

**CHANGE IN CONDITIONS APPLICATION**  
 AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Simpson Circle Plaza</u>	NAME: <u>L&amp;P Development Associates, LLC</u>
ADDRESS: <u>2880 Simpson Circle</u>	ADDRESS: <u>267 Beutell Street</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>(770)595-1951</u>	PHONE: <u>(770)595-1951 / (678)960.1951</u>
CONTACT PERSON: <u>Samuel Park</u> PHONE: <u>(770)595-1951</u>	
CONTACT'S E-MAIL: <u>sbagroupinc@gmail.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT     PROPERTY OWNER     CONTRACT PURCHASER

ZONING DISTRICT(S): C-2    PRIOR ZONING CASE: 220-08-069

LAND DISTRICT(S): 6th    LAND LOT(S): 258    ACREAGE: 2.572 ac.

ADDRESS OF PROPERTY: 2880 Simpson Circle, Norcross GA 30071

PROPOSED CHANGE IN CONDITIONS: Removing conditions prohibiting bars and lounges and prohibiting check cashing stores.

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>1</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>130,878.85 sqft</u>
GROSS DENSITY: _____	DENSITY: _____
NET DENSITY: _____	

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 PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 258 of the 6<sup>th</sup> District, Gwinnett County, Georgia being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at a concrete monument found at the intersection of the southeasterly right-of-way of Buford Highway, U.S. Highway 23, said right-of-way having a 100 foot width and the northeasterly right-of-way of Simpson Circle, said road having a 65 foot right-of-way, traveling thence along the right-of-way of Simpson Circle South 13 degrees 43 minutes 45 seconds East a distance of 65.74 feet to a point, traveling thence North 65 degrees 14 minutes 12 seconds East a distance of 5.42 feet to a point, traveling thence South 25 degrees 37 minutes 36 seconds East a distance of 44.77 feet to the TRUE POINT OF BEGINNING, thence leaving Simpson Circle traveling North 64 degrees 22 minutes 24 seconds East a distance of 32.00 feet to a point, traveling thence South 25 degrees 37 minutes 36 seconds East a distance of 18.35 feet to a point, traveling thence North 64 degrees 28 minutes 05 seconds East a distance of 150.77 feet to a point, traveling thence South 29 degrees 38 minutes 03 seconds East a distance of 76.92 feet to a point, traveling thence South 29 degrees 33 minutes 03 seconds East a distance of 222.84 feet to a point, traveling thence South 29 degrees 32 minutes 14 seconds East a distance of 196.25 feet to a point, traveling thence South 40 degrees 41 minutes 51 seconds West a distance of 237.15 feet to a point on the easterly right-of-way of Simpson Circle traveling thence along said right-of-way North 25 degrees 42 minutes 19 seconds West a distance of 291.73 feet to a point, traveling thence North 25 degrees 25 minutes 03 seconds West a distance of 222.23 feet to a point, traveling thence North 25 degrees 37 minutes 36 seconds West a distance of 94.72 feet to the TRUE POINT OF BEGINNING, said tract being known as Lot 2 and containing 2.53 acres as shown on that Plat prepared by Steve B. Hennings, Georgia Registered Land Surveyor No. 2742, dated April 24, 2007, last revised November 29, 2007, and recorded at Plat Book 122, Page 226, Gwinnett County Records, which Plat is incorporated herein by reference for a complete description thereof.

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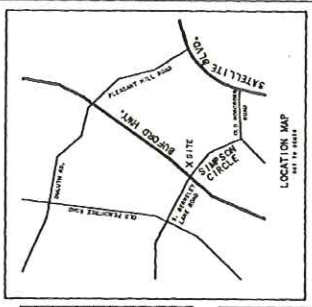
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FINAL PLAT DATA	
ZONING	C-1
DEVELOPMENT TYPE	COMMERCIAL
PROJECT DATA	
NUMBER OF LOTS	2
TOTAL AREA	3.19
NET AREA	2.64
USE	N/A
ADJACENT AREAS	N/A
SANITARY SERVICE	
SEWER	
FINAL PLAT DATA	
DENSITY (UNITS/ACRE)	
NET	
LOT & DWELLING DATA	
MIN. LOT SIZE	
MIN. DWELLING SIZE	

**FINAL PLAT**  
**SIMPSON CIRCLE PLAZA SUBDIVISION**  
**2-LOT DIVISION**  
**PLAN**

L & P DEVELOPMENT ASSOCIATES, L.L.C.

