

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION*
Extreme Auto & Diesel Service, LLC NAME: <u>c/o Mahaffey Pickens Tucker, LLP</u> <u>1550 North Brown Rd. Ste 125</u> ADDRESS: _____ CITY: <u>Lawrenceville</u> STATE: <u>Georgia</u> ZIP: <u>30043</u> PHONE: <u>(770)232-0000</u>	NAME: <u>RGR Watkins LLC</u> ADDRESS: <u>6270 McDonough Dr Ste 3</u> CITY: <u>Norcross</u> STATE: <u>Georgia</u> ZIP: <u>30093</u> PHONE: <u>(770)449-0360</u>
CONTACT PERSON: <u>Justin Abernathy</u> PHONE: <u>(770) 232-0000</u> CONTACT'S E-MAIL: <u>jabernathy@mptlawfirm.com</u>	

\*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>M-1</u>	BUILDING/LEASED SQUARE FEET: <u>square feet: 2,250</u> <small>current leased</small>
LAND DISTRICT(S): <u>6</u>	LAND LOT(S): <u>194</u> ACREAGE: <u>0.7107</u> <small>potential future s.f.: 8,310</small>
ADDRESS OF PROPERTY: <u>6350 McDonough Drive, Building 1710 Ste A, B, C, and D, Norcross, GA 30093</u>	
SPECIAL USE REQUESTED: <u>Automobile service/repair shop and tire store</u> (including lubrication and tune-up center)	

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

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ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 194 AND 195 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

To find the Point of Beginning, COMMENCE at the intersection of the Southeast line of the 80-foot right of way of McDonough Drive with the Southwest line of the 60-foot right of way of Wilwat Drive; from said Point of Commencement PROCEED THENCE along said Southwest right of way line of Wilwat Drive South 16 degrees 36 minutes 00 seconds East 404.87 feet to a point being the Point of Beginning; from said POINT OF BEGINNING PROCEED THENCE along said Southwest right of way line of Wilwat Drive South 16 degrees 36 minutes 00 seconds East 106.37 feet to a point; thence leaving last said right of way line South 58 degrees 24 minutes 56 seconds West 278.73 feet to a point; thence North 1 degree 41 minutes 00 seconds East 99.58 feet to a nail in a crosstie wall; thence North 20 degrees 12 minutes 34 seconds West 39.91 feet to a point; thence North 58 degrees 19 minutes 59 seconds East 184.98 feet to a point; thence North 77 degrees 07 minutes 30 seconds east 62.04 feet to a point being the Point of Beginning, said tract containing 30,956 square feet (0.7107 acre), more or less.

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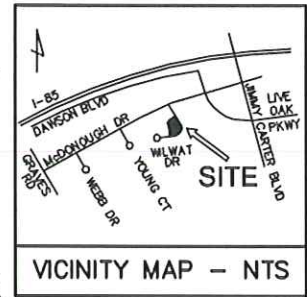
**BOUTWELL ENGINEERING, INC.**

