# CHANGE IN CONDITIONS APPLICATION

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

| APPLICANT INFORMATION | OWNER INFORMATION* |
|---|---|
| NAME: John Howard | NAME: John Howard |
| ADDRESS: 1960 Satellite Blvd., Suite 4000 | ADDRESS: 1960 Satellite Blvd., Suite 4000 |
| CITY: Duluth | CITY: Duluth |
| STATE: Georgia ZIP: 30097 | STATE: GA ZIP: 30097 |
| PHONE: (770) 822-0900 | PHONE: (770) 822-0900 |

CONTACT PERSON: Marian C. Adeimy PHONE: (678) 518-6855

CONTACT'S E-MAIL: madeimy@atclawfirm.com

**APPLICANT IS THE:**

☐ OWNER'S AGENT ☒ PROPERTY OWNER ☐ CONTRACT PURCHASER

ZONING DISTRICTS(S): C-2 PRIOR ZONING CASE: RZ-95-026

LAND DISTRICT(S): 7th LAND LOT(S): 65 ACREAGE: 3.2

ADDRESS OF PROPERTY: 1571 Hwy. 20 (Old Buford Dr.), Lawrenceville, Georgia

PROPOSED CHANGE IN CONDITIONS: Remove architectural and development conditions.

See Letter of Intent submitted herewith.

| RESIDENTIAL DEVELOPMENT: | NON-RESIDENTIAL DEVELOPMENT: |
|---|---|
| NO. OF LOTS/DWELLING UNITS: | NO. OF BUILDINGS/LOTS: 1 |
| DWELLING UNIT SIZE (Sq. Ft.): | TOTAL GROSS SQUARE FEET: 143,834 |
| GROSS DENSITY: | DENSITY: 3.301 acres |
| NET DENSITY: | |

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

See Exhibit A

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EXHIBIT "A"

[Attach Legal Description]

All that tract or parcel of land lying and being in Land Lot 65 of the 7th District, Gwinnett County, Georgia, containing 3.299 acres according to a Topographic and Boundary Survey for John Howard dated February 17, 1999, prepared by Gresham Planning & Development, Inc., Charles A. Marmelstein, Jr., G.R.L.S., said tract being more particularly described according to said survey as follows:

BEGINNING at a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20 (right of way varies) said point being located 778.12 feet along said right of way line of Georgia Highway 20 from a concrete right of way marker located at the northwesternmost point of the mitered intersection of Georgia Highway 20 with Ridge Road (right of way varies), and run thence along said right of way line of Georgia Highway 20 following the curvature of an arc a distance of 201.97 feet to a point marked by an iron pin found, said arc having a radius of 2,120.75 feet and being subtended by a chord bearing and distance of North 17 degrees 09 minutes 03 seconds West 201.89 feet; leaving said right of way line, run thence North 62 degrees 25 minutes 52 seconds East a distance of 475.73 feet to a point marked by an iron pin found; run thence South 31 degrees 39 minutes 52 seconds East a distance of 376.59 feet to a point marked by an iron pin found; run thence South 70 degrees 27 minutes 47 seconds West a distance of 258.60 feet to a point marked by an iron pin set; run thence North 19 degrees 32 minutes 13 seconds West a distance of 100.00 feet to a point marked by an iron pin set; run thence South 70 degrees 27 minutes 47 seconds West a distance of 299.98 feet to a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20, said point being the TRUE PLACE OR POINT OF BEGINNING.

