

**SPECIAL USE PERMIT APPLICATION**

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

*L & F auto sale.*

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Salma Fernandez</u>	NAME: <u>Kun Han Kim</u>
ADDRESS: <u>1311 Dowry Drive.</u>	ADDRESS: <u>3918 Nemours Trail</u>
CITY: <u>Lawrenceville.</u>	CITY: <u>Kennesaw</u>
STATE: <u>GA</u> ZIP: <u>30044</u>	STATE: <u>GA</u> ZIP: <u>30152</u>
PHONE: <u>770 865 9652</u>	PHONE: <u>404-218-4729</u>
CONTACT PERSON: <u>Kun Han Kim</u> PHONE: <u>404-218-4729</u>	
CONTACT'S E-MAIL: <u>khmmachine@yahoo.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>5,000</u>
LAND DISTRICT(S): <u>5</u>	LAND LOT(S): <u>18</u> ACREAGE: <u>1</u>
ADDRESS OF PROPERTY: <u>2570 Lawrenceville Highway, Lawrenceville, GA</u>	
SPECIAL USE REQUESTED: <u>used car sales</u>	

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

BK 51872 PG 0538

EXHIBIT A  
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 18, 15th District, Gwinnett County, Georgia, being more particularly shown on that survey for Peter Berusch and Commercial Bank of Georgia prepared by W.W. Lester, Registered Land Surveyor, No. 2128, dated May 1, 1991, being more particularly described as follows:

Beginning at a point located on the southeasterly right-of-way line of U.S. Highway No. 29 (having a variable right-of-way) South 74 degrees 04 minutes 47 seconds West 599.24 feet from the intersection of the southeasterly right-of-way line of U.S. Highway 29 and the right-of-way line of Dixon Circle; thence running South 29 degrees 33 minutes 28 seconds East 287.10 feet to a point; thence running South 58 degrees 28 minutes 00 seconds West 15.00 feet to a point; thence running North 29 degrees 33 minutes 28 seconds West 292.40 feet to a point located on the southeasterly right-of-way line of U.S. Highway No. 29; thence running North 58 degrees 28 minutes 00 seconds East along the southeasterly right-of-way line of U.S. Highway No. 29, 29.25 feet to a point; thence running northeasterly along the southeasterly right-of-way line of U.S. Highway No. 29 and following the curvature thereof an arc distance of 120.72 feet to the point of beginning (said arc being subtended by a chord running North 60 degrees 58 minutes 59 seconds East 120.68 feet from the preceding point); said property containing 1.00 acre, more or less and being more particularly shown on the survey referenced above.

Together with that Joint Driveway Easement, recorded 06/17/1991, in Book 6592, Page 201.

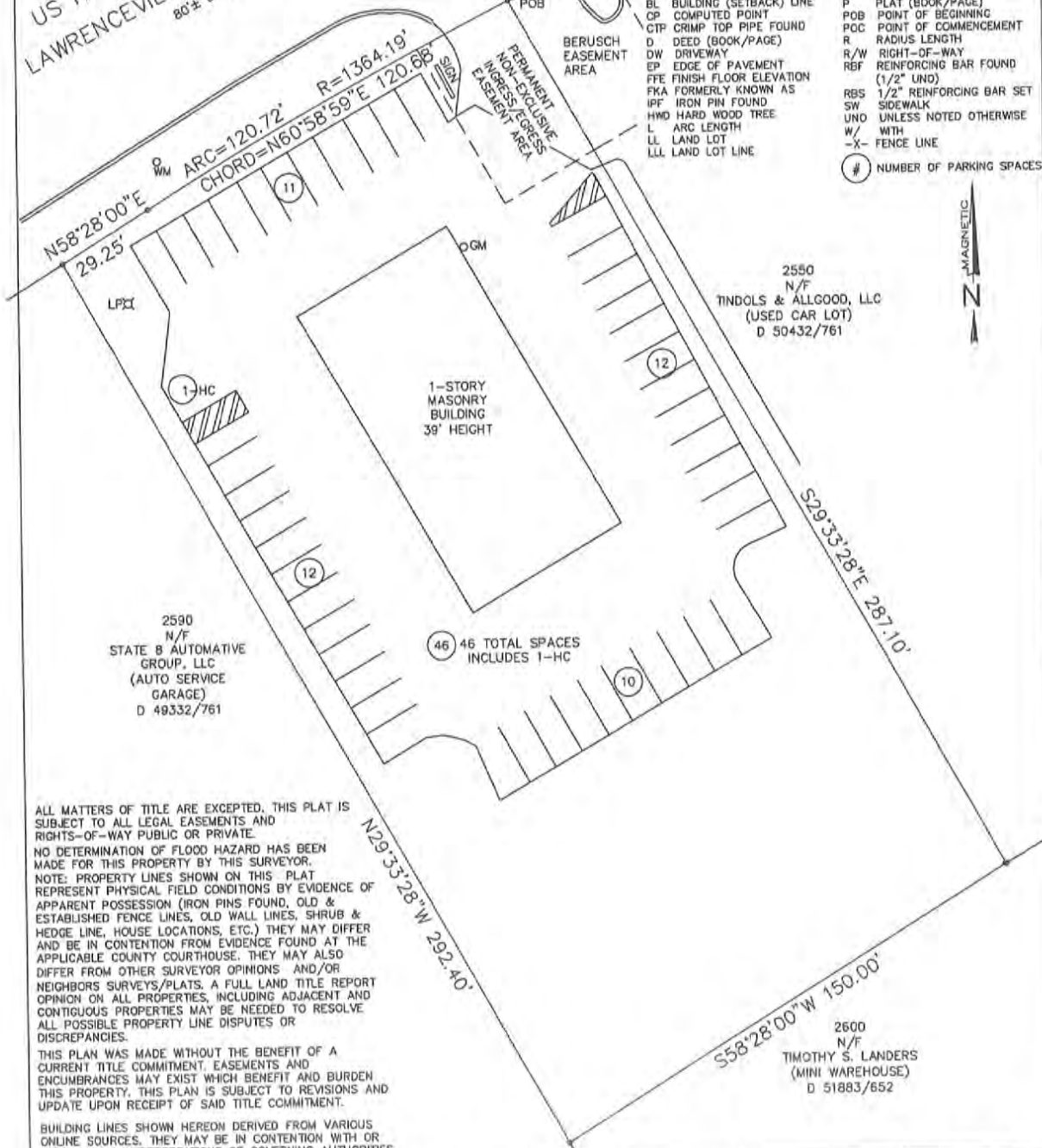
Tax Parcel Identification Number: R5018\_254

