

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Jason Marietta</u>	NAME: <u>Jakes Fireworks, Inc</u>
ADDRESS: <u>1500 E 27th Terrace</u>	ADDRESS: <u>1500 E 27th Terrace</u>
CITY: <u>Pittsburg</u>	CITY: <u>Pittsburg</u>
STATE: <u>Kansas</u> ZIP: <u>66762</u>	STATE: <u>Kansas</u> ZIP: <u>66762</u>
PHONE: <u>620-231-2264</u>	PHONE: <u>620-231-2264</u>
CONTACT PERSON: <u>Jason Marietta</u> PHONE: <u>620-231-2264</u>	
CONTACT'S E-MAIL: <u>jason@jakesfireworks.net</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"/>	<input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>C-2</u>	BUILDING/LEASED SQUARE FEET: <u>6,477</u>
PARCEL NUMBER(S): <u>6181 298</u>	ACREAGE: <u>.89</u>
ADDRESS OF PROPERTY: <u>3577 Club Drive, Duluth, GA 30096</u>	
SPECIAL USE REQUESTED: <u>Consumer Retail Fireworks Sales Facility</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Exhibit "A"

LEGAL DESCRIPTION
Tract 2

All that tract or parcel of land lying and being in Land Lot 204 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING, commence at the intersection of the northerly R/W line of Club Drive (R/W varies) with the centerline of Sweetwater Club Drive; thence from said intersection running along said R/W line of Club Drive in a westerly direction a distance of 1271.61 feet to a 1/2" rebar found; thence continuing along said R/W line of Club Drive and along a curve to the right having a radius of 461.98 feet and a length of 49.73 feet, said curve having a chord bearing of South 75 degrees 14 minutes 28 seconds West and a chord distance of 49.71 feet to a nail set, said point being the TRUE POINT OF BEGINNING.

THENCE continuing along said R/W line the following courses and distances: along a curve to the right having a radius of 461.98 feet and a length of 220.05 feet, said curve having a chord bearing of North 88 degrees 01 minutes 45 seconds West and a chord distance of 217.98 feet to a point; THENCE North 76 degrees 03 minutes 08 seconds West a distance of 16.24 feet to a nail found; THENCE North 74 degrees 27 minutes 30 seconds West a distance of 12.03 feet to a nail set; THENCE leaving said R/W line North 15 degrees 33 minutes 59 seconds East a distance of 144.88 feet to a nail set; THENCE North 60 degrees 06 minutes 36 seconds East a distance of 132.55 feet to a nail set; THENCE along a curve to the left having a radius of 60.67 feet and a length of 66.95 feet, said curve having a chord bearing of South 37 degrees 06 minutes 17 seconds East and a chord distance of 63.61 feet to a point; THENCE South 29 degrees 26 minutes 21 seconds East a distance of 55.42 feet to a point; THENCE South 12 degrees 00 minutes 30 seconds East a distance of 123.98 feet to a point; said point being the TRUE POINT OF BEGINNING.