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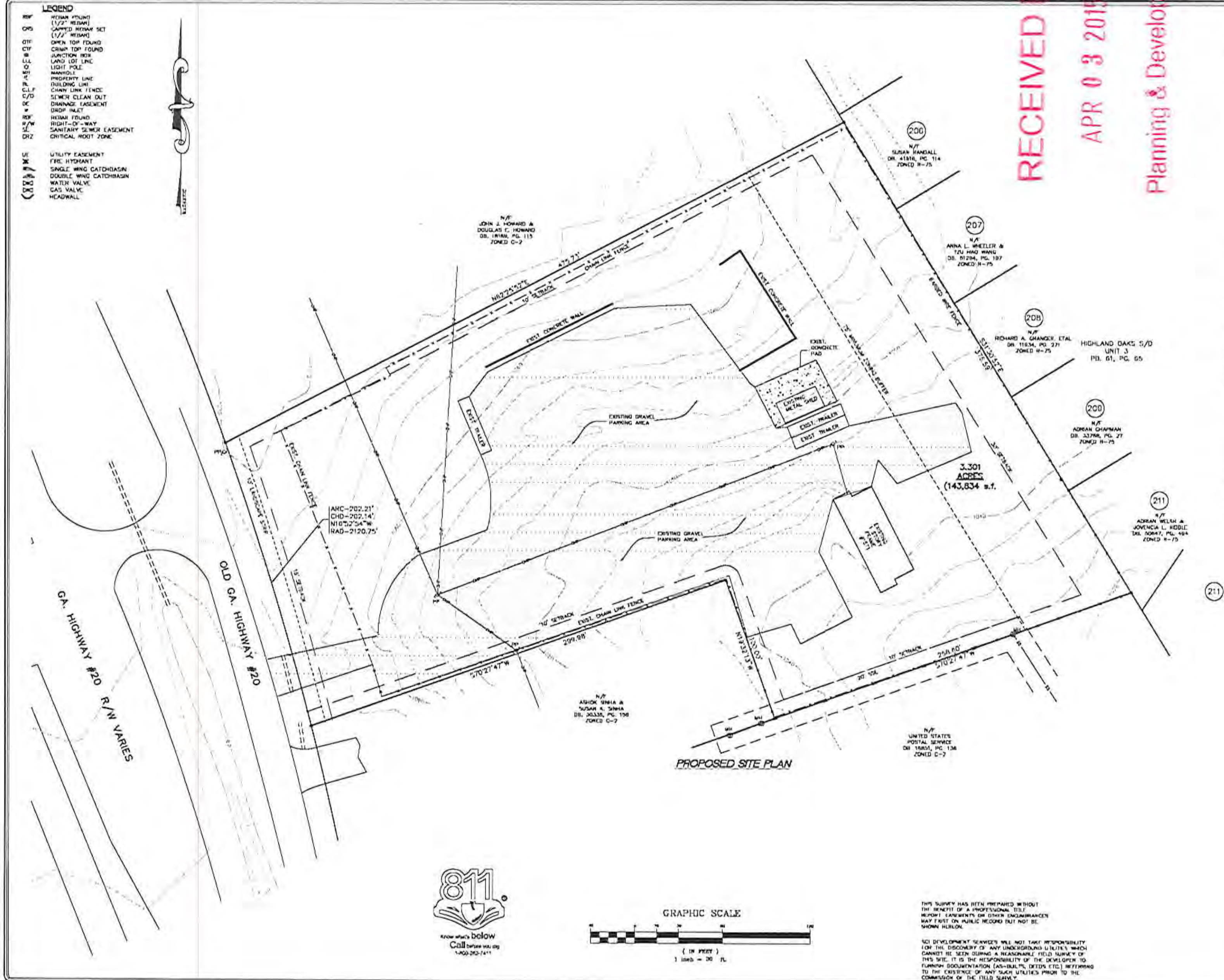


## GENERAL NOTES

SURVEY PERFORMED BY GRESHAM PLANNING & DEVELOPMENT, INC. DATED 2/17/99 FOR JOHN HOWARD. ALL SURVEY INFORMATION WAS TAKEN FROM THIS SURVEY, AND HAS NOT BEEN VERIFIED BY SCI DEVELOPMENT SERVICES.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 285,248 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,000+ FEET AND AN ANGULAR ERROR OF 04" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A TOPCON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

## OWNER/APPLICANT

JOHN HOWARD
1080 SATELLITE BLVD
SUITE 4000
DULUTH, GA. 30097

CONTACT
JOHN HOWARD
770-829-0800

## EXISTING ZONING: C-2

MIN. LOT AREA: NONE
MIN. LOT FRONTAGE: NONE

SETBACKS
FRONT - 15 FEET
REAR - 30 FEET
SIDE - 10 FEET

## FLOOD NOTE:

BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE IN A F.E.M.A./F.I.R.M. SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13135C0080F DATED SEPTEMBER 29, 2006

PARCEL ID: 7065 143

## TRACT AREA:

3.301 ACRES
143,834 S.F.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A PROFESSIONAL TITLE REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

SCI DEVELOPMENT SERVICES WILL NOT TAKE RESPONSIBILITY FOR THE DISCOVERY OF ANY UNDERGROUND UTILITIES WHICH CANNOT BE SEEN DURING A REASONABLE FIELD SURVEY OF THIS SITE. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO FURNISH DOCUMENTATION (AS-BUILTS, DEEDS ETC.) REFERRING TO THE EXISTENCE OF ANY SUCH UTILITIES PRIOR TO THE COMMISSION OF THE FIELD SURVEY.

GEORGIA No. 2576 3/30/15 JOHN A. STEELMAN

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

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REVISIONS
1
2
3
4
5

SCI Development Services
ENGINEERS - SURVEYORS - PLANNERS
2020 WESTSIDE COURT - SUITE E - SNELLVILLE, GEORGIA 30078
(770) 736-7858 FAX (770) 736-4923

SUP SITE PLAN FOR
JOHN HOWARD
LAND LOT 65 7th DISTRICT
GWINNETT COUNTY, GEORGIA

| DATE | DRAWN | CHECKED |
|---|---|---|
| 3/30/15 | DCP | JAS |

SCALE 1"=30'

SHEET TITLE
#1571 GA HWY 20

PROJECT NUMBER
52026

S-1

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NOTE:
THIS PROPERTY IS NOT IN A F.I.R.M. FLOOD HAZARD DISTRICT PER COMMUNITY PANEL NO. 130322 0090 C, MAP REVISED ON MAY 4, 1992.

