## **CHANGE IN CONDITIONS APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION*		
NAME: Dreamtime Outdoors	NAME: RUSS Robinson		
ADDRESS: _ P.O. Box 1602	ADDRESS: 225 Burns Rd		
CITY: Woodstock, GA 30188	CITY: Elyria		
STATE: 6A ZIP: 30188	STATE: 0H ZIP: 44035		
PHONE: _770-516-1554	PHONE: 678-666-1400		
CONTACT PERSON: Kent Biddy	PHONE: _770-231-6282		
CONTACT'S E-MAIL: Kbiddy @ Lotmail, co	m		
OWNER'S AGENT PROPERTY OW	NT IS THE:  NER CONTRACT PURCHASER		
ZONING DISTRICTS(S):			
LAND DISTRICT(S):	3 57 ACREAGE:95		
ADDRESS OF PROPERTY: SOO4 Store MO	untain Hay Lilburn, 6A 30047		
PROPOSED CHANGE IN CONDITIONS: Plays			
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:		
NO. OF LOTS/DWELLING UNITS: NO. OF BUILDINGS/LOTS:			
DWELLING UNIT SIZE (Sq. Ft.): TOTAL GROSS SQUARE FEET:			
GROSS DENSITY: DENSITY:			
NET DENSITY:			

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED



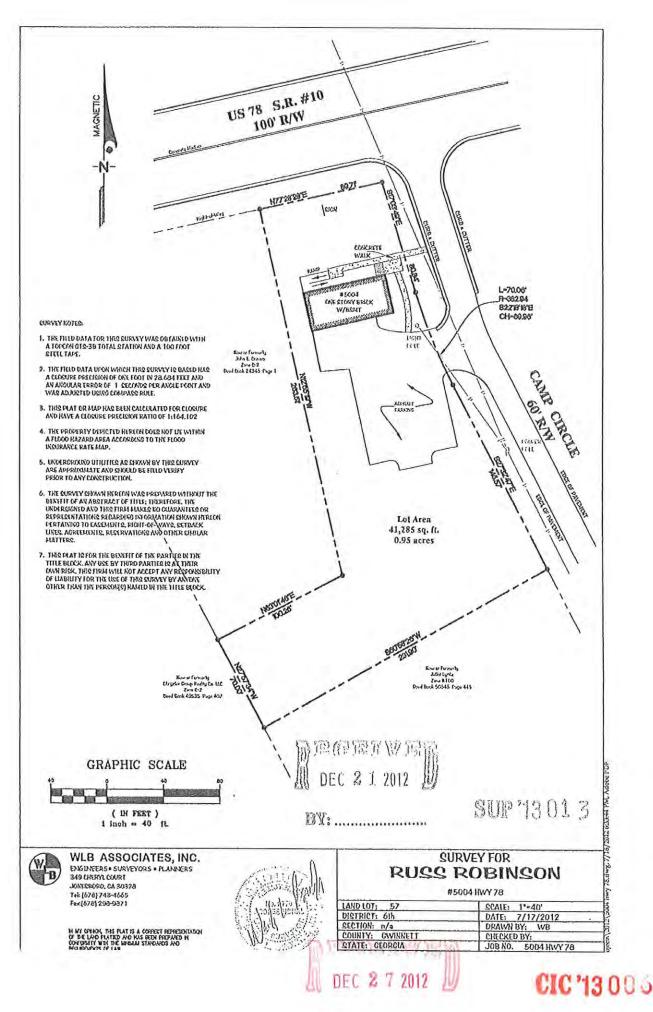
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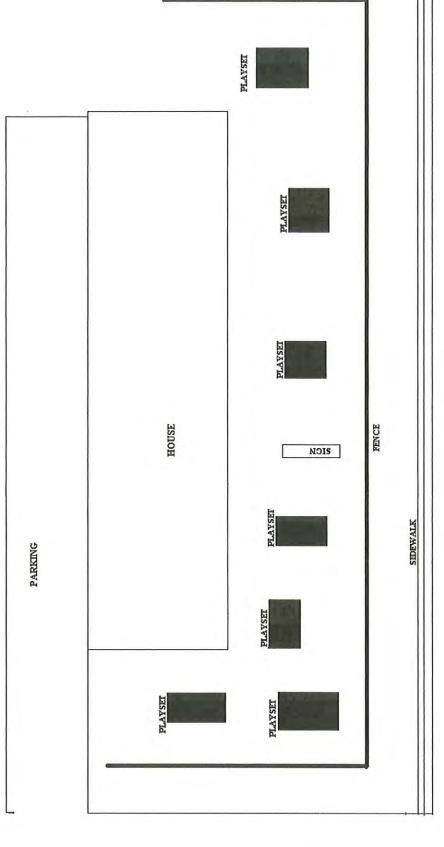
#### EXHIBIT "A"

