MOBILE HOME - SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: Joseph A. Nelson	NAME: Joseph A. Nelson
ADDRESS: 2395 Ashton Ridge Dr.	ADDRESS: 2395 Ashton Ridge Dr.
CITY: Dacula	CITY: Dacula
STATE: GA ZIP: 30019	STATE: GA ZIP: 30019
PHONE: 678-628-6808	PHONE: 678-628-6808

CONTACT PERSON: Joseph A. Nelson PHONE: 678-628-6808

APPLICANT'S E-MAIL: archienelson@comcast.net

*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:

☐ OWNER'S AGENT ☒ PROPERTY OWNER ☐ CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): RA-200

LAND DISTRICT(S): 5th LAND LOT(S): 341 ACREAGE: 5 +/-

ADDRESS OF PROPERTY: 1575 Whitley Road, Dacula, GA 30019

PROPOSED MOBILE HOME IS A: ☒ PRINCIPAL USE ☐ ACCESSORY USE

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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BK53241 PG0475

FILED AND RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA

14 NOV 20 PM 2:00

RICHARD ALEXANDER, CLERK

PT-61 #067-2014-026860
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
$ 0
RICHARD T ALEXANDER, JR. CLERK OF
SUPERIOR COURT

Please Record and Return To:
Albertelli Law
100 Galleria Parkway
Suite 960
Atlanta, GA 30339
File 14-156502 Copeland, Evelyn

Cross Reference: Deed Book
48637 Page 233

SPECIAL WARRANTY DEED

STATE OF Travis
COUNTY OF Texas

THIS INDENTURE, made on the _____ day of NOV 10 2014 2014, OneWest Bank N A , Grantor, and Federal National Mortgage Association, its successors and assigns, whose address is PO Box 650043, Dallas, TX 75265-0043, Grantee

WITNESSETH THAT

The said Grantor, for and in consideration of the sum of TEN DOLLARS ($10 00) and other valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and confirmed, and by these presents does grant, bargain, sell, alien, convey, and confirm unto the Grantee, his successors and assigns, the following described property.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 341 OF THE 5TH DISTRICT OF GWINNETT COUNTY, GEORGIA, AND BEING TRACT NO 2 CONTAINING 5 ACRES AS PER PLAT MADE BY W T DUNAHOO, SURVEYOR, ON 2/3/78, AND SAID LAND BEING DESCRIBED AS FOLLOWS

BEGINNING AT A POINT IN THE CENTER LINE OF WHITLEY ROAD AND SAID POINT OF BEGINNING BEING 699 4 FEET NORTHEAST FROM THE RIGHT OF WAY OF DROWNING CREEK ROAD, THENCE NORTH 65 DEGREES 20 MINUTES EAST 37 7 FEET TO A POINT, THENCE NORTH 59 DEGREES 33 MINUTES EAST 70 0 FEET TO A POINT, THENCE NORTH 72 DEGREES 18 MINUTES EAST 54 6 FEET TO A POINT, THENCE NORTH 75 DEGREES 45 MINUTES EAST 97 0 FEET TO A POINT, THENCE SOUTH 18 DEGREES 43 MINUTES EAST 592 5 FEET TO AN IRON PIN FOUND, THENCE SOUTH 51 DEGREES 27 MINUTES WEST 260 5 FEET TO A CONCRETE MONUMENT, THENCE SOUTH 59 DEGREES 05 MINUTES WEST 174 3 FEET TO A POINT, THENCE NORTH 06 DEGREES 08 MINUTES WEST 725 5 FEET TO THE CENTER OF WHITLEY ROAD AND THE TRUE POINT OF BEGINNING

THIS IS THE SAME TRACT OF LAND CONVEYED TO JOHN A HUSCUSSON BY ROGER FLEEMAN ON JUNE 9, 1983, AND RECORDED IN DEED BOOK 2570, PAGE 546, GWINNETT

