

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Nita Bhiwandker c/o Tracey D. Mason LLC</u>	NAME: <u>Madeira International, LLC</u>
ADDRESS: <u>295 S. Culver St, Ste D</u>	ADDRESS: <u>4874 Dovecote</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Suwanee</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30024</u>
PHONE: <u>770-963-6909</u>	PHONE: <u>404-626-1963</u>
CONTACT PERSON: <u>Tracey Mason</u> PHONE: <u>770-963-6909</u>	
CONTACT'S E-MAIL: <u>tracey@tdmasonlaw.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>OI</u>	BUILDING/LEASED SQUARE FEET: <u>1,564 s.f.</u>
LAND DISTRICT(S): <u>7th</u>	LAND LOT(S): <u>155</u> ACREAGE: <u>1,564 s.f.</u>
ADDRESS OF PROPERTY: <u>1325 Satellite Blvd, Ste 1505, Duluth, GA</u>	
SPECIAL USE REQUESTED: <u>Tutoring Services</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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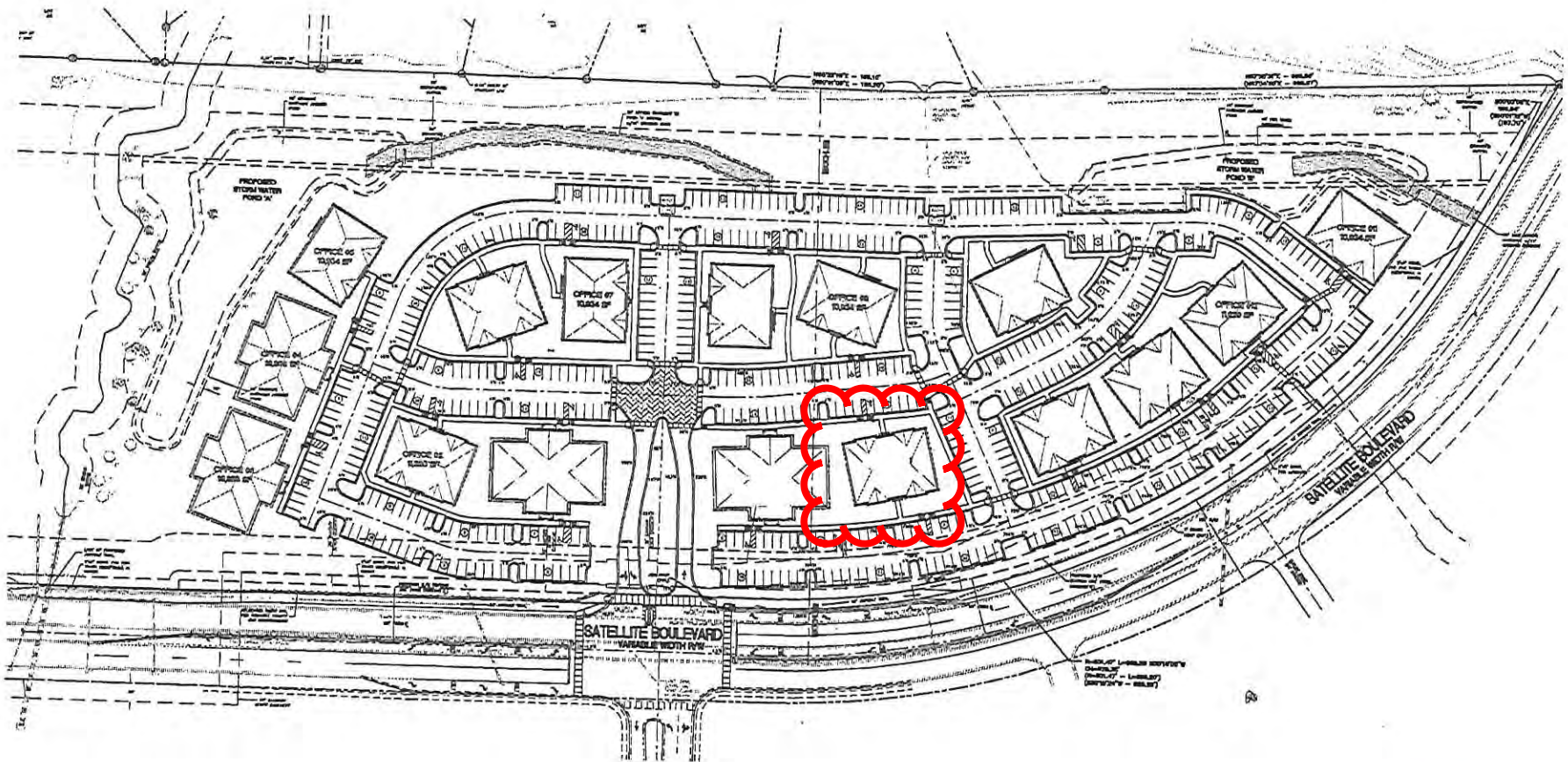
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EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 155, 7th District, Gwinnett County, Georgia, being designated as Unit 1505 (also known as Suite 1505) of Building 15 of The Gates at Sugarloaf, a Condominium, as more particularly described in that certain Declaration of Condominium for The Gates at Sugarloaf, a Condominium, recorded July 20, 2007, in Deed Book 48105, Page 46, et. Seq., Gwinnett County, Georgia records, as more particularly described and delineated in that certain Condominium Plat of The Gates of Sugarloaf, a Condominium prepared by Jordan Jones & Goulding, dated July 18, 2007, filed July 20, 2007, in Condominium Plat Book CD5, Pages 22-23, aforesaid records; and Floor Plans for The Gates at Sugarloaf, a Condominium prepared by Lola O. Budde Associates, dated February 1, 2006, filed July 20, 2007, in Condominium Floor Plan Book CD5, Pages 4975-4980, aforesaid records; reference to said Declaration, Condominium Plat and Condominium Floor Plans and the records thereof are incorporated herein by reference thereto for a more complete description of the subject property. **TOGETHER WITH** the undivided common interest as set forth in the aforesaid Declaration of Condominium for The Gates at Sugarloaf, a Condominium. Commonly known as 1325 Satellite Boulevard, Suite 1505, Suwanee, Georgia, by the present system of numbering in Gwinnett County, Georgia.