ALL THAT TRACT OR PARCEL LAND LYING AND BEING IN LAND LOT 57 OF THE 6<sup>TH</sup> DISTRICT OF GWINNETT COUNTY, GEORGIA, CONTAINING .95 ACRES AND BEING MORE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON U.S. 78 JOINING LANDS OF EARLY RAWLINGS AND SAID POINT BEING AT AN IRON PIN AT A POWER POLE; THENCE ALONG U.S. 78 NORTH 77 DEGREES 28 MINUTES 28 SECONDS EAST 89.71 FEET TO CAMP CIRCLE; THENCE SOUTH 17 DEGREES 3 MINUTES 49 SECONDS EAST 80.84 FEET TO A POINT; THENCE SOUTH 27 DEGREES 32 MINUTES 47 SECONDS EAST 145.57 FEET TO A POINT; THENCE SOUTH 60 DEGREES 58 MINUTES 25 SECONDS WEST 231.90 FEET TO A POINT; THENCE NORTH 27 DEGREES 57 MINUTES 34 SECONDS WEST 70 FEET TO A POINT; THENCE NORTH 63 DEGREES 1 MINUTE 46 SECONDS EAST 100.28 FEET TO A POINT; THENCE NORTH 12 DEGREES 55 MINUTES 19 SECONDS WEST 263.51 FEET TO THE POINT OF BEGINNING.







STONE MOUNTAIN HIGHYWAY(HWY. 78)

CAMP CIRCLE

# CHANGE IN CONDITIONS APPLICANT'S RESPONSE STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

5	WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
_	See Attacked
	WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THIEXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
	WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: See AHached
١	WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
	WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

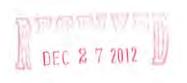
WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:



See Attacked

# Standards Governing the Exercise of the Zoning Power Attachment

- A. The west side of the property is bordered by the Dodge/Jeep dealership and a strip office building. To the east across Camp Circle is a used car lot. Next to it is a cemetery headstone company with many displays in the front. Across Hwy. 78 is a large Enterprise rent a car dealership. All of these businesses display inventory in front of their buildings and much closer to the road. About 100 yards east on Hwy. 78 is a Lowes. They display playsets in front of their store. Dreamtime Outdoors will fit in well with the other businesses in the area.
- B. No. Because this property slopes from Hwy. 78 toward the building about 6 feet, the playsets will not impede any views of nearby property.
- C. This property has not been occupied for the past 3 years. Because of the slope, the building has less than desired visibility from Hwy. 78. A business could be run out of the building as currently zoned.
- D. Since playsets are a big ticket item, we may only have two to three customers a day, so traffic at this location is light.
- E. This proposed use of this property conforms to the overlay district regulations. It also is in scope with the surrounding businesses.
- F. We are a family oriented business, with a product that people are proud to put in their yards and adds value to their homes. Our business adds charm to an area dominated by car lots, title pawns, and cash for gold stores.





#### **Letter of Intent**

To: Gwinnett County 12/20/12

Subject: Change in Conditions to display playsets

Address: 5004 Stone Mountain Hwy.

Company: Dreamtime Outdoors builds wooden residential and commercial playsets. We have been in business for 16 years and have retail locations in Woodstock and Acworth. Our playsets are also locally built at our manufacturing facility in Acworth. We build the best designed, highest quality sets on the market.

**Proposed Cahnge in Conditions:** Just as displaying a car at a dealership for passing vehicles to see drives sales, so does displaying playsets. We want to display our playsets in the front yard of this location. The sets will be inside of a fence that is well behind the easement. Also, this property slopes from Hwy. 78 down about 6 feet to the front of the building. While this lessens visibility of the building from the road, it is perfect to display playsets withut detracting from the visiblity of other properties.

Playset Characteristics: Our playsets are all above-ground installations. They are not anchored in the ground. The weight of the set holds it in place. Since they are made in modular panels, they are easily disassembled in 30 minutes to an hour. Since our displays need to be new and fresh, we rotate out our displays frequently with new sets.