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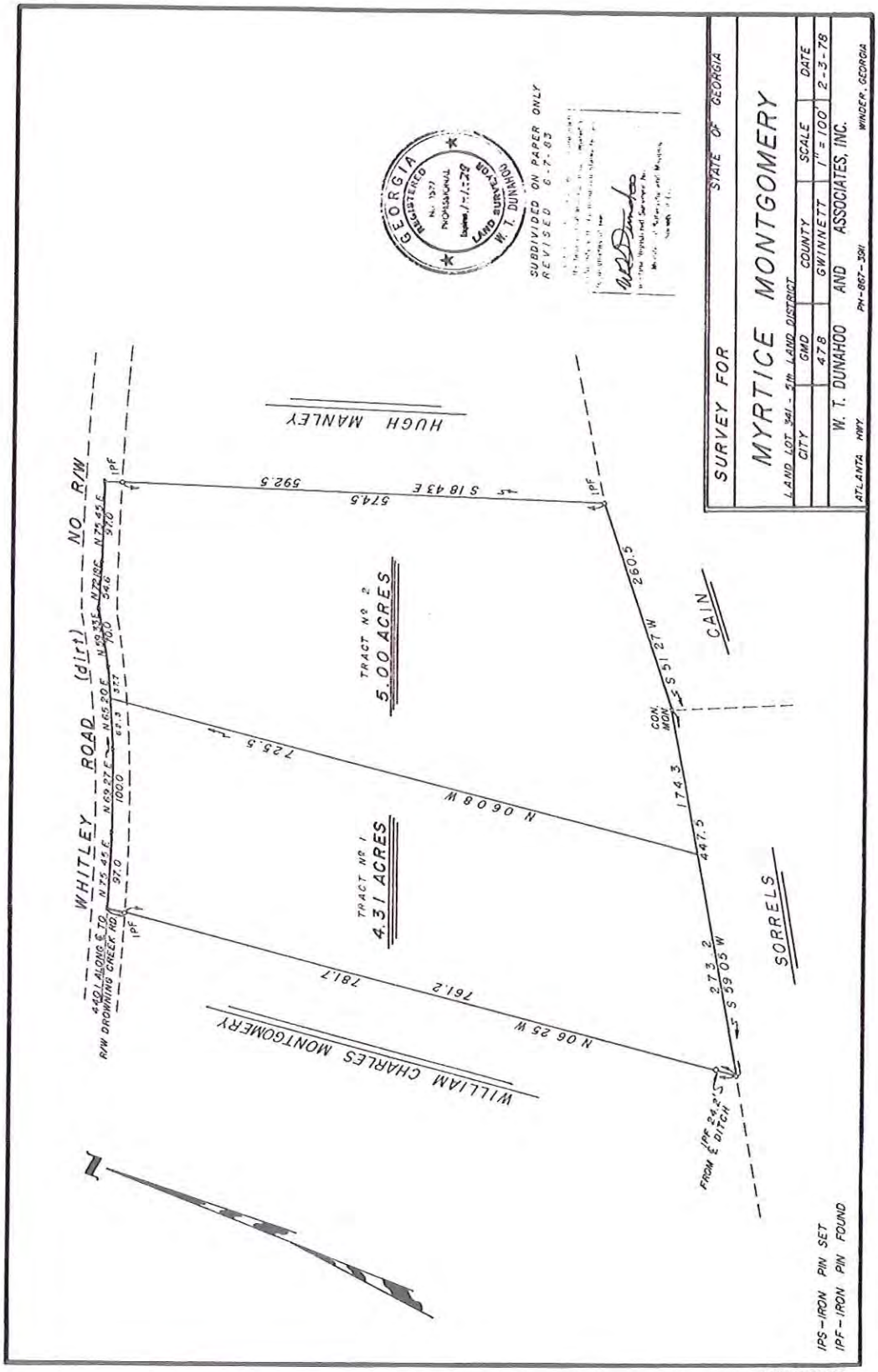
D215-90