for

LOCATION

4510 BUFORD HIGHWAY

7400 S WOOD CIRCLE

LAND LOT 238

DATE: APRIL 02, 2007

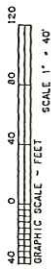
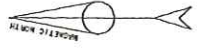
REVISION DATE: SEPTEMBER 7, 2007

BOUNDARY LINE: ADJACENT COMMERCE

COUNTY COMMISSION NUMBER 99-0007

SEWER EASEMENT

WATER EASEMENT



**FLOOR PLAN NOTES**  
THERE IS NO FLOOR PLAN ON THIS PROPERTY FROM A WATER COURSE WITH A DRAINAGE AREA EXCEEDING 100 ACRES.  
A DRAINAGE AREA OF 100 ACRES OR MORE IS A DISSEMINATED DRAINAGE AREA.  
THERE ARE NO STATE WATER BUFFERS ON THIS SITE.

**LOT SUMMARY**  
TOTAL ACRES 3.19  
ZONED C-1  
CASE # CDP 2004-00274  
(APP. 4-26-05)  
CASE # BRD-03-005  
(APP. 9-23-03)

**LOT 1**  
0.66 ACRES  
28,869 SQ. FT.

**LOT 2**  
2.53 ACRES  
110,071 SQ. FT.

**SETBACKS**  
FRONT - 50 FEET  
REAR - 50 FEET  
SIDE - 20 FEET  
CORNER - 20 FEET

**10 FOOT UNDISTURBED REAR BUFFER**

**10 FOOT STRIP LANDSCAPE**

**MAXIMUM BUILDING HEIGHT 35 FEET**

**PROVIDE 5 FOOT STRUCTURE SETBACK FROM BUFFER.**

**SIDEWALK NOTES**  
1. SIDEWALKS SHALL BE INSTALLED ON NEW INTERNAL STREET (BOTH SIDES INCLUDING CURB-SIDE AND "EVE" SIDE) WITHIN 60 DAYS OF APPROVAL OF FINAL PLAT.

2. SIMPSON CIRCLE SIDEWALKS ARE TO BE LOCATED 2' FROM BACK OF CURB AND SHALL BE TOTAL ACRES C-1 WITH CROSS SLOPE OF 2.5% PER FOOT. CONCRETE SHALL BE CLASS "B" AND HAVE A STRENGTH OF 2500 PSI AT 28 DAYS.

3. DEVELOPER SHALL INSTALL SIDEWALKS ON ADJUTING STREETS. INTERSECTION AND CURB RAMP AT NEW STREET INTERSECTIONS, AND ALL INTERSECTIONS WITH EXISTING STREETS, WITHIN 60 DAYS OF APPROVAL OF THE FINAL PLAT. (SEE PARAGRAPHS 1 AND 2 OF THIS PLAT FOR THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.)

**GENERAL NOTES**  
1. WATER SUPPLIED BY GWINNETT COUNTY, GEORGIA.  
2. FROM PINE SET ON ALL LOT CORNERS ARE 1/2" DIA. REINFORCEMENT BARS UNLESS OTHERWISE NOTED.  
3. ALL FOUNDATION WALLS SHALL BE CONCRETE.  
4. IN SANITARY SEWER EASEMENTS ACCORD AND TO DRAINAGE COUNTY POLICY.

1. GWINNETT COUNTY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINAGE BEYOND THE EXTENT OF THE CURB LINE BEYOND THE POINT SHOWN ON THE APPROVED PLAT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS.

2. STREAM BUFFER EASEMENTS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION.  
3. BUFFER EASEMENTS ARE NOT ALLOWED IN DRAINAGE EASEMENTS.

**FINAL PLAT APPROVAL**  
THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT CERTIFIES THAT THIS PLAT COMPLIES WITH THE ZONING REGULATIONS AND THE DEVELOPMENT REGULATIONS, AND THAT IT HAS BEEN APPROVED BY ALL APPLICABLE AGENCIES AND DEPARTMENTS OF THE COUNTY. THIS PLAT IS APPROVED SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS PROJECT BETWEEN THE OWNER AND GWINNETT COUNTY.

DATED THIS 5TH DAY OF DECEMBER, 2013.

