

## SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Title Easy, LLC</u> <u>c/o Mill Creek Consulting</u>	NAME: <u>Levinson, LLC</u>
ADDRESS: <u>4480 Commerce Drive, Suite A</u>	ADDRESS: <u>5568 Naylor Ct.</u>
CITY: <u>Buford</u>	CITY: <u>Norcross</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30092</u>
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u>	
CONTACT'S E-MAIL: <u>millcreekconsulting@gmail.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).

<b>APPLICANT IS THE:</b>		
<input checked="" type="checkbox"/> OWNERS AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT (S): <u>C-2</u>	REQUESTED ZONING DISTRICT: <u>C-2 with SUP for Title Loan &amp; buffer reduction</u>	
LAND DISTRICT (S): <u>6</u>	LAND LOT (S): <u>190</u>	ACREAGE: <u>.21</u>
ADDRESS OF PROPERTY: <u>5059 Jimmy Carter Blvd.</u>		
PROPOSED DEVELOPMENT: <u>Title Loan Business</u>		
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>SUP '14 0 1 7,</p> </div> <div style="text-align: center;"> <p><b>RECEIVED BY</b></p> <p><b>FEB 03 2014</b></p> </div> </div> <p style="color: red; font-style: italic;">Planning &amp; Development</p>	

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

## LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 190 of the 6<sup>th</sup> District, Gwinnett County, Georgia and being more particularly described as follows:

To find the True Point of Beginning commence at the intersection of the northeastern side of the right-of-way of Jimmy Carter Boulevard and the northwestern right-of-way of Rockbridge School Road; THENCE commence along the right of way of Jimmy Carter Boulevard (Apparent 120' Right-of-Way) in a Northwestern direction for a distance of 188.47' to a point; Said point is THE TRUE POINT OF BEGINNING; Thence continue along the Right-of-Way of Jimmy Carter Boulevard North 60 degrees 53 minutes 57 seconds West for a distance of 60.27' to a point; THENCE leaving said right-of-way of Jimmy Carter Boulevard in the direction North 52 degrees 09 minutes 25 seconds East for a distance of 165.37' to a point; THENCE South 60 degrees 44 minutes 49 seconds East for a distance of 60.31' to a point; THENCE South 53 degrees 02 minutes 34 seconds West for a distance of 164.09' to a point; said point being THE TRUE POINT OF BEGINNING.

Said property contains 0.21 +/- acres.

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STANDARDS GOVERNING 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 REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:  
THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:  
THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:  
THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE WITHOUT THE SPECIAL USE PERMIT.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:  
THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

(E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:  
THE SUBJECT PROPERTY IS DESIGNATED AS EXISTING/EMERGING SURBURBAN.

(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 REZONING:  
SEE LETTER OF INTENT.

.....  
SUP 11017  
PLANNING DIVISION USE ONLY

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the rezoning will constitute a taking of 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, and Article P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

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## REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Title Easy LLC, requests a special use permit for the purpose of opening a Title Loan business in the 2,350 square foot building that was formerly a pawn shop. The subject property is located at 5059 Jimmy Carter Blvd and is found in the 6<sup>th</sup> District, Land Lot 190 in Gwinnett County.

This site is in a heavily commercial area except along the rear of the property it abuts property zoned R-75. Since no changes are being proposed to the building, the request is to keep the existing buffer reduction in place. The existing building also extends into the 50 foot front setback which is due to the widening of the road as when the facility was built it meet the setback requirements. The building has been vacant for several months and due to its size it has been difficult to find an alternate user since the pawn shop moved out. Title Easy is a TitleAsset Lender and on a busy day there might be a total of 10 to 12 customers spread out over the entire day. No repossessed vehicles will be offered for sale or stored on the property at any time. The proposed hours of operation are Monday through Saturday from 9am to 9pm and then on Sunday from 11am to 5pm. This will not be a check cashing or gold buying facility but a TitleAsset Lender only. There will also never be a sign twirler along the sidewalk in front of this proposed business.

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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 1/21/14  
Date

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

  
\_\_\_\_\_  
Signature of Notary Public 1/21/14  
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.

  
\_\_\_\_\_  
Signature of Property Owner

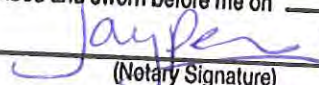
1/30/14  
\_\_\_\_\_  
Date

Ben LEVINSON MANAGING MEMBER  
\_\_\_\_\_  
Type or Print Name and Title

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

1/30/14  
\_\_\_\_\_  
Date



State of GA County of Gwinnett  
Subscribed and sworn before me on 1/30/14  
(Date)  
  
\_\_\_\_\_  
(Notary Signature)

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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.

*[Handwritten Signature]* 1/21/14  
 SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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

*[Handwritten Signature]* 1/21/14  
 SIGNATURE OF NOTARY PUBLIC                      DATE



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application made any 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    *[Handwritten Signature]*  
 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)

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

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**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:** 6 - 190 - 185  
(Map Reference Number)      District      Land Lot      Parcel

*Raymundo Reynoso*      1/21/14  
Signature of Applicant      Date

Raymundo Reynoso  
Type or Print Name and Title

**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)

*Rhonda Jandry*      *Tax Services Assoc.*  
NAME      TITLE

2/3/14  
DATE

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