Contact Info: Kent Biddy President 770-231-6282



EVI more more market

## **CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION**

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

		-
Signature	of App	licant

President

Type or Print Name and Title

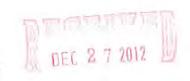
KEISHA HARVEY NOTARY PUBLIC Cherokee County, GA My Commission Expires

December 13, 2014

Signature of Notary Public

Date

Notary Seal



BY

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## CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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

W Vall		12-21-2012	1
Signature of Property Owner		Date	
Russ L. Robin	NSON		
Type or Print Name and Title			
Phonola ( Peck)	12/21/201		
Signature of Notary Public	Date	Notary Seal	





## CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

/ - / / -	Kent Biddy Preside
Date	Kent Blody Preside Type of Print Name and Title
Date	Type or Print Name and Title
12/27/12	KEISHA HARVEY NOTARY PUBLIC Cherokee County, GA My Commission Expires December 13, 2014
Date '	Notary Seal
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Kent Biddy	r Name
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## VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR CHANGE IN CONDITIONS

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

N THE REZONIN	G REQUEST.	
6	. 057	. 23
District	Land Lot	Parcel
		12/27/12
		Date
Pesident		
X COMMISSIONE	RS USE ONLY	
TY TAXES BILLED E BEEN VERIFIED )	TO DATE FOR THE	HE ABOVE NT AND CONFIRMED
	161	
	1 SA	
		TITLE
	District  Pesident  X COMMISSIONE  Y TAXES BILLED  BEEN VERIFIED	District Land Lot  Land Lot

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BY:

CIC 13005

## **SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION*		
NAME: <u>Dreamtime</u> Outdoors	NAME: Russ Robinson		
ADDRESS: P.O. Box 1602	ADDRESS: 225 BURNS RJ		
CITY: Woodstock	CITY: Elyria		
STATE: <u>GA</u> <u>zip: 30188</u>	STATE: 0# ZIP: 44035		
PHONE: 770-516-1554	PHONE: 678-666-1400		
CONTACT PERSON: Kent Biddy	PHONE: 770-231-6282		
CONTACT'S E-MAIL: Kbiddy@hot-mail.com			
*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).			
APPLICAN	IT IS THE:		
OWNER'S AGENT PROPERTY OW	VNER CONTRACT PURCHASER		
EXISTING/PROPOSED ZONING: C- BUIL	DING/LEASED SQUARE FEET: 1600		
LAND DISTRICT(S): 6 LAND LOT(S): 57 ACREAGE: 0.95			
ADDRESS OF PROPERTY: 5004 Stone Mountain Huy. Lilburn, GA 30047			
special use requested: Wooden Playset display			
	and the publisher or		

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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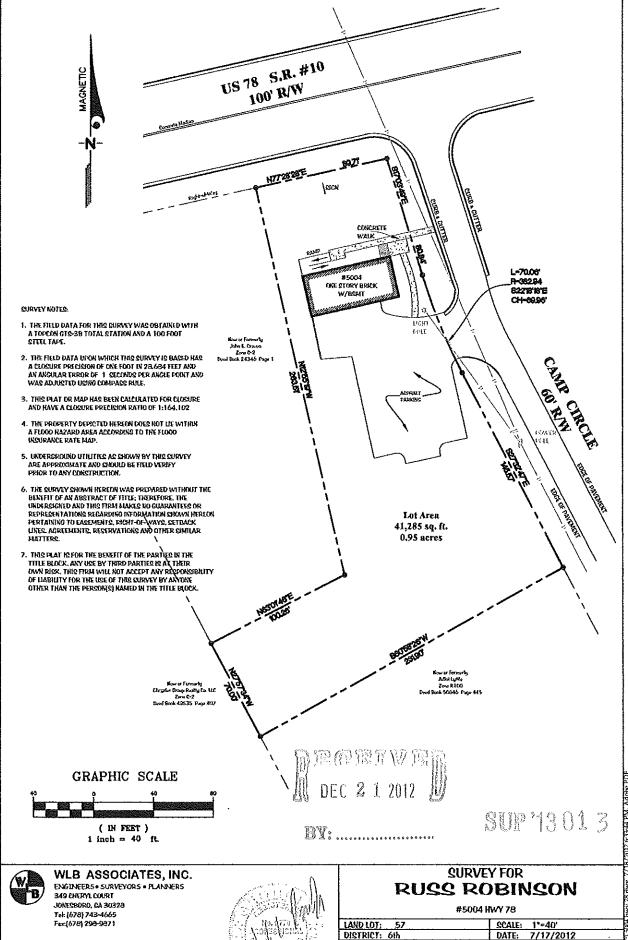
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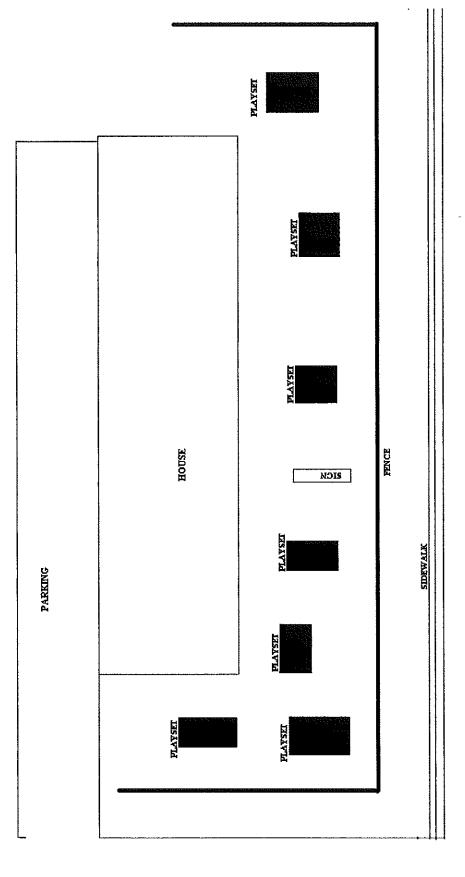
BY: .....