Said tract contains 0.88 acres

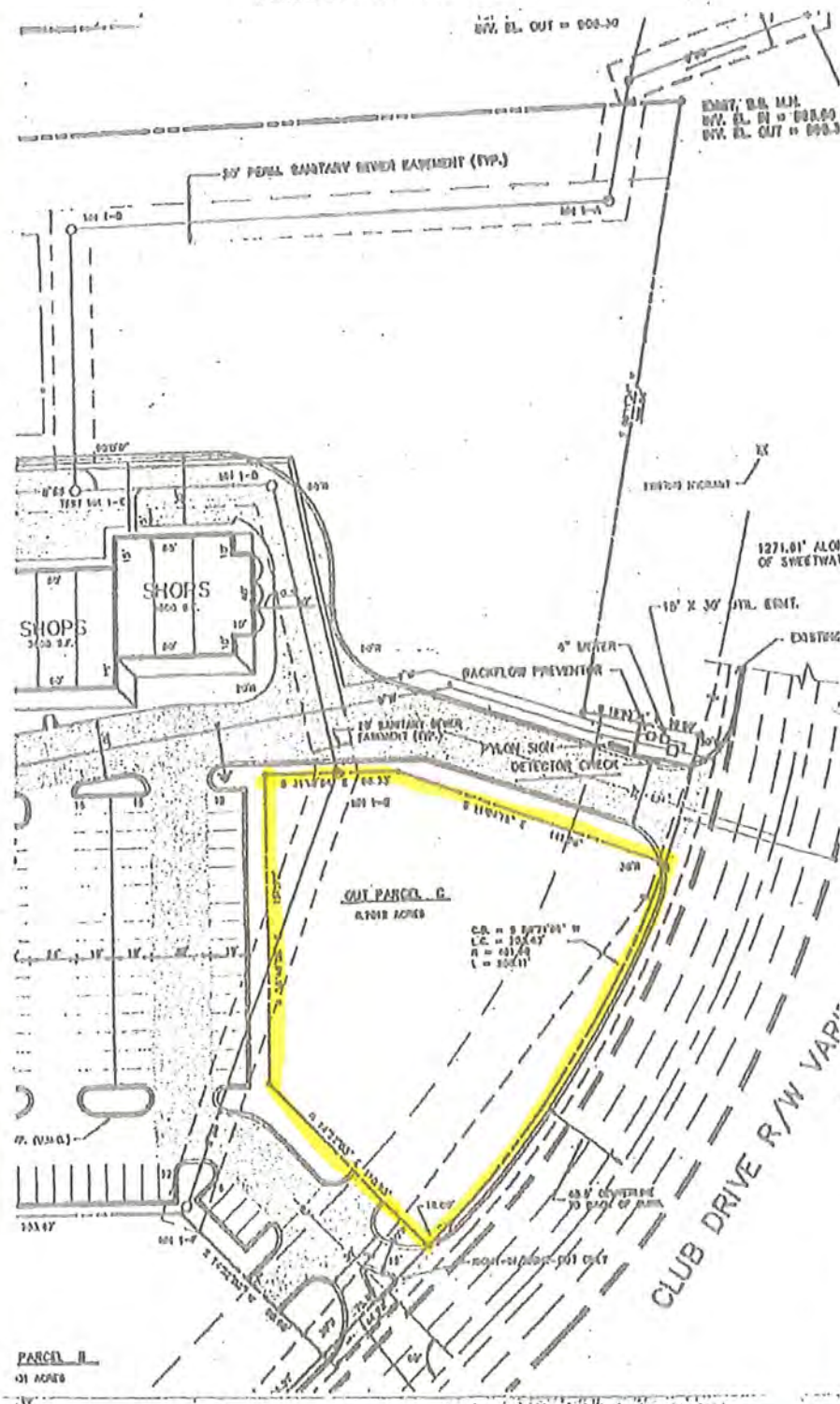
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Exhibit "A" BOOK 5803 PAGE 227
Parcel 6-204-15



SW. EL. OUT = 600.30

ENDT. S.S. MAIN
SW. EL. IN = 608.00
SW. EL. OUT = 600.3

50' PERM. SANITARY SEWER EASEMENT (PPE)

SHOPS
300 S.F.

SHOPS
500 S.F.

OUT PARCEL C
0.1018 ACRES

C.R. = 8.24706''
L.C. = 105.47'
R = 101.24'
L = 100.11'