DIRECTOR OF PLANNING & DEVELOPMENT  
PPL20071.00103

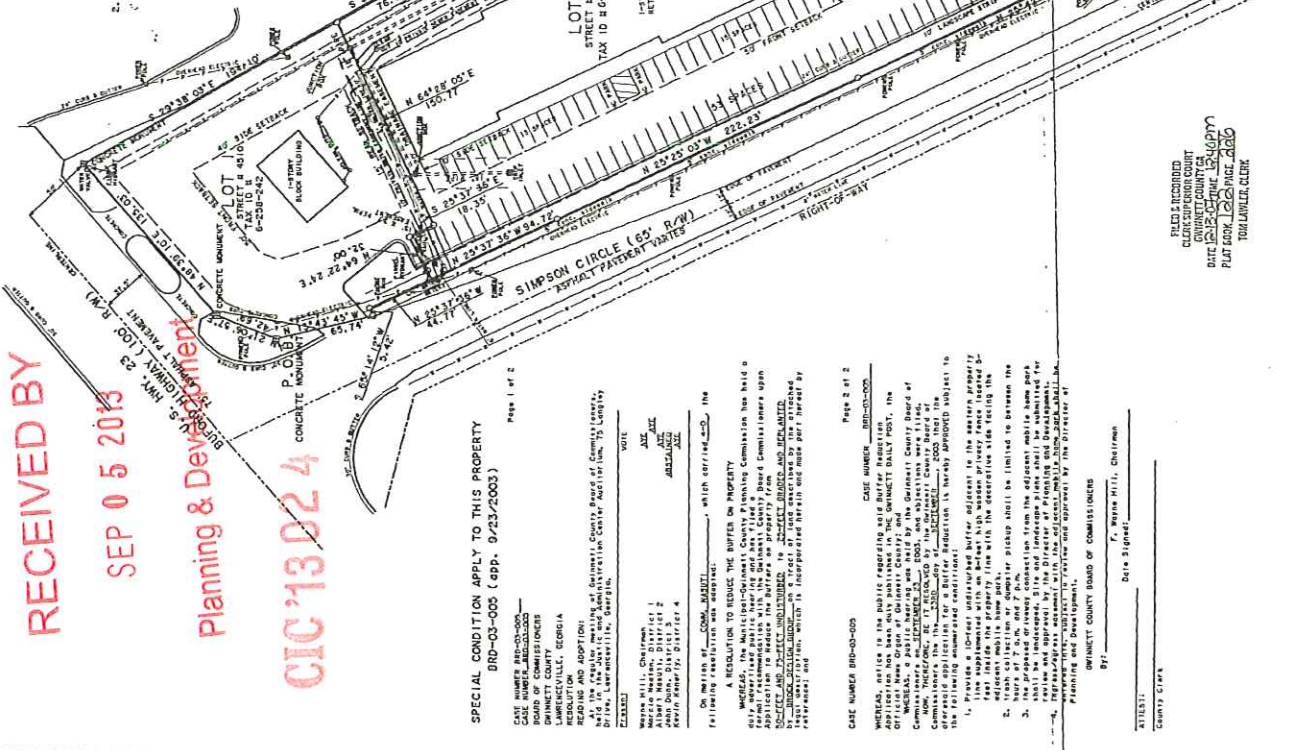
THIS PLAT RECORDED IN BOOK  
RECORDS, DATED  
GWINNETT COUNTY

FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND ACCURATE AND THAT THE SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION. THAT ALL MONUMENTS SHOWN ON THIS PLAT ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 100,000 FEET AND AN ANGLE ERROR OF ONE SECOND. THIS PLAT HAS BEEN ADJUSTED USING COMBINED BLENDED. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE WITHIN THE TOLERANCE OF ONE FOOT IN 100,000 FEET. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS GROUND 075-316.

BY: STEVE B. HENNINGES  
REGISTERED GEORGIA LAND SURVEYOR

REC NO. 21265 DATE OF EXPIRATION 12-31-2018



**RECORDED**  
GWINNETT COUNTY  
DATE: 12-12-2013 10:50 AM  
PLAT BOOK: 120 PAGE: 2100  
TOWN/CLERK: CLERK

**HENNINGES LAND SURVEYS**  
Steve B. Henninges, L.L.C.  
405 Temple Court  
Stone Mountain, Georgia  
30087

IN MY OFFICE, THIS IS A CORRECT REPRESENTATION OF THE PLAT AND THE PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE REGISTRATION ACT OF 1909.

OWNER ACKNOWLEDGMENT AND DECLARATION  
(STATE OF GEORGIA)  
(COUNTY OF GWINNETT)  
THE OWNER OF LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE PLAT AND THAT THIS ACKNOWLEDGMENT AND DECLARATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, SEWER COLLECTORS, FACILITIES AND APPURTENANCES THEREON SHOWN ON THIS PLAT.

