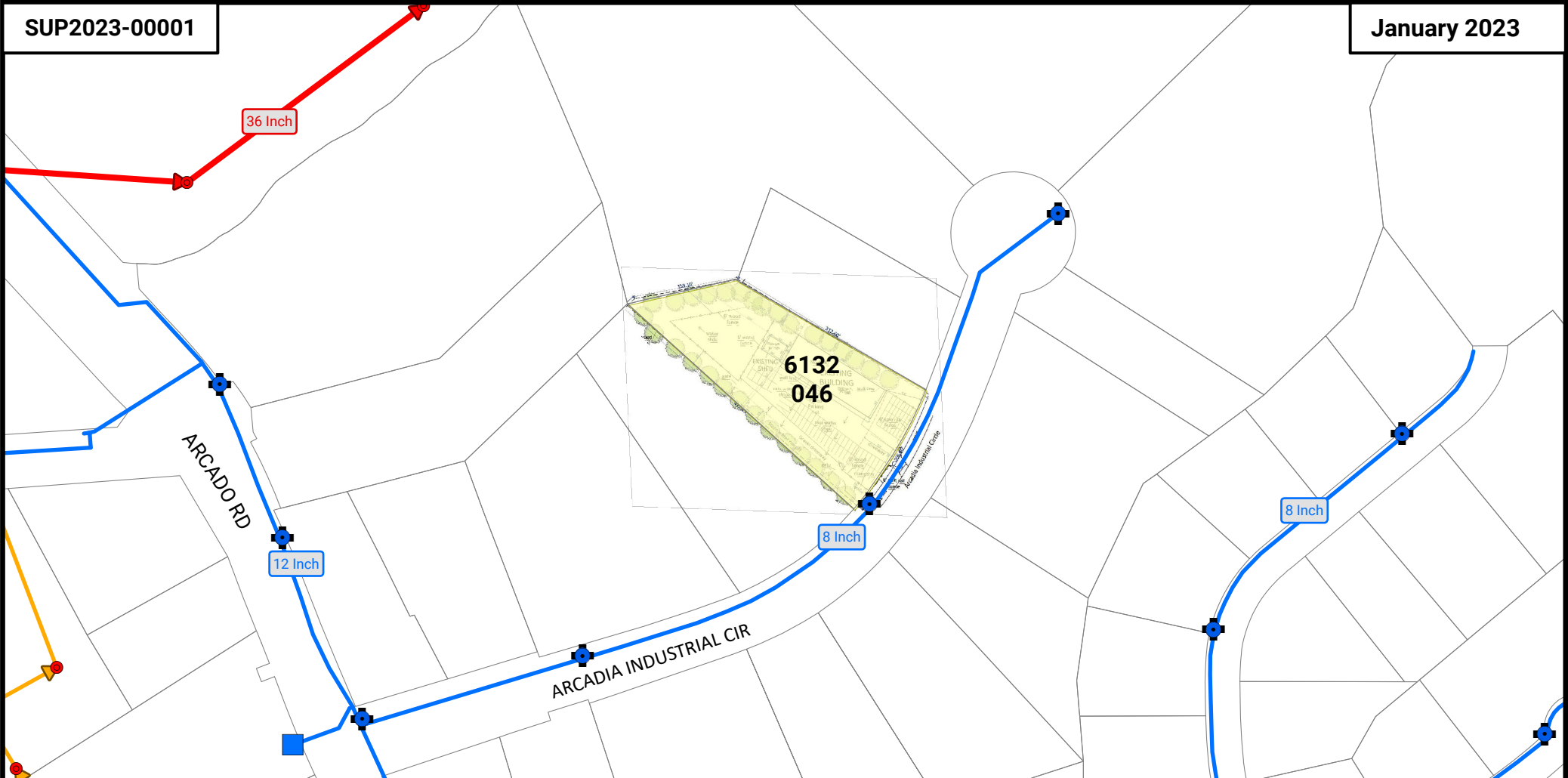
**Note:** Attach additional pages, if needed

Revised 7/26/2021



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

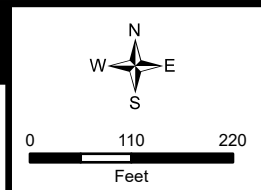
<b>TRC Meeting Date:</b>					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>			
Case Number:		SUP2023-00001			
Case Address:		4140 Arcadia Industrial Circle			
<b>Comments:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
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					
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1					
2					
3					
4					
5					
6					
7					