in by open, this plat is a coffect representation of the land plated and has been prepared in coefficient with the beneal standards and per beautific of Lib



		P
LAND LOT: 57	SCALE: 1°=40'	
DISTRICT: 6th	DATE: 7/17/2012	
SECTION: n/a	DRAWN BY: WB	
COUNTY: GWINNETT	CHECKED BY:	
QTATE: GEORGIA	JOB NO. 5004 HWY 78	7



STONE MOUNTAIN HIGHYWAY(HWY. 78)

SUP 13013

CAMP CIRCLE

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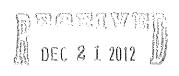
PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A)	WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:  See AHSCLED
(B)	WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
(C)	WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
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(E)	WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:  See Attached
(F)	WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT:  See Attached
	3 SUP 13013 DEC 2 1 2012

## Standards Governing the Exercise of the Zoning Power Attachment

- A. The west side of the property is bordered by the Dodge/Jeep dealership and a strip office building. To the east across Camp Circle is a used car lot. Next to it is a cemetery headstone company with many displays in the front. Across Hwy. 78 is a large Enterprise rent a car dealership. All of these businesses display inventory in front of their buildings and much closer to the road. About 100 yards east on Hwy. 78 is a Lowes. They display playsets in front of their store. Dreamtime Outdoors will fit in well with the other businesses in the area.
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SUP'13013



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### **Letter of Intent**

To: Gwinnett County 12/20/12

Subject: Special Use Permit to display playsets

Address: 5004 Stone Mountain Hwy.

Company: Dreamtime Outdoors builds wooden residential and commercial playsets. We have been in business for 16 years and have retail locations in Woodstock and Acworth. Our playsets are also locally built at our manufacturing facility in Acworth. We build the best designed, highest quality sets on the market.

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Contact Info: Kent Biddy President 770-231-6282

### 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.

1/

That Buld		12/20/12
Signature of Applicant		Date
Kent Biddy		President
Type or Print Name and Title		
Awa W Pear	12/20/2012	
Signature of Notary Public	Date	Notary Seal

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#### 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.

1/6 7/1		12-19-2012
Signature of Property Owner		Date
Russ L. Robinson	Ouver	
Type or Print Name and Title		· · ·
Rhanda & Park	12/19/2012	
Signature of Notary Public	Date	Notary Spal

### **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-I, et. seq, <u>Conflict of Interest in Zoning Actions</u>, and has submitted or attached the required information on the forms provided.

Xxx Rill	12/26/12	Kent Biddy Assident
SIGNATURE OF APPLICANT	DATE /	TYPE OR PRINT NAME AND TITLE
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTAT	DATE	TYPE OR PRINT NAME AND TITLE
ATTORNET OR REPRESENTAT	IVE	
Kinda of Peach	12 20/20/2 LIC DATE	
SIGNATURE OF NOTARY PUB	LIC DATE	NOTARY SEAL
DISCLOSU	JRE OF CAMPAIGN CONT	TRIBUTIONS
Have you, within the two years in contributions aggregating \$250.0 member of the Gwinnett County	0 or more to a member of the	of this application, made campaign Board of Commissioners or a
YES NO Ken	A Ruch	
LITES ZINO <u>KØ</u>	YOUR NA	ME
If the answer is yes, please comp	lete 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.



#### **VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT**

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

\*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.

PARCEL I.D. NUMBER: (Map Reference Number)	6 District	<u></u>	 _ot	ー ス・Pare	<del>-</del>
St Bill			1-	2/20/	/2
Signature of Applicant				Date	
Kent Biddy			Pres	dent	
Type or Print Name and Title					
	TAX COMMISSI	ONERS USE O	ONLY		
(PAYMENT OF ALL PROPERT PARCEL HAVE BEEN VERIFI SIGNATURE BELOW)  Junger Hay	ΓΥ TAXES BILL	ED TO DATE F	OR TH		