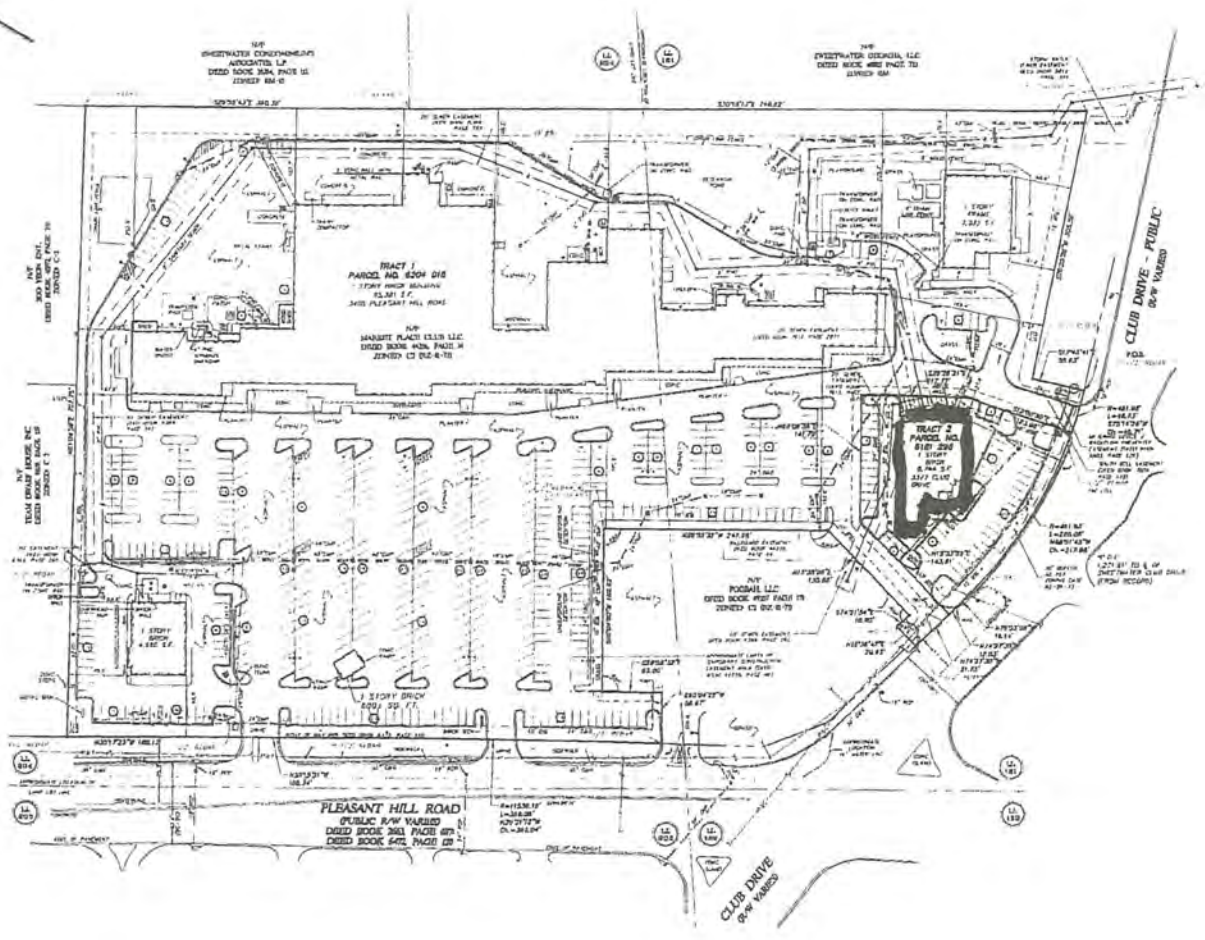
CLUB DRIVE R/W VARI

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DESIGNED BY
DRAWN BY
CHECKED BY
DATE
SCALE
SHEET NO. 2 OF 2

FINAL PLAT

SLATE MARKETPLACE HOLDINGS, LLC
AUTHORIZED BY: WITH THROUGH
LAND LOT 24 - A1190324 CT - GUNNERSVILLE GEORGIA

Scale: 1" = 40'-0"

DATE: 8-2-15

BY: [Signature]

Troye Pratt & Associates, Inc.
1425 Park Drive - Suite 100
Nashville, Georgia 37015
Tel: (615) 448-4250
Fax: (615) 448-4259
www.troyepa.com

TRAVERSE PLAT
Troye Pratt & Associates, Inc.

DATE: 07/20/15
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 07/20/15

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 proposed location is in a retail area and would not only be suitable but would enhance the existing businesses.

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

There will be no adverse effect on the nearby properties

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

Allowing the Special Use Permit would give the property a reasonable economic use. The applicant is seeking the Special Use Permit as the same is now required by the revisions to UDO.