US 29  
2570 Lawrenceville Hwy #29

US HWY 29 AKA  
LAWRENCEVILLE HWY ~ R/W VARIES  
80± BC/EOP

\* POC-POB (AS PER DEED)  
574'04'47"W 599.24' FROM THE  
INTERSECTION OF THE SE R/W OF  
U.S. HWY 29 & R/W OF DIXON CIRCLE

- ~ LEGEND ~  
NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
- AKA ALSO KNOWN AS
  - APD AS PER DEED
  - APP AS PER PLAT
  - BL BUILDING (SETBACK) LINE
  - CP COMPUTED POINT
  - CTP CRIMP TOP PIPE FOUND
  - D DEED (BOOK/PAGE)
  - DW DRIVEWAY
  - EP EDGE OF PAVEMENT
  - FFE FINISH FLOOR ELEVATION
  - FKA FORMERLY KNOWN AS
  - IPF IRON PIN FOUND
  - HWD HARD WOOD TREE
  - L ARC LENGTH
  - LL LAND LOT
  - LLL LAND LOT LINE
  - N NEIGHBOR'S
  - N/F NOW OR FORMERLY
  - NAIL NAIL FOUND
  - P PLAT (BOOK/PAGE)
  - POB POINT OF BEGINNING
  - POC POINT OF COMMENCEMENT
  - R RADIUS LENGTH
  - R/W RIGHT-OF-WAY
  - RFB REINFORCING BAR FOUND (1/2" UND)
  - RBS 1/2" REINFORCING BAR SET
  - SW SIDEWALK
  - UND UNLESS NOTED OTHERWISE
  - W/ WITH
  - X- FENCE LINE
  - # NUMBER OF PARKING SPACES



ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.  
NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.  
NOTE: PROPERTY LINES SHOWN ON THIS PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.  
THIS PLAN WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS PLAN IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.  
BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES.

PROPERTY ADDRESS:  
2570 LAWRENCEVILLE HWY,  
LAWRENCEVILLE, GA

LAND AREA:  
43620 SF  
1.000 AC

SPECIAL USE PERMIT PLAN PREPARED FOR:  
Kun Han Kim



LAND LOT 18	15th DISTRICT	SECTION	BY:
GWINNETT COUNTY, GEORGIA	FIELD DATE 10-24-2015	JK	~REVISED~
PLAT BOOK DEED BOOK 51872, PAGE 538	DRWN: DATE 10-26-2015	CWL	

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.  
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 219441 FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

0 30  
SCALE 1" = 30'  
SURVEY SYSTEMS & ASSOC., INC.  
657 Lake Drive, Snellville, GA 30039  
CELL 770-558-7895  
OFFICE 404-760-0010  
INFO@SURVEYSYSTEMSATLANTA.COM  
COA # LSF000867

AREA = 1.00 ACRE.

LINE	BEARING	DISTANCE	CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD BEARING
11	N 58°28'00" E	29.25	G1	1,475.39	05°01'48"	120.72	80.40	120.68	N 80°58'59" E

ON 100' R/W OF R/W OF U.S. HWY. NO. 29

H 85°03'21" W  
192.17  
(DE-11)

U.S. HWY. NO. 29  
PAVED R/W VARIES



N 39°25'28" E  
282.40  
N/F JEWELL C. GOOCH

S 20°32'28" E  
287.10

S 58°28'00" W  
150.00

TO LARGE EYELE

N 78°08'47" E - 589.25 TO P/W OF U.S. HWY. NO. 29 & P/W OF 1/200' CURVE

(DE-11) AXLE TO. ON R/W OF 1/200' CURVE

(DE-11) TO R/W MARKER TO. ON R/W OF 1/200' CURVE

Kunhan Kim  
404 218 4729

NOTE: IRON PINS SET AT ALL CORNERS.

