

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: Mattresses and More, Inc.	NAME: Dewey Paul Martin
ADDRESS: 715 Beaver Ruin Road	ADDRESS: PO Box 1301
CITY: Lilburn	CITY: Winder
STATE: GA ZIP: 30047	STATE: GA ZIP: 30680
PHONE: 404-542-5709	PHONE: 678-381-4913
CONTACT PERSON: Alan Lasky PHONE: 770-935-7780	
CONTACT'S E-MAIL: mattressman08@gmail.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 checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: C-2	BUILDING/LEASED SQUARE FEET: n/a
LAND DISTRICT(S): 6th	LAND LOT(S): 158 ACREAGE: 0.97 acre
ADDRESS OF PROPERTY: 715 Beaver Ruin Road	
SPECIAL USE REQUESTED: Truck Rental	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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METES AND BOUNDS LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 158 of the 6th District of Gwinnett County, Georgia and being .97 acres, more or less, as per that survey for "Mattresses and More/Alan Lasky" dated March 22, 2011 by Georgia Registered Land Surveyor, Matthew Wellborn (GRLS No. 3095), and being more particularly described as follows:

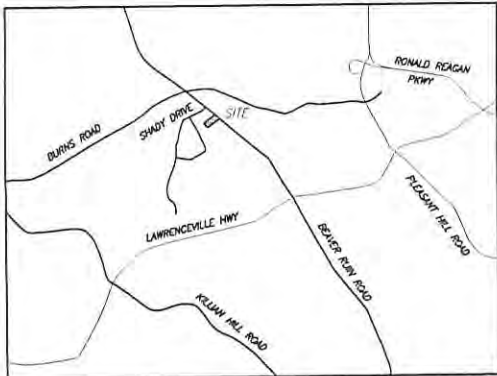
Commence at a point located on the southeasterly right of way of Beaver Ruin Road (130' ROW) located south 53 degrees 05 minutes 00 seconds east 324.70 feet along the southeasterly side of said right of way from its intersection with Shady Drive; thence along said right of way south 53 degrees 05 minutes 33 seconds east 125.05 feet; thence leaving said right of way south 59 degrees 47 minutes 04 seconds west 416.22 feet; thence north 28 minutes 59 seconds 54 minutes west 100.00 feet; thence north 57 degrees 23 minutes 51 seconds east 365.80 feet to a point located on the southeasterly right of way of Beaver Ruin Road and the Point of Beginning.

