

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: Sage School, Inc.	NAME: 800 Satellite, LLC
ADDRESS: 3585 Lawrenceville Suwanee Rd	ADDRESS: 865 S. Frankwood Avenue
CITY: Suwanee	CITY: Reedley
STATE: GA ZIP: 30024	STATE: California ZIP: 93654
PHONE: 678-318-3588	PHONE: 559-284-1875
CONTACT PERSON: Joe Patton PHONE: 678-523-0341	
CONTACT'S E-MAIL: Joe.patton@fiberlight.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).

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: M-1	BUILDING/LEASED SQUARE FEET: 20,192
LAND DISTRICT(S): 7th	LAND LOT(S): 168 ACREAGE: 4.4073
ADDRESS OF PROPERTY: 800 Satellite Boulevard, Suwanee, GA 30024	
SPECIAL USE REQUESTED: Sage is a Private School for children with Dyslexia class sizes are 6 students to every 1 teacher maximum	

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 168 of the 7th District of Gwinnett County, Georgia and being more particularly described as follows.

To find the TRUE POINT OF BEGINNING, begin at a point at the common corner of Land Lots 153, 154, 167 and 168 of the 7th District of Gwinnett County, Georgia; thence North 59 degrees 17 minutes 50 seconds East along the line between Land Lots 153 and 168 for a distance of 682.93 feet to a point on the easterly right-of-way of Satellite Boulevard (said road having a 100 foot right-of-way); thence North 04 degrees 05 minutes 08 seconds West along the easterly right-of-way of Satellite Boulevard for a distance of 36.82 feet to a point; thence northwesterly along the northeasterly right-of-way of Satellite Boulevard along a curve to the left having a radius of 1,091.74 feet and an arc length of 117.58 feet, being subtended by a chord bearing of North 07 degrees 10 minutes 22 seconds West and a chord distance of 117.52 feet to a PK nail found and the TRUE POINT OF BEGINNING.

THENCE northwesterly along the northeasterly right-of-way of Satellite Boulevard along a curve to the left having a radius of 1,091.74 feet and an arc length of 478.50 feet, being subtended by a chord bearing of North 22 degrees 48 minutes 43 seconds West and a chord distance of 474.68 feet to an iron pin;

THENCE leaving the northeasterly right-of-way of Satellite Boulevard on a bearing of North 51 degrees 59 minutes 57 seconds East for a distance of 243.42 feet to an iron pin;

THENCE North 84 degrees 16 minutes 20 seconds East for a distance of 180.07 feet to an iron pin;

THENCE South 25 degrees 22 minutes 22 seconds East for a distance of 246.18 feet to an iron pin;

THENCE South 17 degrees 24 minutes 20 seconds East for a distance of 200.25 feet to an iron pin;

THENCE South 61 degrees 33 minutes 23 seconds West for a distance of 394.59 feet to a PK nail found;

THENCE southwesterly along a curve to the left having a radius of 25.00 feet and an arc length of 6.69 feet, being subtended by a chord bearing of South 53 degrees 53 minutes 35 seconds West and a chord distance of 6.67 feet to a PK nail found on the northeasterly right-of-way of Satellite Boulevard and the TRUE POINT OF BEGINNING.

Said property contains 4.4073 acres as shown on plat of ALTA/ACSM Land Title Survey For; 3dh Communications, Inc., 800 Satellite, LLC; Chicago Title Insurance Company and Peoples Bank & Trust; dated May 24, 2001 and last revised April 18, 2008. ; By: McNally & Patrick, Inc. and bearing the seal of Lloyd C. McNally, Jr., R.L.S. No. 2040. Said tract is also shown as lot 6 - Unit Three - Shawnee Ridge and is recorded in Plat Book 86, Page 112, Gwinnett County Records and is intended to be described on Exhibit A to that certain Commercial Sales Agreement between 3dh Communications, Inc. and BRJ Real Estate Management Company, Inc. dated as February 29, 2008, with the Permitted Exceptions thereto set forth on Exhibit B to said Agreement.