OWNER/DEVELOPER  
L & P DEVELOPMENT ASSOCIATES, LLC  
207 BEUTELL STREET  
NORCROSS, GA 30071  
TEL. 770-499-2700 (3AM PARK)

DATE SIGNED: 12/10/13  
SIGNATURE OF SUBDIVIDER: [Signature]  
PRINTED OR TYPED NAME OF SUBDIVIDER: L & P Development Associates  
DATE SIGNED: 12/10/13  
SIGNATURE OF OWNER: [Signature]  
PRINTED OR TYPED OF OWNER: Steve B. Henninges

**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:

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

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**EXHIBIT "B"**  
**APPLICANT'S RESPONSE**

- A) WHETHER A PROPOSED REZONING (OR SPECIAL USE PERMIT) OR CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The proposed uses and change in conditions will complement and remain consistent with the existing conditions for the existing, previously approved commercial and retail center, located in a commercial and industrial corridor.

- B) WHETHER A PROPOSED REZONING (OR SPECIAL USE PERMIT) OR CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No, the proposed uses and conditions are entirely compatible with the adjoining and nearby commercial, residential, and industrial zoned property and will not adversely affect these properties.

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

No. The subject property does not have any reasonable economic use as a commercial/retail property with the current conditions and uses.

- D) WHETHER THE PROPOSED REZONING (OR SPECIAL USE PERMIT) OR 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:

No, this property is located in an area with public water and sewer availability, and convenient access to major thoroughfares and state highways. The requested uses and changes in conditions will have little to no impact on existing streets, transportation facilities, or utilities, and no impact whatsoever on schools.

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

Yes. The Gwinnett 2030 Unified Plan identifies this area as a commercial corridor. The existing retail center and proposed changes in conditions are near the a commercial intersection at Simpson Circle and Buford Highway, near properties zoned and developed for commercial, industrial, and retail uses.

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- F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING (OR SPECIAL USE PERMIT) OR CHANGE IN CONDITIONS.

Yes. The Board of Commissioners' prior approval of a rezoning for the subject property to C-2 supports the requested special use permit and change and conditions that are consistent with those commercial uses as well as the nearby industrial and commercial uses along Buford Highway and Simpson Circle.

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**JUSTIFICATION FOR REZONING / CONSTITUTIONAL OBJECTIONS**

The portions of the Gwinnett County Zoning Resolution and/or zoning conditions which presently restrict the property which is the subject of the Application for Special Use Permit and Change in Conditions (the "Property") to its currently permitted uses are or would be unconstitutional in that they would destroy the Applicant Simpson Circle Plaza's (the "Applicant"), and property owner, L&P Development Associates, LLC's (the "Owner") property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Gwinnett County Zoning Resolution and/or zoning conditions which presently restrict the property to its currently permitted uses is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property has been developed as a retail center, but is without economic use based on the current permitted uses and conditions. A denial of these Applications would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore and contrary to other recent Board of Commissioners actions, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to allow the requested special use permit and change in conditions, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the requested Special Use Permit and Change in Conditions for the subject Property, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the Special Use Permit and Change in Conditions Application submitted relative to the Property be granted and that the requested change in conditions be permitted on the subject Property as requested therein.

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# ANDERSEN | TATE | CARR

ANDERSEN, TATE & CARR, P.C.  
ONE SUGARLOAF CENTRE  
1960 SATELLITE BOULEVARD, SUITE 4000  
DULUTH, GEORGIA 30097  
(770) 822-0900  
FACSIMILE: (770) 236-9702  
www.atclawfirm.com

MARIAN C. ADEIMY

E-mail: madeimy@atclawfirm.com

## AMENDED LETTER OF INTENT FOR THE APPLICATIONS FOR SPECIAL USE PERMIT AND CHANGE IN CONDITIONS FOR SIMPSON CIRCLE PLAZA

The Applicant, Simpson Circle Plaza (hereafter, "Applicant"), submits this Amended Letter of Intent in support of its Application for Special Use Permit, SUP2013-00050 and Applicant for Change in Conditions, CIC2013-00024, for the purpose of removing certain existing conditions of zoning contained in RZC08-069 and for a special use permit for the uses outlined herein:

1. To remove the condition prohibiting bars and lounges, to allow for a restaurant and lounge;
2. To remove the condition prohibiting automotive parts stores;
3. For a special use permit allowing for a check cashing store, a change in conditions to remove the condition prohibiting check cashing stores; and
4. For a special use permit allowing for a pool hall and/or billiard hall.