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Received P&D
7/1/2014



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THE GATES at Sugar Hill

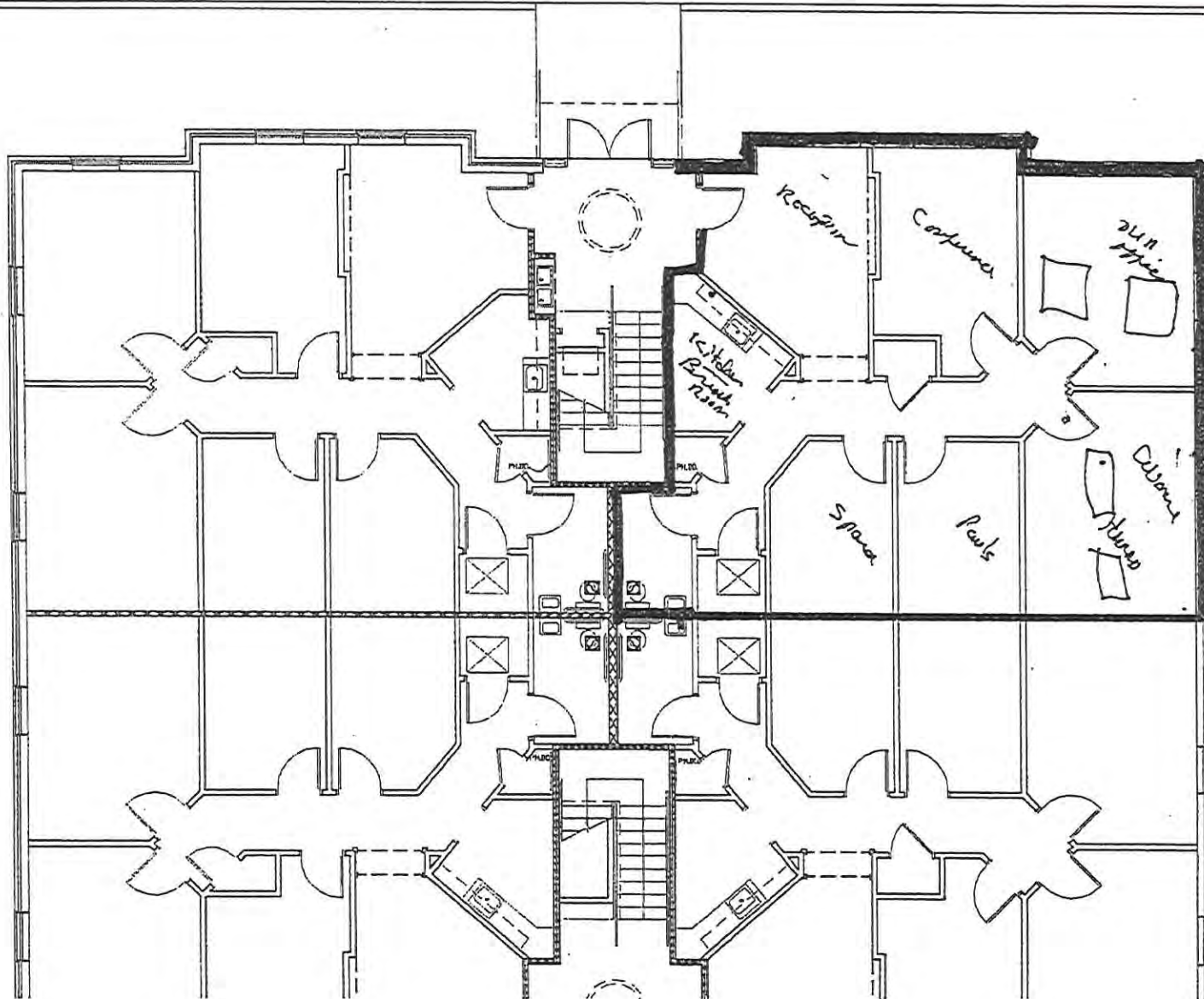
GS-7 Prototype
1325 Satellite Boulevard
Suwanee, Georgia 30024

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1505
model
Layout

UNIT 2
1,59 RSF

UNIT 4
1,564 RSF

UNIT 1
1,64 RSF

UNIT 3
1,564 RSF

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, 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:

The tutoring offered at this location is suitable in view of the surrounding office uses at The Gates of Sugarloaf but requires an SUP.