REFERENCE NOTES:
1. SURVEY FOR ALFRED E. MEEKS BY S. R. FIELDS DATED AUGUST 5, 1980 AND RECORDED IN GWINNETT COUNTY PLAT BOOK 13, PAGE 151-A.
2. GWINNETT COUNTY DEED BOOK 10053, PAGE 17.
3. GWINNETT COUNTY DEED BOOK 11228, PAGE 1.
4. GWINNETT COUNTY DEED BOOK 11228, PAGE 3.
5. GWINNETT COUNTY DEED BOOK 12568, PAGE 16.

**3.299 ACRES**

GRESHAM PLANNING & DEVELOPMENT, INC.

TOPOGRAPHIC AND BOUNDARY SURVEY FOR
**JOHN HOWARD**
LAND LOT 65 OF THE 7TH DISTRICT
GWINNETT COUNTY, GEORGIA

| NO | DATE | DESCRIPTION |
|---|---|---|
| | | |

SHEET 1 OF 1

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## CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
See Exhibit "B"

(B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
See Exhibit "B"

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
See Exhibit "B"

(D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:
See Exhibit "B"

(E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
See Exhibit "B"

(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 CHANGE IN CONDITIONS:
See Exhibit "B"

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ANDERSEN | TATE | CARR

**Exhibit "B" - APPLICANT'S RESPONSE - 1571 HWY. 20 (OLD BUFORD DRIVE)**

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

Yes. The property has contained the existing landscaping and storage uses for over ten years, and the proposed uses and change in conditions will have little to no impact on adjacent and nearby residential property uses.

B) WHETHER THE PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The proposed uses will not adversely affect the existing use or useability of adjacent or nearby property. The proposed outside storage would include a small, limited area located at the rear of the property, to be screened by the existing landscaping and buffers. The buffer can be enhanced, where necessary, to screen the property and continued, limited storage use. The requested uses are consistent with the commercial uses nearby.

C) WHETHER THE PROPERTY TO BE AFFECTED BY THE SPECIAL USE PERMIT AND CHANGE IN CONDITIONS HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The property has been used for the existing landscaping and similar uses for over ten years, and a more intense commercial use may not be favored.

D) WHETHER THE PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No. The property has been zoned and used as a landscaping contractor's office with outside storage for over ten years, and that continued use would not cause any excessive or burdensome use of existing streets, transportation facilities or utilities. There would be no impact on the schools.

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

Yes. The proposed use is consistent with the Gwinnett 2030 Unified Plan guidelines for this mixed-use area and given the adjacent and nearby commercial node and zoning.

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F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT.

Yes. The proposed use is entirely appropriate in light of existing development patterns and land uses in the surrounding area.

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ANDERSEN | TATE | CARR

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MARIAN C. ADEIMY
Direct: (678) 518-6855
E-mail: madeimy@atclawfirm.com

# LETTER OF INTENT
## APPLICATION FOR SPECIAL USE PERMIT AND CHANGE IN CONDITIONS FOR OUTSIDE STORAGE OF MATERIALS 1571 HWY. 20, LAWRENCEVILLE, GEORGIA 30043

The property owner and applicant, John Howard, and the tenant, Brickman Group d/b/a Brickman Landscaping Group (collectively, the "Applicant") submit this request for a Special Use Permit and for the continued outside storage of the existing landscaping equipment or materials on the property located at 1571 Hwy. 20, Lawrenceville, Georgia 30043, in unincorporated Gwinnett County.

The subject property includes approximately 3.3 acres. The property has retained its C-2 zoning and has been part of and consistent with the adjacent the commercial node zoned and in existence since the early 1990's, zoned shortly after the adjacent residential development. The subject property is currently zoned C-2, General Business District, which permits landscaping and building contractors, hardware stores, equipment rental, office/showroom facilities, and home building supply showrooms and sales centers.

The Applicant is a respected and long-time landscaping contractor in Gwinnett County. They serve both commercial and residential property owners, and have successfully operated from this location since 2003, for over twelve years. Their business information can be viewed at http://brickman.com/. Brickman employs and provides jobs to a large number of Gwinnett County residents.

Recently, the County put the Brickman Group on notice of the need for a Special Use Permit to allow for the limited, outdoor storage and parking of certain landscaping equipment. As it currently exists, the Property and storage is screened from the road and neighboring property owners. The existing buffers and setbacks would remain. Any intrusion into the existing buffer or setback will be promptly corrected and those areas will be maintained and enhanced where needed or required.

The property is located on a major highway with similar commercial and business uses. The Applicant was not aware of any complaints or issues with that ongoing use of the property, and the Applicant and tenant have had a long-term, successful relationship. The Brickman Group's continued use of the Property for their landscaping business is necessary as a continued use on the Property, and without it, the property owners will have no economic use and will lose their long-time tenant.

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The attached Site Plan reflects the existing building and the business location on the subject property. The Applicant also proposes changes to certain conditions which were previously placed on the subject property based on anticipated development and no longer applicable given the location and use of the subject property.

Specifically, the Applicant seeks to change and remove Conditions 1(E) and 1(F) found under RZ-95-026. The Applicant has not constructed and does not seek to construct new buildings for the long-term existing landscaping business, and continues to use the former residential home for office-space only. All landscaping work is done off-site. The property is located below grade and on an access drive adjacent to Hwy. 20, shared with a Post Office and medical office. The subject property is used to landscaping employee access and business parking and storage, and no sidewalks are needed along this major corridor.