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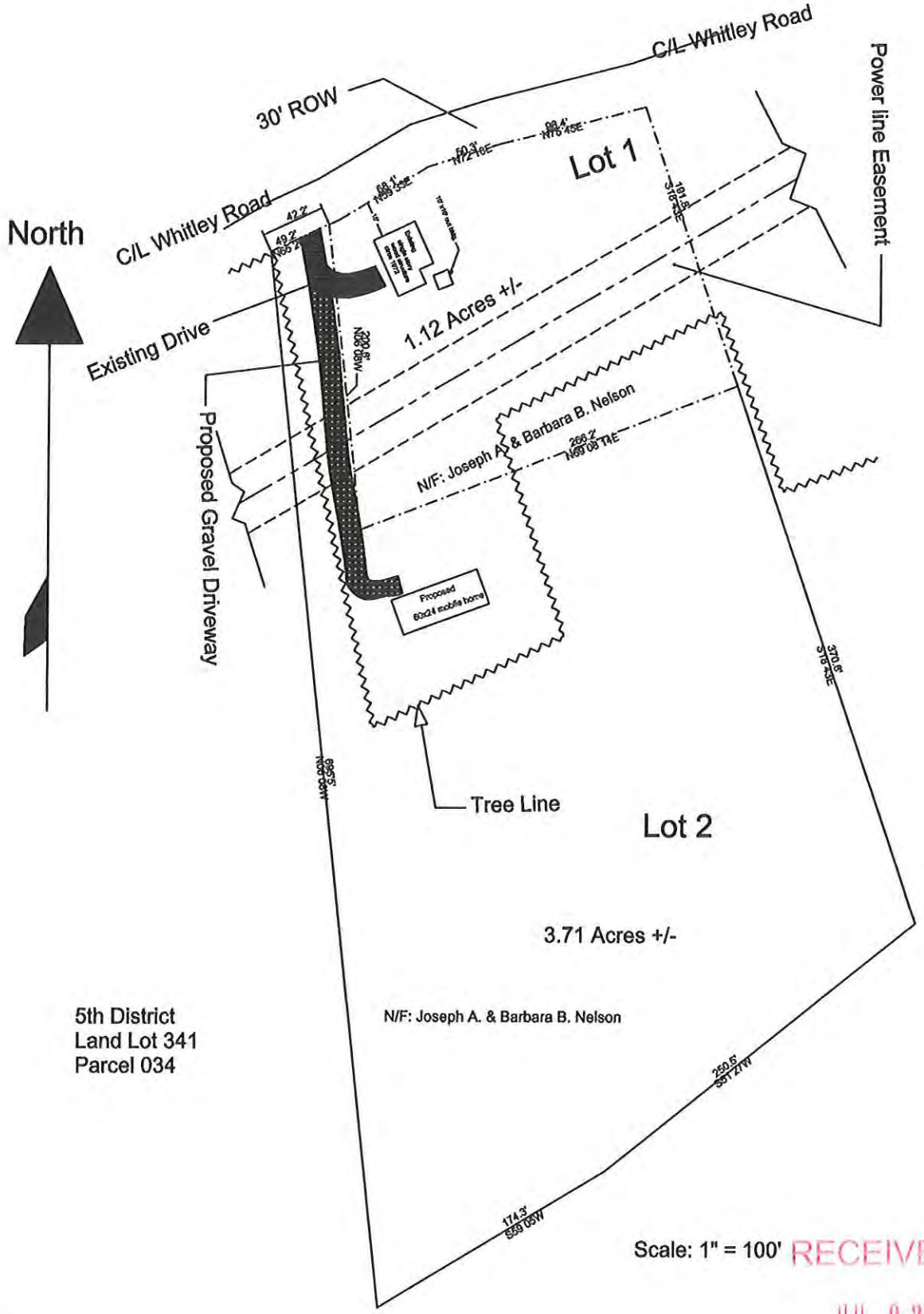

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Drawing depicts proposed Subdivision of existing 5 acre lot into two separete lots and location of proposed 24'x60' Mobile Home.

SPECIAL USE PERMIT APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS 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 REZONING (OR SPECIAL USE PERMIT) WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. Adjacent and adjoining land is zoned RA-200 and there are currently mobile homes on a number of these properties.

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

No. The mobile home will be a residence and will have no adverse affect on nearby properties.

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

Property is currently zoned RA-200 which allows mobile homes. However, Without the Special Use Permit I cannot place the mobile home on the property.

(D) WHETHER THE PROPOSED REZONING (OR 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. There is no commercial activity associated with use of the property.

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

Yes. The property is currently zoned RA-200 which allows mobile homes. I am not applying to change the zoning.

(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 (OR SPECIAL USE PERMIT):

Yes. As part of this application, I intend to subdivide the 5 acre lot into two separately plated and recorded lots upon approval of this application. (See Letter of Intent)

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Letter of Intent

July 2, 2015

Joseph A. & Barbara B. Nelson

Mobile home Application/Special Use Permit

I, Joseph A. Nelson, as owner and applicant, am submitting this Mobile Home Application to place and install a doublewide mobile home on Lot #2 of the existing to be subdivided 5 +/- acre lot as shown in Metes and Bounds survey and Legal Description attached hereto.