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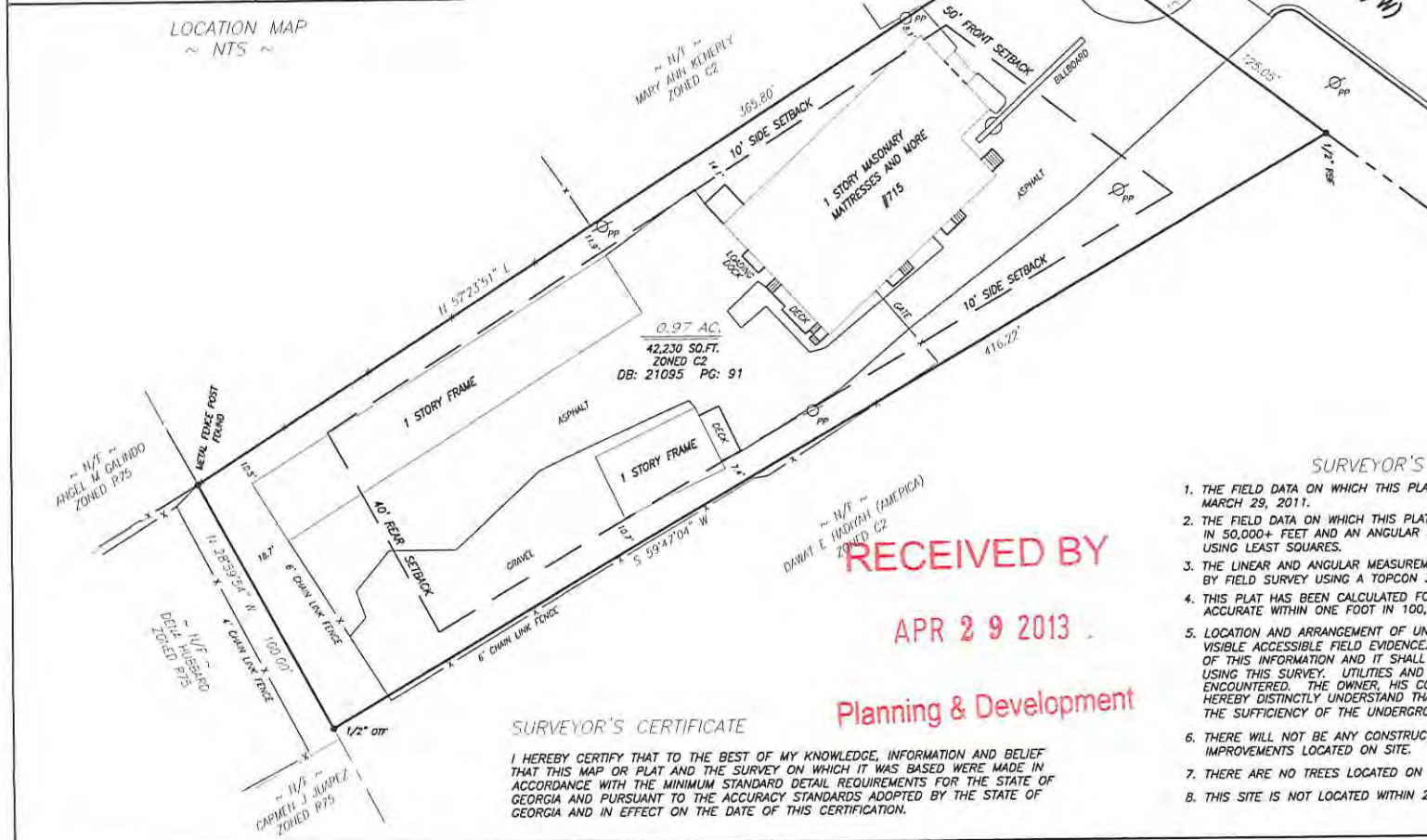
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LOCATION MAP
~ NTS ~



OWNER/CONTACT:
MATTRESSES AND MORE
ALAN LASKY, SR.
715 BEAVER RUIN ROAD
LILBURN, GA. 30047
(770) 935-7780



0.97 AC.
42,230 SQ. FT.
ZONED C2
DB: 21095 PG: 91

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SURVEYOR'S NOTES

1. THE FIELD DATA ON WHICH THIS PLAT IS BASED WAS COMPLETED ON MARCH 29, 2011.
2. THE FIELD DATA ON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 50,000+ FEET AND AN ANGULAR ERROR OF 1" PER ANGLE, AND WAS ADJUSTED USING LEAST SQUARES.
3. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY FIELD SURVEY USING A TOPCON 3003 ELECTRONIC TOTAL STATION.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.
5. LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES ARE PROVIDED BY VISIBLE ACCESSIBLE FIELD EVIDENCE. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS SURVEY. UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THIS SURVEYOR IS NOT RESPONSIBLE FOR THE SUFFICIENCY OF THE UNDERGROUND UTILITY INFORMATION PROVIDED HEREON.
6. THERE WILL NOT BE ANY CONSTRUCTION, DEMOLITION OR REMOVAL OF ANY IMPROVEMENTS LOCATED ON SITE.
7. THERE ARE NO TREES LOCATED ON THIS SITE.
8. THIS SITE IS NOT LOCATED WITHIN 200' OF ANY STATE WATERS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR THE STATE OF GEORGIA AND PURSUANT TO THE ACCURACY STANDARDS ADOPTED BY THE STATE OF GEORGIA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION.



773 CHANSON DRIVE
MARIETTA, GA 30064
PHONE: (770) 862-0799
WWW.LANDANSWERS.NET
EMAIL: QUESTIONS@LANDANSWERS.NET



SITE PLAN FOR:
ALAN LASKY
MATTRESSES AND MORE
715 BEAVER RUIN ROAD
LAND LOT 158 ~ 5TH DISTRICT
GWINNETT COUNTY, GEORGIA

DRAWN BY: JMW
APPROVED BY: JMW
DATE: 3-22-11
PROJECT # 11050
DWG NAME: TAYLORSVILLE19AC.DWG

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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 IF NECESSARY:

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

Yes. The Property is currently zoned C-2, general business. Accordingly, all nearby and adjacent property developments are commercial in nature.