The previous conditions on this property further support the existing use which is less intense than the commercial use and development (including multiple buildings) as previously approved. Except for the existing office and general equipment maintenance, almost all of the landscaping work takes place off-site.

Because the subject property is adjacent to a significant concentration of commercial property, located off of a major highway, and is near a commercial intersection, and the proposed special use would be entirely consistent with the current zoning and development patterns, the 2030 Unified Plan, and Board of Commissioners' precedent for this and surrounding property.

**CONCLUSION**

The subject property is an appropriate location for the existing landscaping business and limited parking and outdoor storage, having operated at this location for over ten years. The requested uses would have little to no impact on any surrounding properties and the buffer conditions and existing natural areas will remain adjacent to all residential property.

The Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development, Planning Commissioners, and the Board of Commissioners to answer any questions or to address any concerns. Applicant respectfully requests your approval of its Application for Special Use Permit and Application for Change in Conditions.

This 3rd day of April, 2015.

Respectfully submitted,

**ANDERSEN, TATE & CARR, P.C.**

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Marian C. Adeimy

ANDERSEN | TATE | CARR

**JUSTIFICATION FOR ZONING REQUEST(S) / CONSTITUTIONAL OBJECTIONS**

The portions of the Gwinnett County Zoning Ordinances and Unified Development Ordinance (collectively, the "UDO") and/or zoning conditions which presently restrict the property which is the subject of this Application (the "Property") to its current zoning and permitted uses are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO and/or zoning conditions which presently restrict the property to its current zoning and permitted uses is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner's 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, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for the proposed uses and conditions, as requested by the Applicant, and is not economically suitable for development with only the currently permitted uses. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore and contrary to other recent Board of Commissioners actions, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to allow the requested use(s) and condition(s), so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of a use or condition for the Subject Property or rezoning to some other classification, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the Application(s) submitted by the Applicant relative to the Property, as amended, be approved.

This 3rd day of April, 2015.

ANDERSEN, TATE & CARR, P.C.

Marian C. Adeimy
Attorney for Applicant

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## CHANGE IN CONDITIONS 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 — Date: 4/3/15

Marian C. Adeimy, Attorney for Applicant/Owner

Type or Print Name and Title

URSULA KING NOTARY EXPIRES GEORGIA Mar 30, 2019 PUBLIC GWINNETT COUNTY, GEORGIA

Signature of Notary Public — Date: 4/3/15 — Notary Seal

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## CHANGE IN CONDITIONS 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 — Date: 4/3/15

Marian C. Adeimy, Attorney for Applicant/Owner

Type or Print Name and Title

Signature of Notary Public — Date: 4/3/15 — Notary Seal

URSULA KING NOTARY EXPIRES GEORGIA Mar 30, 2019 PUBLIC GWINNETT COUNTY, GEORGIA

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## CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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.

| | | |
|---|---|---|
| | 4/3/15 | Marian C. Adeimy, Attorney for Applicant |
| Signature of Applicant | Date | Type of Print Name and Title |
| | 4/3/15 | Marian C. Adeimy, Attorney for Applicant |
| Signature of Applicant's Attorney or Representative | Date | Type or Print Name and Title |
| | 4/3/15 | |
| Signature of Notary Public | Date | Notary Seal |

NOTARY PUBLIC GWINNETT COUNTY GEORGIA EXPIRES Mar 30, 2019

## 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?

[X] YES [ ] NO Andersen, Tate & Carr, PC

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) |
|---|---|---|
| See Exhibit "C" | | |
| | | |
| | | |

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

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ANDERSEN | TATE | CARR

**EXHIBIT "C"**
**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS BY ANDERSEN, TATE & CARR, P.C.**

| NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL | CONTRIBUTIONS | DATE CONTRIBUTION WAS MADE |
|---|---|---|
| Charlotte Nash, Chairman | $1,000<br>$1,000<br>$500 | February 22, 2011<br>November 16, 2011<br>February 20, 2013 |
| Jace Brooks, District 1 Commissioner | $500<br>$500<br>$1,500 | March 15, 2012<br>December 20, 2012<br>November 12, 2013 |
| Lynette Howard, District 2 Commissioner | $1,000<br>$1,000 | May 25, 2010<br>October 27, 2011 |
| Tommy Hunter, District 3 Commissioner | $1,500<br>$500<br>$1,500<br>$500 | October 1, 2012<br>December 28, 2012<br>August 22, 2013<br>March 5, 2015 |
| John Heard, District 4 Commissioner | $1,000<br>$1,000<br>$500<br>$200 | February 16, 2010<br>August 25, 2011<br>April 2014<br>May 2014 |

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## VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR CHANGE IN CONDITIONS

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:**
(Map Reference Number)

| District | Land Lot | Parcel |
|---|---|---|
| 7 | 65 | 143 + 142 |

Signature of Applicant — Date: 4/2/15

Marian C. Adeimy, Attorney for Applicant
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)