- IP... IRON PIN FOUND
- IP... IRON PIN SET
- IP/O... IRON PIN OFFSET
- C.L... CENTERLINE
- P.L... PROPERTY LINE
- R/W... RIGHT OF WAY

PLANNED BY  
KUNHAN KIM, INC. PREPARED BY  
KUNHAN KIM, INC. DATE: 11-10-09



**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, the permit will permit a use that is suitable in view of the use/development of adjacent & nearby property.
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:  
The permit will not adversely affect the existing use or usability of adjacent or nearby property.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:  
The property to be affected by the permit has reasonable economic use as currently zoned.
- (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 permit will not result in a use which will/could cause excessive or burdensome use of 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:  
The permit is in conformity with the policy and intent of the land use plan.
- (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:  
There are no other conditions affecting the use and development of the property. However, a particular detail in support of the proposed special use permit is that there are no other used car dealerships in the vicinity. The carsales will result in tax revenue for the county, so approving the permit will create a win-win situation for all parties involved.

October 12, 2015

Gwinnett County Dept. of  
Planning and Development  
Planning Division  
446 West Crogan Street, Suite 250  
Lawrenceville, GA 30046

RE: 2570 Lawrenceville Highway  
Lawrenceville, GA 30046

We are requesting a Special Use Permit to be issued for the above referenced property in order to conform to the zoning requirements of Gwinnett County. This property is currently zoned C-2 and consists of 1 acre located in District 15, Land Lot 18, Parcel R5018 254.

We would like to operate a used car facility at this site and are asking for approval for the Special Use Permit. The property has been used as an auto mechanic repair shop in previous years. The use of this property as a used car sales facility is consistent with the current Land Use Plan and with the zoning ordinance for C-2 uses and permitted special uses. The property is currently on the public water and sewer, and has access to streets and thoroughfares.

Sincerely,

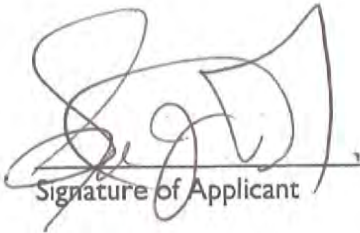
Kun Han Kim

A handwritten signature in green ink that reads "Kun Han Kim". The signature is written in a cursive style with a large, sweeping initial "K".

**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.

*tenant*



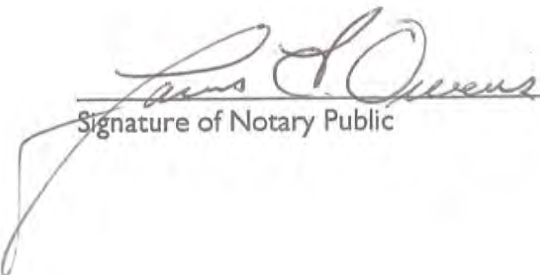
Signature of Applicant

*10/14/2015*

Date

*Salma J Fernandez*

Type or Print Name and Title



Signature of Notary Public

*10-14-15*

Date



Notary Seal

**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.

*Lyn Han Kim*

10/14 2015

*Lyn Han Kim*

Signature of Property Owner

Date

*Lyn Han Kim*

*Lyn Han Kim*

Type or Print Name and Title

*James T. Owens*

10-14-15

Signature of Notary Public

Date



Notary Seal



*tenant*

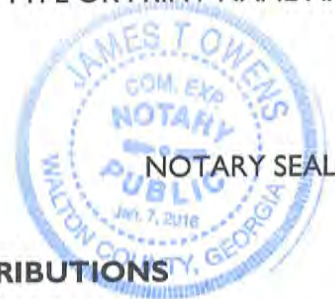
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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]*      10/14/2015      *Salma Fernandez*  
 SIGNATURE OF APPLICANT      DATE      TYPE OR PRINT NAME AND TITLE

*[Signature]*      10/14/2015      *Salma Fernandez*  
 SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE      DATE      TYPE OR PRINT NAME AND TITLE

*[Signature]*      10-14-15  
 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    *Salma Fernandez*  
 YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

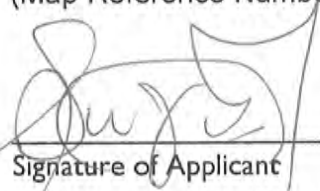
Attach additional sheets if necessary to disclose or describe all contributions.

**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:**                      5                      018                      254  
(Map Reference Number)                      District                      Land Lot                      Parcel

                      10/20/2015  
Signature of Applicant                      Date

SALMA FERNANDEZ - OWNER  
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)

Diane Fox Oppe                      TSAILI  
NAME                      TITLE

10-14-2015  
DATE