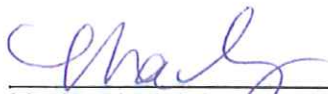
The subject Property is located at the intersection of Buford Highway and Simpson Circle, in a significant commercial and industrial corridor. The current character of this area is reflected in the Gwinnett 2030 Unified Plan. This request is also supported by the established precedent set by the Board of Commissioners' approval of the prior rezoning to C-2. The proposed uses and changes in conditions are entirely consistent with the well established development patterns and character of the immediately surrounding area and are appropriate under any reasonable land use analysis.

Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concerns. Applicant respectfully requests your approval of these Applications as filed and amended.

This 11 day of October, 2013.

Respectfully submitted,

ANDERSEN, TATE & CARR, P.C.



Marian C. Adeimy  
Attorneys for Applicant

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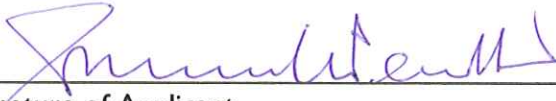
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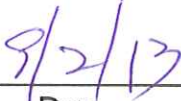
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**CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION**

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

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Date

*Samuel Park, Owner*  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

  
\_\_\_\_\_  
Date

Peaches L. Broughton  
NOTARY PUBLIC  
Barrow County  
State of Georgia  
My Commission Expires January 16, 2017

\_\_\_\_\_  
Notary Seal

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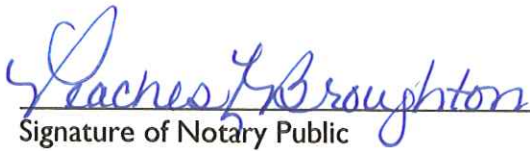
CIC '13 02 4

**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.

9/2/13  
\_\_\_\_\_  
Signature of Property Owner Date

Samuel Park, Owner  
\_\_\_\_\_  
Type or Print Name and Title

9/2/13  
\_\_\_\_\_  
Signature of Notary Public Date

Peaches L. Broughton NOTARY PUBLIC Barrow County State of Georgia My Commission Expires January 16, 2017
--

Notary Seal

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**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Samuel Park 9/2/13 Samuel Park, Owner  
 Signature of Applicant Date Type of Print Name and Title

Marian C. Adeimig 9-2-13 a Horney, Marian C. Adeimig  
 Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

Peaches L. Broughton 9/2/13  
 Signature of Notary Public Date

Peaches L. Broughton  
 NOTARY PUBLIC  
 Barrow County  
 State of Georgia  
 My Commission Expires January 16, 2017

Notary Seal

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES  NO Anderson, Tate + Carr, PC  
 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)
<u>See Exhibit "C"</u>		

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

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**EXHIBIT "C"**  
**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS BY ANDERSEN, TATE & CARR, P.C.**

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE CONTRIBUTION WAS MADE
Charlotte Nash, Chairman	\$1,000 \$1,000 \$500	February 22, 2011 November 16, 2011 February 20, 2013
Jace Brooks, District 1 Commissioner	\$500 \$500	March 15, 2012 December 20, 2012
Lynette Howard, District 2 Commissioner	\$1,000 \$1,000	May 25, 2010 October 27, 2011
Tommy Hunter, District 3 Commissioner	\$1,500 \$500 \$1,500	October 1, 2012 December 28, 2012 August 22, 2013
John Heard, District 4 Commissioner	\$1,000 \$1,000	February 16, 2010 August 25, 2011

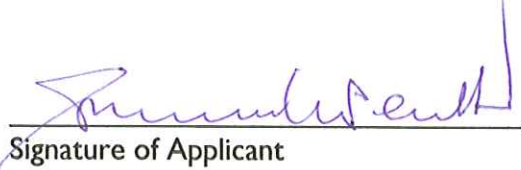
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**VERIFICATION OF CURRENT PAID PROPERTY TAXES  
FOR CHANGE IN CONDITIONS**

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 TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

**PARCEL I.D. NUMBER:** 4 - 258 - 339  
(Map Reference Number)                      District                      Land Lot                      Parcel

  
Signature of Applicant

September 2, 2013  
Date

Samuel Park Owner  
Type or Print Name and Title

---

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**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)

  
NAME

**GWINNETT COUNTY  
TAX COMMISSIONER**  
TITLE

9-5-2013  
DATE

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**RECEIVED BY**

SEP 05 2013

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