PAM CASHMAN
NAME

TAX SERVICES ASSOC. II
TITLE

4-2-15
DATE

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## SPECIAL USE PERMIT APPLICATION

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

| APPLICANT INFORMATION | OWNER INFORMATION* |
|---|---|
| NAME: John Howard c/o Andersen, Tate & Carr, PC | NAME: John Howard c/o Andersen, Tate & Carr, PC |
| ADDRESS: 1960 Satellite Blvd., Suite 4000 | ADDRESS: 1960 Satellite Blvd., Suite 4000 |
| CITY: Duluth | CITY: Duluth |
| STATE: GA ZIP: 30097 | STATE: GA ZIP: 30097 |
| PHONE: 770-822-0900 | PHONE: 770-822-0900 |

CONTACT PERSON: Marian C. Adeimy, Attorney PHONE: (770) 822-0900

CONTACT'S E-MAIL: madeimy@atclawfirm.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:**

☐ OWNER'S AGENT ☒ PROPERTY OWNER ☐ CONTRACT PURCHASER

EXISTING/PROPOSED ZONING: C-2 BUILDING/LEASED SQUARE FEET: Approx. 2,500 sq. ft.

LAND DISTRICT(S): 7 LAND LOT(S): 142 &143 ACREAGE: +/- 3.2

ADDRESS OF PROPERTY: 1571 Hwy. 20 (Old Buford Dr.), Lawrenceville, Georgia

SPECIAL USE REQUESTED: Outdoor parking and storage of landscaping vehicles/equipment.

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

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EXHIBIT "A"

[Attach Legal Description]

All that tract or parcel of land lying and being in Land Lot 65 of the 7th District, Gwinnett County, Georgia, containing 3.299 acres according to a Topographic and Boundary Survey for John Howard dated February 17, 1999, prepared by Gresham Planning & Development, Inc., Charles A. Marmelstein, Jr., G.R.L.S., said tract being more particularly described according to said survey as follows:

BEGINNING at a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20 (right of way varies) said point being located 778.12 feet along said right of way line of Georgia Highway 20 from a concrete right of way marker located at the northwesternmost point of the mitered intersection of Georgia Highway 20 with Ridge Road (right of way varies), and run thence along said right of way line of Georgia Highway 20 following the curvature of an arc a distance of 201.97 feet to a point marked by an iron pin found, said arc having a radius of 2,120.75 feet and being subtended by a chord bearing and distance of North 17 degrees 09 minutes 03 seconds West 201.89 feet; leaving said right of way line, run thence North 62 degrees 25 minutes 52 seconds East a distance of 475.73 feet to a point marked by an iron pin found; run thence South 31 degrees 39 minutes 52 seconds East a distance of 376.59 feet to a point marked by an iron pin found; run thence South 70 degrees 27 minutes 47 seconds West a distance of 258.60 feet to a point marked by an iron pin set; run thence North 19 degrees 32 minutes 13 seconds West a distance of 100.00 feet to a point marked by an iron pin set; run thence South 70 degrees 27 minutes 47 seconds West a distance of 299.98 feet to a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20, said point being the TRUE PLACE OR POINT OF BEGINNING.