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

No. The rental of Penske Trucks will not negatively impede upon the viability of those businesses.

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

No. Under current economic conditions, the supplemental income from truck rental (Special Use) will help ensure that business remains on the property.

- D. WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDEN SOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS?

No. The small size of the rental fleet will not create any burden to existing streets.

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

Yes. Truck rental is a contemplated special use under "Section 1308" of the 1985 Zoning Regulations, as Amended. Please see "Special Uses", Paragraph 9

- 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. The rental of moving trucks is a compliments the sale of mattresses for relocating families.

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**MATTRESSES AND MORE, INC.
715 BEAVER RUIN ROAD
LILBURN, GA 30047**

PHONE (770) 935-7780

FAX (770) 935-7790

Via Hand Delivery

April 22, 2013

Gwinnett County
Department of Planning & Development
Planning Division
446 West Crogan Street, Suite 275
Lawrenceville, GA 30046

LETTER OF INTENT

To Whom It May Concern,

This is to supplement the Application of Mattresses and More, Incorporated's (the "Company") Application for a Special Use Permit for the rental of Penske Moving Trucks on the property located at 715 Beaver Ruin Road, Lilburn, Gwinnett County, Georgia (the "Property").

If permitted, the Company will inventory and offer for rent approximately three 16 foot Penske box trucks and one 16 foot box truck belonging to Mattresses and More, Inc. The number of trucks on the property may vary slightly on occasion, depending upon supply and customer traffic. The maximum number of trucks on the property at any one time will never, however, exceed three of the Penske 16 foot box trucks.

The enclosed boundary line survey/site plan illustrated that there is ample room for the storage of the trucks in the rear and side of the eastern most building closest to Beaver Ruin Road. Storage in the rear and on the side of the building will prevent the trucks from occupying space preserved for the company's mattress and furniture sales. Furthermore, it will prevent any visibility issues for traffic on Beaver Ruin Road or adjacent land owners.

The rental of trucks is a special use contemplated by the current Zoning Regulations, As Amended for the Commercial 2 District. Furthermore, the rental of trucks supplements the sale of furniture and mattresses for relocating families. Also, the rental and storage of these trucks will not negatively impact the surrounding area or businesses.

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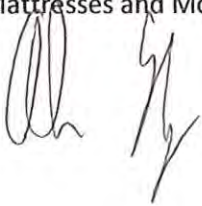
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For the reasons above, Mattresses and More, Inc. respectfully requests the applied for Special Use Permit. Additionally, we would like to request that the Special Use Permit have no expiration date. Please note that we have had no code violations.

I am available to answer any questions at the number above. Thanks you for your consideration.

Sincerely,

Alan Lasky, Sr., President
Mattresses and More, Inc.

Handwritten signature of Alan Lasky, Sr. in black ink.

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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.

4/23/13

Signature of Applicant

Date

Alan Lasky

Owner

Type or Print Name and Title

Rebecca Fuentes
Notary Public.
Gwinnett County, Georgia
My Commission Expires September 11, 2015

04/23/13

Signature of Notary Public

Date

Notary Seal

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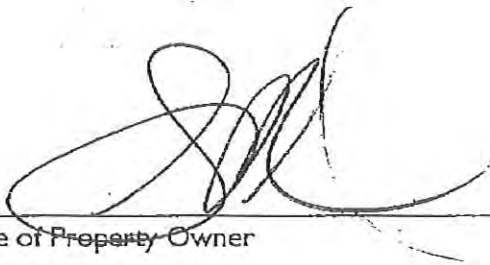
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Gwinnett County Planning Division
Special Use Permit Application
Last Updated 8.2008

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.



4-22-13

Signature of Property Owner

Date

Dewey Martin

Owner

Type or Print Name and Title



4/22/13

Signature of Notary Public

Date



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