- (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 proposed use will not create an excessive burden on the existing streets, transportation, facilities, utilities, or schools.

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

Yes, the revised UDO recognized that this location is suitable, subject of a Special Use Permit for the intended activity.

- (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 Georgia Legislature passed ACT 50, H.B. No.110 permitting the sales of consumer fireworks subject to the approval and licensure by Georgis's State Fire Marshal. As such, until this law was passed, there was no reason for a county to have a zoning classification for such a use.

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Jake's Fireworks, Inc.

Corporate Offices - 1500 E. 27th Terrace
Pittsburg, KS 66762
Phone: 620-231-2264, 800-766-1277 Fax: 620-231-2416

July 27, 2016

Gwinnett County Dept. of Planning & Development
Planning Division
446 W Crogan St., Suite 250
Lawrenceville, GA 30046

RE: Special Use Permit for 3577 Club Drive, Duluth, GA.

To whom it may concern,

Jakes Fireworks, Inc. is requesting a Special Use Permit (SUP) for the above listed address to operate a Consumer Fireworks Retail Sales (CFRS) facility in accordance with the new law regarding consumer fireworks in the state of Georgia. The store will be operated under all applicable building and fire codes. This will only be a sales facility open to the public and not a warehouse.

Thank you for your consideration,



Michael Marietta
Owner



Jason Marietta
Retail Sales Director

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HOME OF - THE EXCALIBUR • GOLIATH • ONE BAD MOTHER • LOYAL TO NONE • THE BIGGEN

INDIANA
DISTRIBUTION CENTER
800 Wagner Ave.
Elkhart, IN 64516
ph: 574-296-7100
fx: 574-296-7102

KENTUCKY
DISTRIBUTION CENTER
451 Johnson St.
Russellville, KY 42276
ph: 270-726-8000
fx: 270-726-8076

OKLAHOMA
DISTRIBUTION CENTER
17824 S. Sooner Rd.
Norman, OK 73071
ph: 405-321-4886
fx: 405-321-4886

SOUTH CAROLINA
DISTRIBUTION CENTER
130 Red River Rd.
PO Box 157
Wagener, SC 29154
ph: 803-564-2264
fx: 803-564-2416

TEXAS
DISTRIBUTION CENTER
7010 S 19 Highway
Athens, TX 75751
ph: 903-264-2264
fx: 903-264-2416

NEBRASKA
DISTRIBUTION CENTER
4355 Industrial Circle No. 17
Hastings, NE 68902
ph: 620-231-2264
fx: 620-231-2416

WASHINGTON
DISTRIBUTION CENTER
739 Nevil Road
Winlock, WA 98596
ph: 360-785-0859
fx: 360-785-3748

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

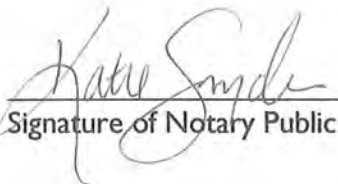
7/27/16

Date

Jason Marietta

Retail Sales Director

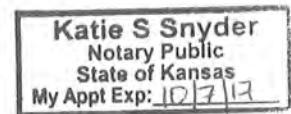
Type or Print Name and Title



Signature of Notary Public

7/27/16

Date



Notary Seal

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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

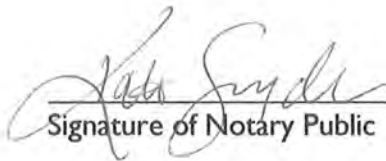
7/27/16

Date

Michael Marietta

Type or Print Name and Title

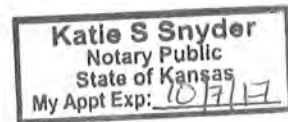
President



Signature of Notary Public

7/27/16

Date



Notary Seal

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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: 6th - 204 - 6181 298
(Map Reference Number) District Land Lot Parcel

 7/27/16
Signature of Applicant Date
Jason Marietta **Retail Sales Director**
Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

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)

C. Raney Senior Tax Services Associate
NAME TITLE
8/3/16
DATE

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