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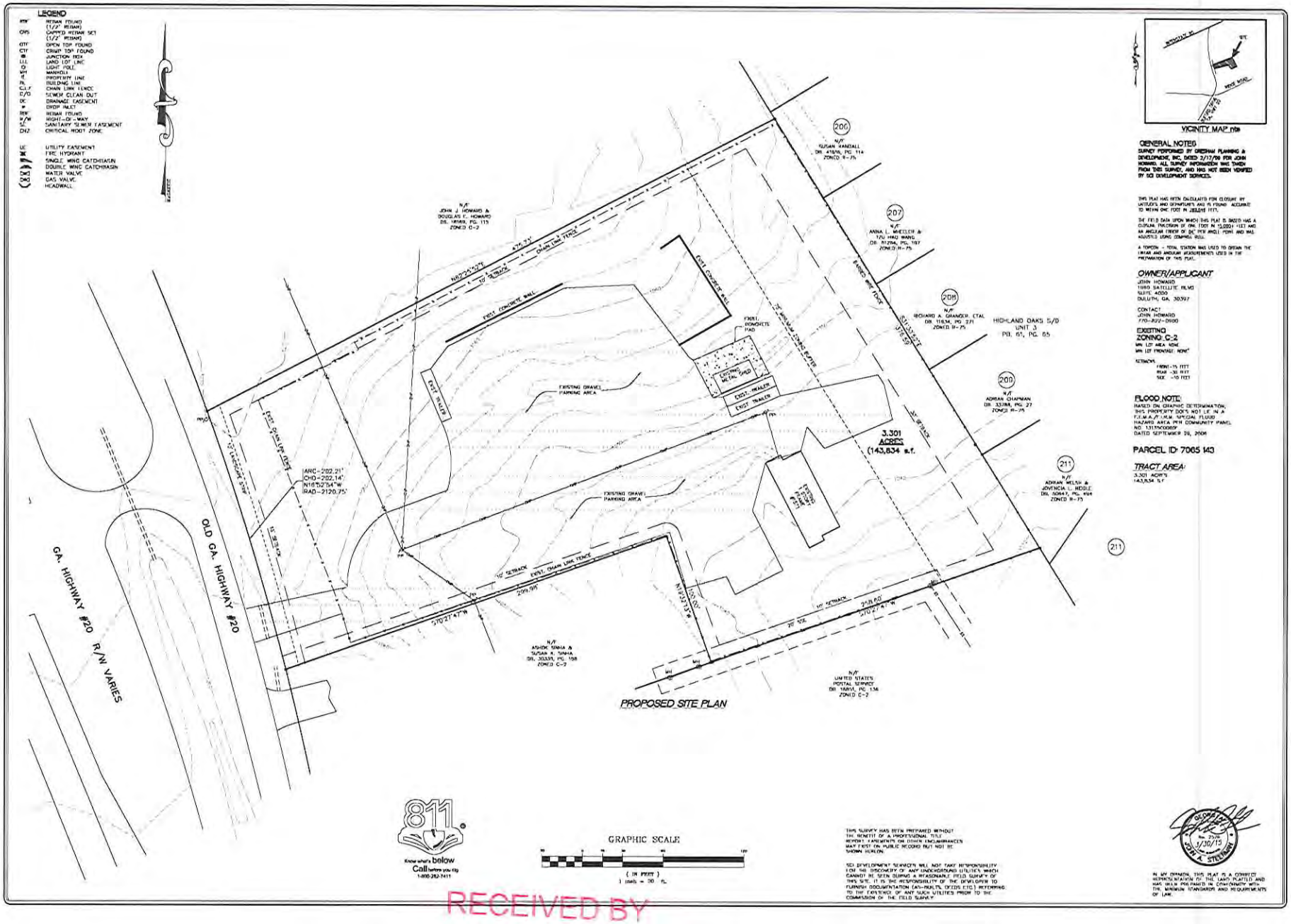





VICINITY MAP n.t.s

## GENERAL NOTES

SURVEY PERFORMED BY GREENHAW PLANNING & DEVELOPMENT, INC. DATED 2/17/06 FOR JOHN HOWARD. ALL SURVEY INFORMATION WAS TAKEN FROM THIS SURVEY, AND HAS NOT BEEN VERIFIED BY SCI DEVELOPMENT SERVICES.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND ACCURATE TO WITHIN ONE FOOT IN 25,000 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 15,000+ FEET AND AN ANGULAR ERROR OF 30" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

A TOPCON - TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

## OWNER/APPLICANT

JOHN HOWARD
1980 SATELLITE BLVD
SUITE 400D
DULUTH, GA. 30097

CONTACT:
JOHN HOWARD
770-822-0900

## EXISTING ZONING C-2

MIN LOT AREA: NONE
MIN LOT FRONTAGE: NONE

SETBACKS:
FRONT - 15 FEET
REAR - 30 FEET
SIDE - 10 FEET

## FLOOD NOTE:

BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES NOT LIE IN A F.I.M.A./F.I.R.M. SPECIAL FLOOD HAZARD AREA PER COMMUNITY PANEL NO. 13135C0065F DATED SEPTEMBER 26, 2006

PARCEL ID: 7065 143

## TRACT AREA:

3.301 ACRES
143,834 S.F.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A PROFESSIONAL TITLE REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

SCI DEVELOPMENT SERVICES WILL NOT TAKE RESPONSIBILITY FOR THE DISCOVERY OF ANY UNDERGROUND UTILITIES WHICH CANNOT BE SEEN DURING A REASONABLE FIELD SURVEY OF THIS SITE. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO FURNISH DOCUMENTATION (AS-BUILTS, DFDS, ETC.) REFERRING TO THE EXISTENCE OF ANY SUCH UTILITIES PRIOR TO THE COMMISSION OF THE FIELD SURVEY.

GEORGIA REGISTERED LAND SURVEYOR No. 2576 3/30/15 JOHN A. STEWART

IN MY OPINION, THIS PLAT IS A CORRECT HORIZONTAL REVIEW OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

REVISIONS
1 2 3 4 5

SCI Development Services
ENGINEERS - SURVEYORS - PLANNERS
2020 WESTRIDGE COURT - SUITE E - SNELLVILLE, GEORGIA 30078
(770) 736-7416 MAIL@SURVEYCONCEPTS.NET FAX (770) 736-4863

SUP SITE PLAN FOR JOHN HOWARD
LAND LOT 65 7th DISTRICT
GWINNETT COUNTY, GEORGIA

| DATE | DRAWN | CHECKED |
|---|---|---|
| 3/30/15 | DOP | JAS |

SCALE 1"=30'
SHEET TITLE #1571 GA HWY 20

PROJECT NUMBER 5202R

S-1

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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 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:
See Exhibit "B"

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

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

(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:
See Exhibit "B"

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

(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:
See Exhibit "B"

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**Exhibit "B" - APPLICANT'S RESPONSE - 1571 HWY. 20 (OLD BUFORD DRIVE)**

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

Yes. The property has contained the existing landscaping and storage uses for over ten years, and the proposed uses and change in conditions will have little to no impact on adjacent and nearby residential property uses.