CHICAGO TITLE INSURANCE COMPANY
ALTA COMMITMENT
SCHEDULE B - SECTION 2

SPECIAL EXCEPTIONS

10. Reciprocal Access Easement by The Shawnee Ridge Joint Venture, a Georgia joint venture, and PMS Consolidated, Inc., dated April 30, 1992, filed for record May 6, 1992 at 10:04 a.m., recorded in 7416, Page 121, Records of Gwinnett County, Georgia; as affected by Quitclaim Deed of Release by between Polyone Corporation, an Ohio corporation, and BRJ Real Estate Management Company, Inc., corporation, dated June 4, 2001, filed for record June 14, 2001 at 12:19 p.m., recorded in Deed 23518, Page 57, aforesaid records. Does not affect the property. Completely releases and foreve any rights previously held in reciprocal access easement.
11. Water Metering Device Easement by and between PMS Consolidated and Gwinnett County, a political of the state of Georgia, dated May 1, 1992, filed for record June 15, 1992 at 4:18 p.m., recorded Book 7537, Page 160, aforesaid records. Shown on plat.
12. Water Metering Device Easement by and between PMS Consolidated and Gwinnett County, a political of the state of Georgia, dated May 1, 1992, filed for record June 15, 1992 at 4:18 p.m., recorded Book 7537, Page 160, aforesaid records. Shown on plat.

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SPECIAL USE PERMIT 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 SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes...see attached approval from Shawnee Ridge Owner's Association

- (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:

Yes...we are requesting no modifications to the structure or land

- (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:

None

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November 14, 2012

Gwinnett County Planning Division,

This letter is provided as a letter of intent for the application of Special Use for Sage School to occupy and conduct business at 800 Satellite Blvd, Suwanee, GA 30024. The property is currently zoned as M-I and has an existing structure with 20,192 square feet. This property is also known as: Land District 7, Land Lot 168 and has 4.4073 acres. Under M-I we are requesting permission to operate as a special use/ private school.

Sage School is a Non-Profit, Private, Christian School serving children with dyslexia and other language learning differences. The school is currently in business at 3585 Lawrenceville Suwanee Road, Suwanee, GA 30024. Our school is growing beyond the current facility's capacity for the future and the subject property is well developed for our intended use for years to come.

Sage School operates on a student to teacher ratio of no more than 6:1. This allows us to utilize the current configuration of 800 Satellite without modification of the building or grounds. The current building is depicted on the enclosed site plan including legal description and boundary survey as requested for the application of permit. There is ample parking with 64 parking spots already in existence.

In addition we have enclosed notice from the Shawnee Ridge Owner's Association stating the school is approved by the members of the association. There are no companies within 2,000 feet of this property which are not part of the Shawnee Ridge Owner's Association.

Sage School's current enrollment is 25 students in K-8 grades. The school operates during the same hours as the Gwinnett County Public School system. Sage School also provides after hours tutoring services on an individual case basis.

Please find enclosed: Application Form, Site Plan (including Legal Description and Boundary Survey), Applicant Certification with Notarized Signature, Property Owner Certifications with Notarized Signature, Conflict of Interest Certification/Campaign Contributions, Verification of Paid Property Taxes and Application fee of ...

We appreciate your consideration of this application and look forward to being a productive member Gwinnett County!

Sincerely,

Joseph A. Patton
Chairman of the Board
Sage School, Inc.


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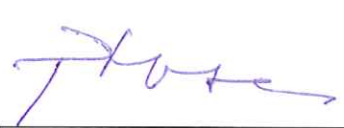
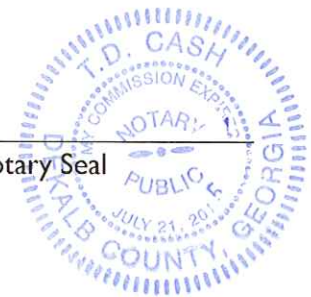
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SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

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.

 11 -12-2012
Signature of Applicant Date

Joseph A. Patton, Sage School Chairman of the Board
Type or Print Name and Title

 11/14/12 
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.



Signature of Property Owner

11/13/2012

Date

Anthony Balakian, Managing Member

Type or Print Name and Title



Signature of Notary Public

11/13/12

Date



Notary Seal

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