CIVIL ENGINEERING JASPER, GA  
 LAND SURVEYING (706) 692-3148

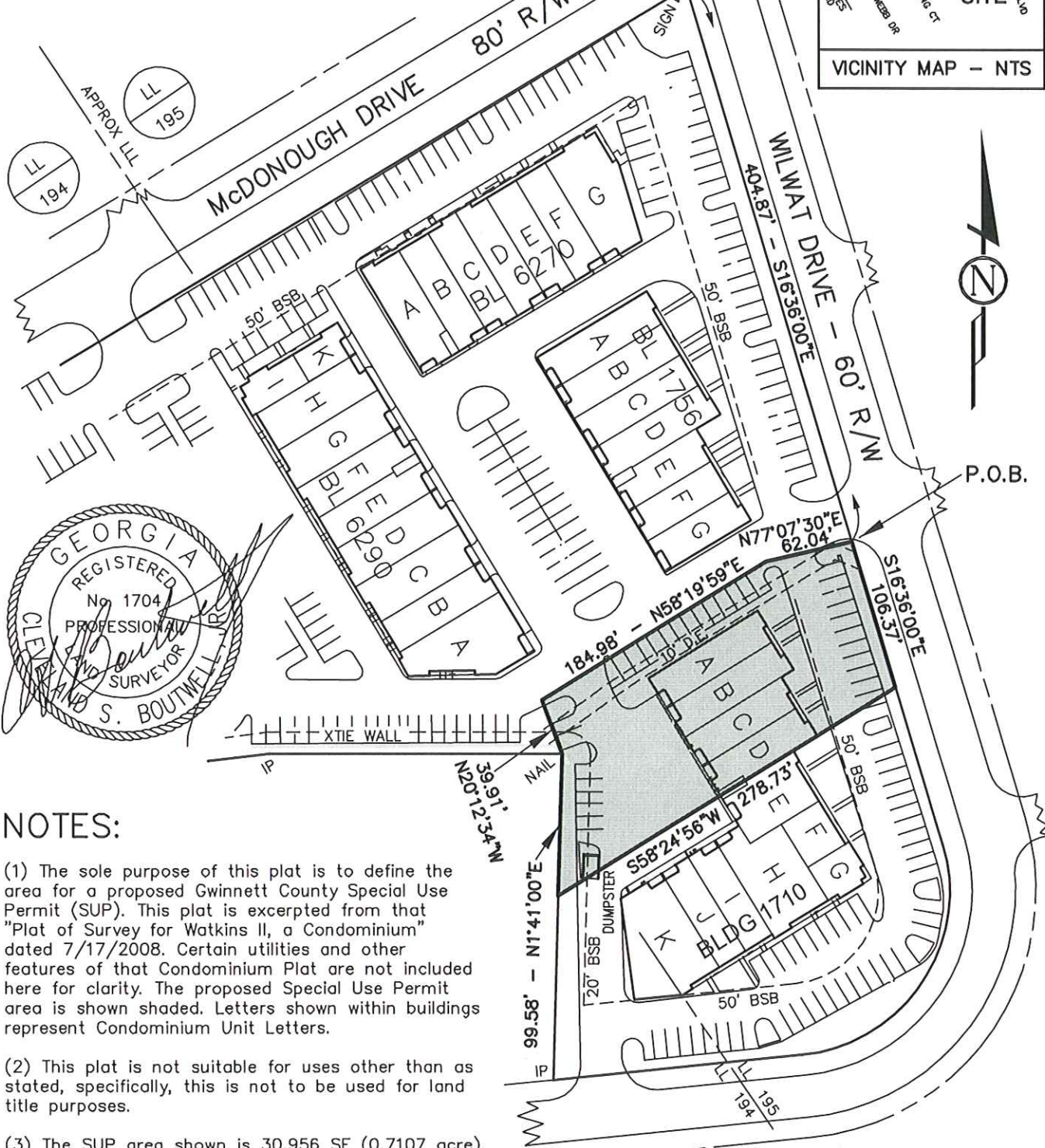
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-100' 0' 100' 200'



**NOTES:**

- (1) The sole purpose of this plat is to define the area for a proposed Gwinnett County Special Use Permit (SUP). This plat is excerpted from that "Plat of Survey for Watkins II, a Condominium" dated 7/17/2008. Certain utilities and other features of that Condominium Plat are not included here for clarity. The proposed Special Use Permit area is shown shaded. Letters shown within buildings represent Condominium Unit Letters.
- (2) This plat is not suitable for uses other than as stated, specifically, this is not to be used for land title purposes.
- (3) The SUP area shown is 30,956 SF (0.7107 acre). No FEMA floodplain exists within this area. Buildings, streets, drives and parking shown are existing.
- (4) Zoning of this site is M1 according to Gwinnett County Online Map.

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**SPECIAL USE PERMIT  
 PLAT  
 LAND LOT 195, 6TH DIST.  
 GWINNETT COUNTY, GEORGIA  
 DATE: 4/1/2013**

**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:

Please see attached.

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

Please see attached.

---

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

Please see attached.

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- (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:

Please see attached.

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

Please 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:

Please see attached.

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## STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Special Use Permit Application will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (B) No, the requested Special Use Permit Application will not adversely affect the existing use or usability of adjacent or nearby property but, to the contrary, will be compatible and consistent with such uses as currently exist or as are contemplated in the future.
- (C) The property which is the subject of the requested Special Use Permit Application does have reasonable economic use as currently zoned; however, such economic use is enhanced with the approval of the requested Special Use Permit. Applicant therefore submits the highest and best use of the subject tract is for M-1 with the Special Use requested.
- (D) No, the requested SUP will not result in a use which will or could cause an excessive or burdensome use of the existing streets, transportation facilities, utilities or schools.
- (E) Yes. The requested SUP is in conformity with the intent of the 2030 Unified Plan and the subject tract is adequately served by transportation thoroughfares providing appropriate ingress and egress to and from the property.
- (F) Yes, the existing zonings of adjacent and nearby properties give additional supporting grounds for the approval of the requested SUP.

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Jeffrey R. Mahaffey  
Steven A. Pickens  
R. Lee Tucker, Jr.  
Matthew P. Benson  
Gerald Davidson, Jr.,  
of Counsel

Andrew D. Stancil  
E. Michelle Rothmeier  
Shawn F. Bratton  
Alissa L. Cummo  
Justin A. Abernathy  
Austen T. Mabe  
J. David Gussio  
Jill H. Harris,  
of Counsel

**LETTER OF INTENT FOR SPECIAL USE PERMIT**  
**APPLICATION OF EXTREME AUTO & DIESEL SERVICE, LLC**

The Applicant, Extreme Auto & Diesel Service, LLC, whose business address is 6350 McDonough Drive building 1710, Suite A, Norcross, Georgia 30093, submits this Special Use Permit Application for the purpose of obtaining a Special Use Permit ("SUP") for an auto repair shop in a +/- 8,310 square foot office suite in the Watkins Center office park, which is situated on a +/- 8.30 acre tract (the "Property"). The Property is currently zoned M-1.

