

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Malcolm A. Cunningham</u>	NAME: <u>Patricia P. Sealy</u>
ADDRESS: <u>4355 Stone Mountain Highway</u>	ADDRESS: <u>4750 Highway 78</u>
CITY: <u>Lilburn</u>	CITY: <u>Lilburn</u>
STATE: <u>Georgia</u> ZIP: <u>30047</u>	STATE: <u>Georgia</u> ZIP: <u>30047</u>
PHONE: <u>(770) 972-1222</u>	PHONE: <u>(404) 542-7625</u>
CONTACT PERSON: <u>Malcolm A. Cunningham</u> PHONE: <u>(770) 972-1222</u>	
CONTACT'S E-MAIL: <u>mcunningham@malcolmcunninghamauto.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 type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>C2</u>	BUILDING/LEASED SQUARE FEET: <u>7208</u>
PARCEL NUMBER(S): <u>R6064002</u>	ACREAGE: <u>1.4</u>
ADDRESS OF PROPERTY: <u>4365 Stone Mountain Highway, Lilburn GA 30047</u>	
SPECIAL USE REQUESTED: <u>Automotive Dealership</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION

The legal description follows.

lying and being in Land Lot 64 of the 6th Land District of Gwinnett County, Georgia, containing 1.417 acres, all as shown by plat of survey by Michael A. Royston & Associates, dated October 22, 1973, a copy of the same being recorded in Plat Book 1, Page 38, Gwinnett County Records, and incorporated herein by reference and being more particularly described as follows:

BEGINNING at an iron pipe on the Northerly right of way of U.S. Highway # 78, Georgia Highway # 10, that is approximately 40.0 feet North, 11 degrees 41 minutes West from the Land Lot Line dividing Land Lots 55 and 64; thence in a Westerly direction along the Northerly right of way of Georgia Highway # 10, 217.35 Feet; thence North 24 degrees 42 minutes West, 290.0 feet; thence North 77 degrees 7 minutes East, 226.0 feet; thence South 23 degrees 17 minutes East, 279.54 feet to the beginning point.

Said property is correctly shown as being in Land Lot 64 although previous deeds in the chain of title have erroneously shown it as being in Land Lot 164.

Grantee herein assumes the Deed to Secure Debt in favor of Huey M. Camp a/k/a Hue M. Camp and H. M. Camp and Mrs. H. M. Camp (Minnie), dated the 1st day of November, 1973, in the original amount of \$25,000.00, being recorded in Deed Book 742, pp. 229-231.

Ga. Real Property Tax

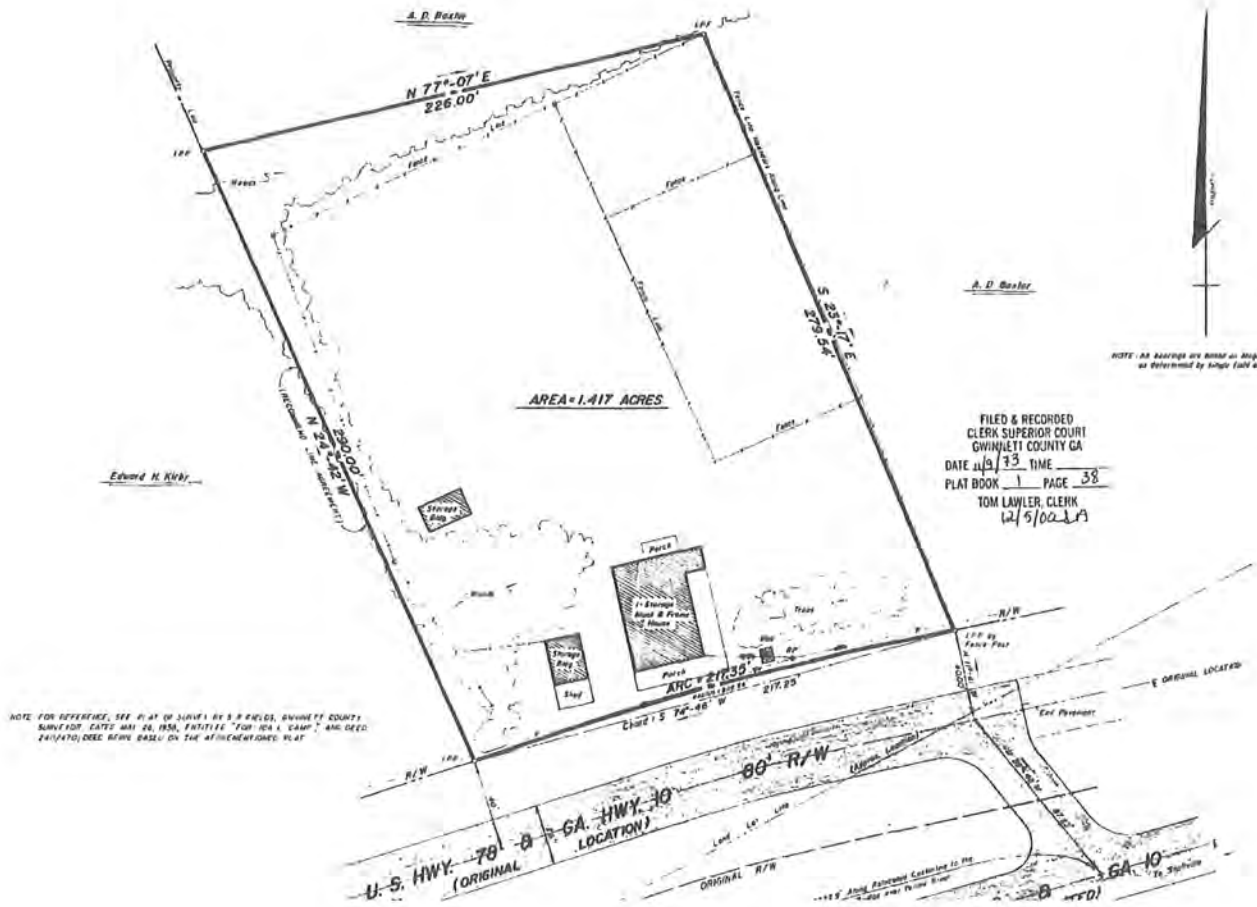
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SITE SURVEY