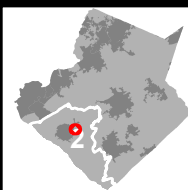
**4140 Arcadia Industrial Cir**

M-1

**Water & Sewer  
Utility Map**



**LOCATION**



**LEGEND**

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

**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 H: Maps**

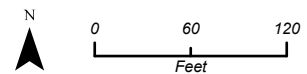
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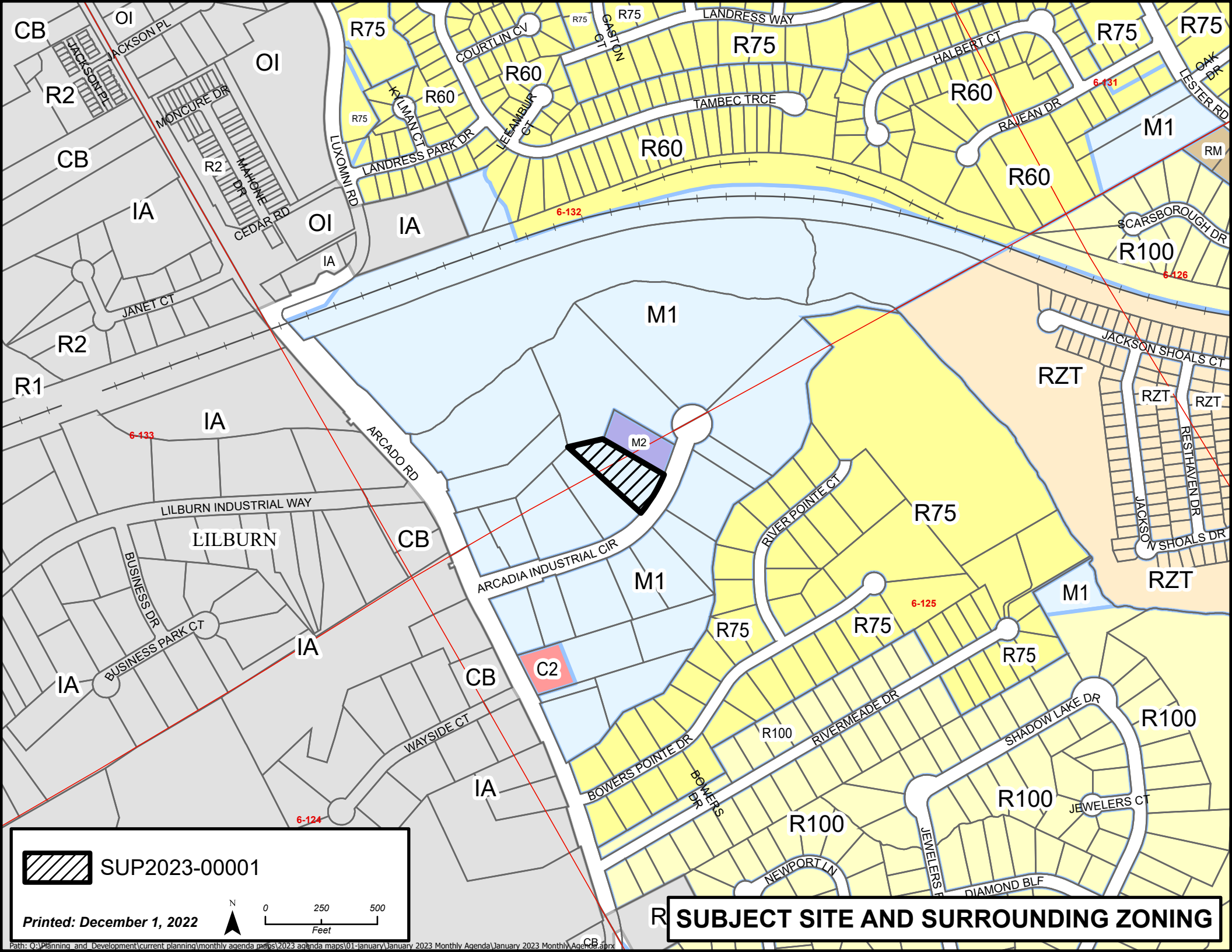