Yadesh Gowkarran, the owner of the Applicant, first began working on vehicles while operating a towing service from 2008 through 2010 and has obtained years of experience in the auto repair industry. Mr. Gowkarran opened the doors to Extreme Auto & Diesel Service in 2010 and has operated the business on the Property ever since. After three years of working in the current location, the Applicant has built a tremendous reputation with the neighboring businesses, residents, and Norcross High School as the Applicant continues to employ students from Norcross High's work program. Extreme Auto & Diesel Service offers auto care services such as engine and brake inspection and repair, oil changes, and day to day maintenance such as headlight and windshield wiper replacement. The majority of customers the Applicant serves on a daily basis are from the residential areas off Jimmy Carter Boulevard and Graves Road, employees within the office parks along McDonough Drive and Warren Drive, members of surrounding church congregations, and motorist traveling along Jimmy Carter Boulevard and McDonough Drive.

In the current location, the Applicant utilizes only a small portion of one of the buildings within the Watkins Center office park, more specifically Suite A of Building 1710, which consists of approximately 2,250

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Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043  
NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

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TELEPHONE 770 232 0000  
FACSIMILE 678 518 6880

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square feet. Due to the possibility of expanding into Suite B, C and D in the future, this SUP Application is for Suites A, B, C and D. The Applicant respectfully submits that the proposed SUP will conform to the Gwinnett County 2030 Unified Plan and will be compatible and consistent with adjacent properties. The Applicant submits that the proposed SUP would not impose any additional burdens on the transportation network. The Applicant further submits, that the operation of the Property as a M-1 development with a Special Use Permit under the guidelines of Gwinnett County is appropriate for the subject tract, is consistent with the surrounding property and will afford the owner the opportunity to increase the number of allowed uses on site so as to provide a needed amenity for the surrounding area.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 4th day of April, 2013.

Respectfully submitted,

MAHAFFEY PICKENS TUCKER, LLP

  
\_\_\_\_\_  
Justin A. Abernathy  
*Attorneys for Applicant*

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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.

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

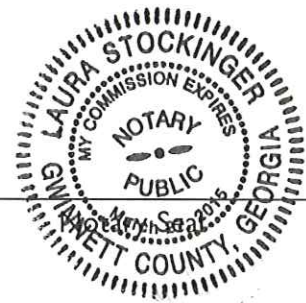
4-4-13  
\_\_\_\_\_  
Date

Extreme Auto & Diesel Service, LLC  
by: Yadesh Gowkarran, Manager

\_\_\_\_\_  
Type or Print Name and Title

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

4-4-13  
\_\_\_\_\_  
Date



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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.

*[Handwritten Signature]*

Signature of Property Owner

4/1/13  
Date

*Richard A. Delisle*  
Type or Print Name and Title  
*SENIOR VICE PRESIDENT AND RECEPTIONIST*

*Konnie E. DeKle*  
Signature of Notary Public

4.1.13  
Date



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**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.

Extreme Auto & Diesel Service, LLC  
 by: Yadesh Gowkarran, Manager

\_\_\_\_\_  
 SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

*[Signature]*                      4/1/13                      Mahaffey Pickens Tucker, LLP  
 by: Justin Abernathy

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

*[Signature]*                      4-1-13                      \_\_\_\_\_  
 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    Mahaffey Pickens Tucker, LLP  
 \_\_\_\_\_  
 YOUR NAME

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

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

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

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**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN  
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

**MAHAFFEY PICKENS TUCKER, LLP**

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
Lynette Howard	\$1,000	10/13/2010
Jace Brooks	\$1,000	07/02/2012
John Heard	\$500	10/24/2012
Tommy Hunter	\$1,000	09/06/2012

**LEE TUCKER, ATTORNEY AT LAW, PC**

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
John Heard	\$500	07/07/2010
Lynette Howard	\$500	03/30/2010
Mike Beaudreau	\$500	03/29/2012

**JEFF MAHAFFEY, ATTORNEY AT LAW, PC**

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
John Heard	\$1,000	07/2010

**GERALD DAVIDSON, JR., ATTORNEY AT LAW, PC**

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
John Heard	\$500	07/26/2010

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 Extreme Auto & Diesel Service, LLC  
 4-4-13 by: Yadesh Gowkarran, Manager  
 \_\_\_\_\_  
 SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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

 4.4.13  
 \_\_\_\_\_  
 SIGNATURE OF NOTARY PUBLIC                      DATE



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YES     NO    Extreme Auto & Diesel Service, LLC  
 \_\_\_\_\_  
 YOUR NAME

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

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