As this property is currently zoned RA-200, which is the only zoning that allows mobile homes without a variance, the intent is to have the existing lot re-surveyed, subdivided, plated and recorded with Clerk of the Superior court, Gwinnett County, following approval of this Mobile Home Permit Application. Plats will include permanent/perpetual access/egress easement(s) for each lot as required for unencumbered access and egress for each lot. **At that time, I intend to install a double wide mobile home on lot #2 of the subdivided and recorded lot to serve as rental property.** I will have required soil samples taken to determine acceptability of soil for septic system and, based on approved soil sample report, install suitable septic system to serve new mobile home. The recorded plat(s) will be as shown in the attached boundary drawing and Site Plan.

Because of the shape and dimensions of Lot #2, I intend to apply for a variance for relief from the front lot width requirement of 200' measured along the front set back line. The width at this point will be 40', however, at the rear of lot #1, the front width of lot #2 will be over 300'. I have discussed this with the Department of Planning and Development, Development Division, and I am confident this variance will be approved.

Should this application with the above described intended actions not be approved, I will not be able, or allowed, to place the mobile home on the property causing monetary and constitutional hardships.

Applicant respectfully request approval of this Mobile Home Application/Special Use Permit.

Joseph A. Nelson

Joseph A. Nelson

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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.

Joseph A. Nelson — 7/2/15

Signature of Applicant — Date

Joseph A. Nelson, Owner

Type or Print Name and Title

Susanne Prinsen — 7/2/15

Signature of Notary Public — Date — Notary Seal

SUSANNE PRINSEN
MY COMMISSION EXPIRES 12-03-2018
NOTARY PUBLIC
JACKSON COUNTY, GEORGIA

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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.

Joseph A. Nelson — 7/2/15

Signature of Property Owner — Date

Joseph A. Nelson, Owner

Type or Print Name and Title

Susanne Prinsen — 7/2/15

Signature of Notary Public — Date

SUSANNE PRINSEN
My Commission
NOTARY
PUBLIC
Expires
Notary Seal
03-2016
JACKSON COUNTY, GEORGIA

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SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

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Barbara Nelson — 7-2-15

Signature of Property Owner — Date

Barbara B. Nelson, Owner

Type or Print Name and Title

Susanne Prinsen — 7/2/15

Signature of Notary Public — Date — Notary Seal

SUSANNE PRINSEN
MY COMMISSION
NOTARY
PUBLIC
EXPIRES
12-03-2018
JACKSON COUNTY, GEORGIA

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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.

Joseph A. Nelson 7/2/15 Joseph A. Nelson

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Susanne Prinsen 7/2/15

SIGNATURE OF NOTARY PUBLIC DATE

SUSANNE PRINSEN
MY COMMISSION
NOTARY
PUBLIC
EXPIRES
03-2018
JACKSON COUNTY, GEORGIA
NOTARY SEAL

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 Joseph A. Nelson

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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	7/2/15	Barbara B. Nelson
SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE

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

Susanne Prinsen 7/2/15
SIGNATURE OF NOTARY PUBLIC DATE

SUSANNE PRINSEN
MY COMMISSION
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12-03-2018
JACKSON COUNTY, GEORGIA
NOTARY SEAL

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 Barbara B. Nelson
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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SPECIAL USE PERMIT IN A RESIDENTIAL DISTRICT

(Submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.

Signature of Applicant

Joseph A. Nelson

Type or Print Name

7/2/15

Date

Signature of Notary Public

7/2/15

Date

Notary Seal

SUSANNE PRINSEN
MY COMMISSION
NOTARY PUBLIC
EXPIRES
12-03-2018
JACKSON COUNTY, GEORGIA

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMITS

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 REZONING REQUEST.**

PARCEL I.D. NUMBER: 5 - 341 - 2034

(Map Reference Number) District Land Lot Parcel

Joseph A. Nelson 6/30/15
Signature of Applicant Date

JOSEPH A. NELSON
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)

[illegible] Tax Services I
NAME TITLE

6-30-15
DATE

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