NOTE: THE ACCESS TO THE US HIGHWAY 78 SHOWN ABOVE NO LONGER EXISTS.

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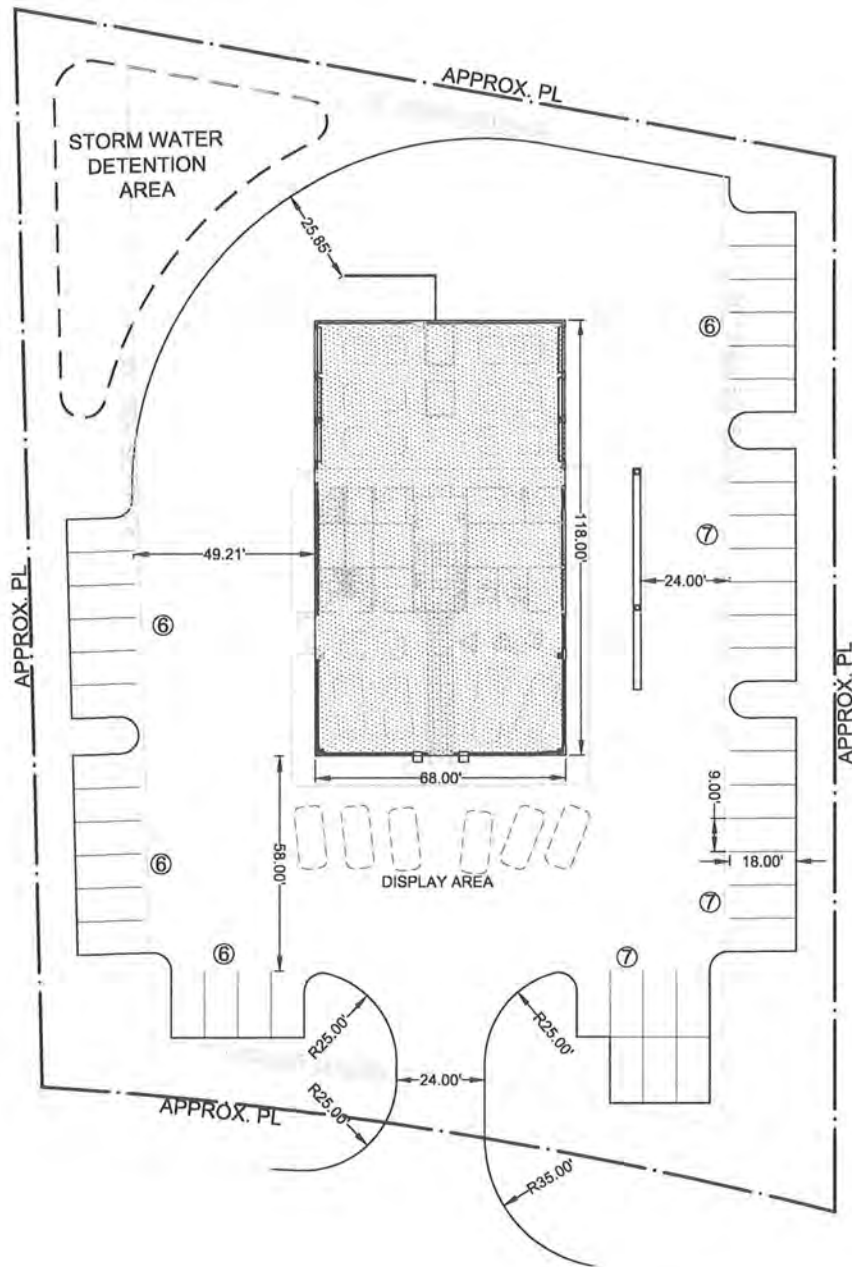
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D.W. Norris Appraisal Associates, LLC