B) WHETHER THE PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY:

No. The proposed uses will not adversely affect the existing use or useability of adjacent or nearby property. The proposed outside storage would include a small, limited area located at the rear of the property, to be screened by the existing landscaping and buffers. The buffer can be enhanced, where necessary, to screen the property and continued, limited storage use. The requested uses are consistent with the commercial uses nearby.

C) WHETHER THE PROPERTY TO BE AFFECTED BY THE SPECIAL USE PERMIT AND CHANGE IN CONDITIONS HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

No. The property has been used for the existing landscaping and similar uses for over ten years, and a more intense commercial use may not be favored.

D) WHETHER THE PROPOSED SPECIAL USE PERMIT AND CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No. The property has been zoned and used as a landscaping contractor's office with outside storage for over ten years, and that continued use would not cause any excessive or burdensome use of existing streets, transportation facilities or utilities. There would be no impact on the schools.

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

Yes. The proposed use is consistent with the Gwinnett 2030 Unified Plan guidelines for this mixed-use area and given the adjacent and nearby commercial node and zoning.

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F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER THE APPROVAL OR DISAPPROVAL OF THE PROPOSED SPECIAL USE PERMIT.

Yes. The proposed use is entirely appropriate in light of existing development patterns and land uses in the surrounding area.

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MCA

ANDERSEN | TATE | CARR

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DULUTH, GEORGIA 30097
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FACSIMILE: (770) 236-9702
www.atclawfirm.com

MARIAN C. ADEIMY
Direct: (678) 518-6855

E-mail: madeimy@atclawfirm.com

# LETTER OF INTENT
## APPLICATION FOR SPECIAL USE PERMIT AND CHANGE IN CONDITIONS FOR OUTSIDE STORAGE OF MATERIALS 1571 HWY. 20, LAWRENCEVILLE, GEORGIA 30043

The property owner and applicant, John Howard, and the tenant, Brickman Group d/b/a Brickman Landscaping Group (collectively, the "Applicant") submit this request for a Special Use Permit and for the continued outside storage of the existing landscaping equipment or materials on the property located at 1571 Hwy. 20, Lawrenceville, Georgia 30043, in unincorporated Gwinnett County.

The subject property includes approximately 3.3 acres. The property has retained its C-2 zoning and has been part of and consistent with the adjacent the commercial node zoned and in existence since the early 1990's, zoned shortly after the adjacent residential development. The subject property is currently zoned C-2, General Business District, which permits landscaping and building contractors, hardware stores, equipment rental, office/showroom facilities, and home building supply showrooms and sales centers.

The Applicant is a respected and long-time landscaping contractor in Gwinnett County. They serve both commercial and residential property owners, and have successfully operated from this location since 2003, for over twelve years. Their business information can be viewed at http://brickman.com/. Brickman employs and provides jobs to a large number of Gwinnett County residents.

Recently, the County put the Brickman Group on notice of the need for a Special Use Permit to allow for the limited, outdoor storage and parking of certain landscaping equipment. As it currently exists, the Property and storage is screened from the road and neighboring property owners. The existing buffers and setbacks would remain. Any intrusion into the existing buffer or setback will be promptly corrected and those areas will be maintained and enhanced where needed or required.

The property is located on a major highway with similar commercial and business uses. The Applicant was not aware of any complaints or issues with that ongoing use of the property, and the Applicant and tenant have had a long-term, successful relationship. The Brickman Group's continued use of the Property for their landscaping business is necessary as a continued use on the Property, and without it, the property owners will have no economic use and will lose their long-time tenant.

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The attached Site Plan reflects the existing building and the business location on the subject property. The Applicant also proposes changes to certain conditions which were previously placed on the subject property based on anticipated development and no longer applicable given the location and use of the subject property.

Specifically, the Applicant seeks to change and remove Conditions 1(E) and 1(F) found under RZ-95-026. The Applicant has not constructed and does not seek to construct new buildings for the long-term existing landscaping business, and continues to use the former residential home for office-space only. All landscaping work is done off-site. The property is located below grade and on an access drive adjacent to Hwy. 20, shared with a Post Office and medical office. The subject property is used to landscaping employee access and business parking and storage, and no sidewalks are needed along this major corridor.

The previous conditions on this property further support the existing use which is less intense than the commercial use and development (including multiple buildings) as previously approved. Except for the existing office and general equipment maintenance, almost all of the landscaping work takes place off-site.

Because the subject property is adjacent to a significant concentration of commercial property, located off of a major highway, and is near a commercial intersection, and the proposed special use would be entirely consistent with the current zoning and development patterns, the 2030 Unified Plan, and Board of Commissioners' precedent for this and surrounding property.

**CONCLUSION**

The subject property is an appropriate location for the existing landscaping business and limited parking and outdoor storage, having operated at this location for over ten years. The requested uses would have little to no impact on any surrounding properties and the buffer conditions and existing natural areas will remain adjacent to all residential property.