INDUSTRIAL CIR

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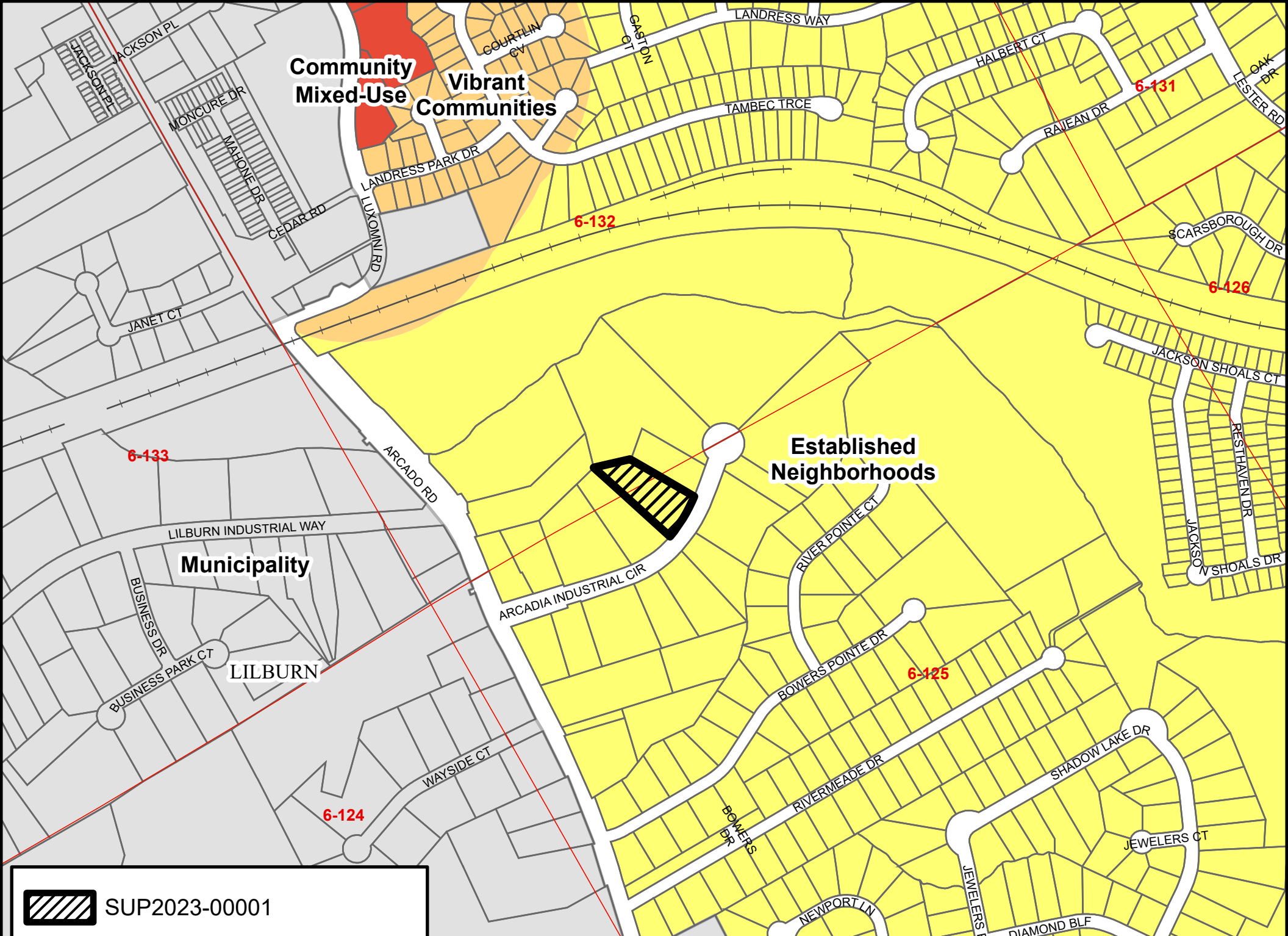
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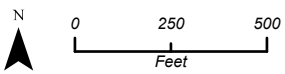
Feet

**SUBJECT SITE AND SURROUNDING ZONING**



 SUP2023-00001

Printed: December 1, 2022



**2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**