MALCOLM CUNNINGHAM IMPORTS SNELLVILLE - GENESIS

SITE PLAN
4365 STONE MOUNTAIN HIGHWAY



JESSICA
DARON COURT
(60' R/W)

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U.S. HIGHWAY 78
(R/W VARIES)

SCALE: 1" = 50'

SITE: 1.4+/- ACRES ZONED C-2
PROPOSED USE: AUTO SALES & SERVICE



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:

Yes, we are surrounded by Auto Dealerships

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

No there are dealerships around the site only.

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

Yes. Property is currently zoned C2 and meets the requirements for requested special use.

- (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:

No.

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

Yes. Property is zoned C2 and meets the requirements for enclosed special use permit.

- (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:

No. Property is zoned C2, meets requirement to submit for enclosed special permit and will have land and building to support special permit.

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LETTER OF INTENT

Malcolm Cunningham Automotive
4355 Highway 78
Lilburn, Ga. 30047

August 31, 2016

Dear Planning Division

Re: Malcolm Cunningham Genesis

The applicant Malcolm A. Cunningham submits this application for approval of a Special Use Permit for the approximately 1.4 acres of land located at 4365 Stone Mountain Highway Lilburn, Gwinnett County, Georgia 30047. The applicant is requesting the Special Use Permit for a luxury automobile dealership which will carry the new luxury brand Genesis. The dealership will be an extension of the currently established Malcolm Cunningham Hyundai located at 4355 Stone Mountain Highway Lilburn, Ga. 30047.

This parcel is adjacent to the Hyundai dealership and will employ an additional 15 people with salaries ranging from \$21,000.00 to \$108,000.00 and above.

The site is currently surrounded by auto dealership and will immediately produce positive economic stimulus to the area as well as additional tax revenue.

Thank you for your time and consideration

Respectfully Yours,


Malcolm A. Cunningham

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SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

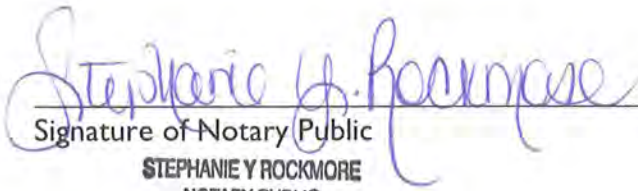
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL 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 08/30/2016
Date

Malcolm A. Cunningham - Owner

Type or Print Name and Title



Signature of Notary Public 08/30/2016
Date Notary Seal
STEPHANIE Y ROCKMORE
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES OCTOBER 16, 2018

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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.

Ms. Patricia Sealy, by Clifford Sealy - Attorney in Fact *8/31/2016*

Signature of Property Owner

Date

Ms. Patricia Sealy, by Clifford Sealy - Attorney in Fact

Type or Print Name and Title

Stephanie Y Rockmore *8-31-2016*

Signature of Notary Public

Date

Notary Seal

STEPHANIE Y ROCKMORE
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES OCTOBER 16, 2018

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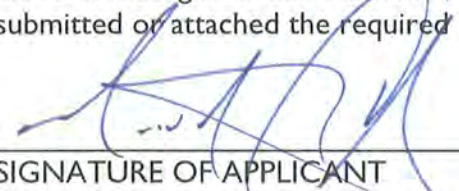
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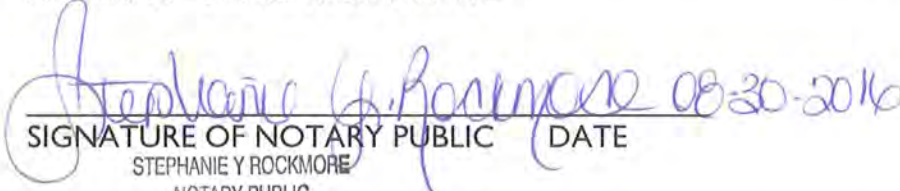
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

 08/30/2016 Malcolm A. Cunningham

 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

 08-30-2016

 SIGNATURE OF NOTARY PUBLIC DATE NOTARY SEAL
 STEPHANIE Y ROCKMORE
 NOTARY PUBLIC
 DEKALB COUNTY, GEORGIA
 MY COMMISSION EXPIRES ON 09-15-2018

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 Malcolm A. Cunningham

 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 - 064 - 002
(Map Reference Number) District Land Lot Parcel


Signature of Applicant

08/30/2016

Date

Malcolm A. Cunningham - Owner

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)

Cordrick Ramey
NAME

Senior Tax Services Associate
TITLE

9/2/16
DATE

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