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

The use of these offices for tutoring is so similar to the uses of adjacent and nearby property that those nearby properties will not be adversely impacted in any way.

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

Yes.

- (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:

The maximum number of teachers at one time will be five, and most students are dropped off by their parents. Each teacher tutors no more than three students at one time.

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

This is an office use which is in compliance with the Land Use Plan but requires an SUP.

- (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:

The Applicant was leased this property with the understanding that she could tutor students at this location.

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**LETTER OF INTENT
FOR
SPECIAL USE PERMIT APPLICATION OF
NITA BHIWANDKER**

June 30, 2014

Gwinnett County Department of Planning and Development
One Justice Square
446 West Crogan Street
Lawrenceville, GA 30046

RE: Special Use Application of Nita Bhiwandker concerning property located at 1325
Satellite Blvd, Suite 1505, Gwinnetty County, GA

Dear Sirs:

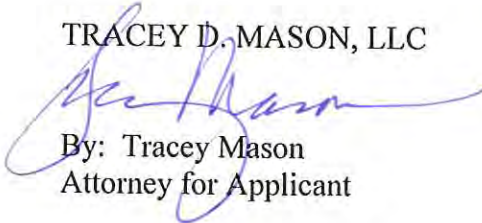
I am writing to you as the attorney for the Applicant in the above-referenced case. We are respectfully requesting your approval of a Special Permit Use on this property currently zoned OI to allow the Applicant to operate a tutoring and exam preparation business here. The Applicant and four other teachers will tutor no more than three students per teacher at one time. Most of the students are dropped off by their parents because they are not old enough to drive although a couple of students will drive his/her car. The Applicant has leased Suite 1505 at The Gates of Sugarloaf located at 1325 Satellite Boulevard in Gwinnett. The space contains 1,564 square feet consisting of three offices, one conference room, a reception area and small break area. A Special Use Permit is required in order to operate a tutoring service in an existing OI zoning district.

We submit that the requested SUP would be appropriate in light of the existing uses and the character of the surrounding area and respectfully request your approval of an SUP for this site. We are happy to answer any questions or meet with any of you at your convenience.

Thank you again for your time and attention to this matter.

Sincerely,

TRACEY D. MASON, LLC



By: Tracey Mason
Attorney for Applicant

cc: Ms. Nita Bhirwandker

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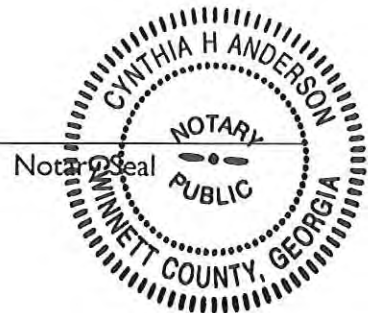
SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

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.

N Bhiwandker 06/10/2014
Signature of Applicant Date

NITA BHIWANDKER — Chief Officer
Type or Print Name and Title

Cynthia H. Anderson 6/10/2014
Signature of Notary Public Date



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SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

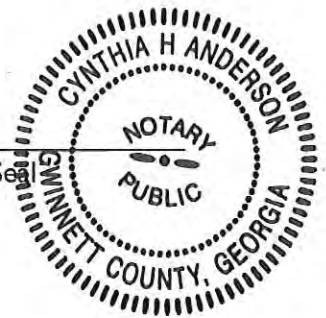
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE 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.

MADISON INTERNATIONAL, LLC

Signature of Property Owner MANAGING DIRECTOR 5/29/14
Date

ALAN R. TURÉM, MANAGING DIRECTOR
Type or Print Name and Title

Cynthia H. Anderson 6/10/2014
Signature of Notary Public Date

Notary Seal



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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.

N Bhiwandker 05/15/2014 NITA BHIWANDKER - Chief
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE Officer

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

Cynthia H. Anderson 6/10/2014
 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 Nita Bhiwandker
 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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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.

SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
	6.10.14	Tracy D. Mason, LLC By: Tracy Mason, Managing Member
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE

	6/10/2014
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 Tracy Mason / Tracy D. Mason, LLC
 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)
Com. Tommy Hunter	\$ 250.00	8.22.2013
Com. John Heard	\$ 250.00	4.17.2014

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.**

R 7155 537
PARCEL I.D. NUMBER: 7th - 155 - 537
(Map Reference Number) District Land Lot Parcel

N Bhiwandker 06/16/2014
Signature of Applicant Date

NITA BHIWANDKER OFFICER
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)

Kenneth D. Ford **GWINNETT COUNTY**
NAME **TAX COMMISSIONER**
6-30-2014 TITLE
DATE

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