The Applicant and its representatives welcome the opportunity to meet with the staff of the Gwinnett County Department of Planning and Development, Planning Commissioners, and the Board of Commissioners to answer any questions or to address any concerns. Applicant respectfully requests your approval of its Application for Special Use Permit and Application for Change in Conditions.

This 3rd day of April, 2015.

Respectfully submitted,

**ANDERSEN, TATE & CARR, P.C.**

Marian C. Adeimy

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**JUSTIFICATION FOR ZONING REQUEST(S) / CONSTITUTIONAL OBJECTIONS**

The portions of the Gwinnett County Zoning Ordinances and Unified Development Ordinance (collectively, the "UDO") and/or zoning conditions which presently restrict the property which is the subject of this Application (the "Property") to its current zoning and permitted uses are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the UDO and/or zoning conditions which presently restrict the property to its current zoning and permitted uses is unconstitutional, illegal, null and void, constituting a taking of the Applicant's and the Owner's 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, Article I, Section I, Paragraph I, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

The Property is presently suitable for the proposed uses, as requested by the Applicant, and is not economically suitable for development with only the currently permitted uses. A denial of this Application would constitute an arbitrary and capricious act by the Gwinnett County Board of Commissioners without any rational basis therefore and contrary to other recent Board of Commissioners actions, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Gwinnett County Board of Commissioners to allow the requested special use and change in conditions, so as to permit the only feasible economic use of the Property, would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of a Special Use Permit or Change in Conditions for the Subject Property or rezoning to some other classification, subject to conditions which are different from the conditions by which the Applicant may amend its application, to the extent such different conditions would have the effect of further restricting the Applicant's and Owner's utilization of the subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Accordingly, the Applicant respectfully requests that the Application(s) submitted by the Applicant relative to the Property, as amended, be granted and that the requested special use and conditions be permitted on the subject Property as requested therein.

This 3rd th day of April, 2015,

ANDERSEN, TATE & CARR, P.C.

Marian C. Adeimy
Attorney 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 — Date: 4/3/15

Marian C. Adeimy, Attorney for Owner/Applicant

Type or Print Name and Title

Signature of Notary Public — Date: 4/3/15 — Notary Seal

URSULA KING NOTARY PUBLIC GWINNETT COUNTY GEORGIA EXPIRES GEORGIA 2019

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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 — Date: 4/3/15

Marian C. Adeimy, Attorney for Owner/Applicant
Type or Print Name and Title

URSULA KING NOTARY EXPIRES GEORGIA Mar 30, 2019 PUBLIC GWINNETT COUNTY, GEORGIA

Signature of Notary Public — Date: 4/3/15 — 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.

| | | |
|---|---|---|
| | 4/3/15 | Marian C. Adeimy, Attorney for Owner/Applicant |
| SIGNATURE OF APPLICANT | DATE | TYPE OR PRINT NAME AND TITLE |
| | 4/3/15 | Marian C. Adeimy, Attorney for Owner/Applicant |
| SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE | DATE | TYPE OR PRINT NAME AND TITLE |
| | 4/3/15 | |
| SIGNATURE OF NOTARY PUBLIC | DATE | NOTARY SEAL |

NOTARY PUBLIC EXPIRES GEORGIA Mar 30, 2019 GWINNETT COUNTY GEORGIA

## 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?

[X] YES [ ] NO Andersen, Tate & Carr, PC

YOUR NAME

If the answer is yes, please complete the following section: See Exhibit "C".

| 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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ANDERSEN | TATE | CARR

**EXHIBIT "C"**
**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS BY ANDERSEN, TATE & CARR, P.C.**

| NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL | CONTRIBUTIONS | DATE CONTRIBUTION WAS MADE |
|---|---|---|
| Charlotte Nash, Chairman | $1,000<br>$1,000<br>$500 | February 22, 2011<br>November 16, 2011<br>February 20, 2013 |
| Jace Brooks, District 1 Commissioner | $500<br>$500<br>$1,500 | March 15, 2012<br>December 20, 2012<br>November 12, 2013 |
| Lynette Howard, District 2 Commissioner | $1,000<br>$1,000 | May 25, 2010<br>October 27, 2011 |
| Tommy Hunter, District 3 Commissioner | $1,500<br>$500<br>$1,500<br>$500 | October 1, 2012<br>December 28, 2012<br>August 22, 2013<br>March 5, 2015 |
| John Heard, District 4 Commissioner | $1,000<br>$1,000<br>$500<br>$200 | February 16, 2010<br>August 25, 2011<br>April 2014<br>May 2014 |

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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:** (Map Reference Number)

| 7 | - | ~~142 & 143~~ 65 | - | ~~65~~ 143 + 142 |
|---|---|---|---|---|
| District | | Land Lot | | Parcel |

Signature of Applicant — Date: 4/2/15

Marian C. Adeimy, Attorney for Owner/Applicant
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)

| PAM CASHMAN | TAX SERVICE ASSOC II |
|---|---|
| NAME | TITLE |

4-2-15
DATE

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