

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Angel Amaro</u> ADDRESS: <u>2959 Duluth Hwy</u> CITY: <u>Duluth</u> STATE: <u>Ga</u> ZIP: <u>30096</u> PHONE: <u>(678) 372-0329</u>	NAME: <u>Duluth Seventh-Day Adventist Church</u> ADDRESS: <u>2959 Duluth Hwy</u> CITY: <u>Duluth</u> STATE: <u>Ga</u> ZIP: <u>30096</u> PHONE: <u>(678) 372-0329</u>
CONTACT PERSON: <u>George Awuku</u> PHONE: <u>(404) 597-6745</u> CONTACT'S E-MAIL: <u>elminaengineer@gmail.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICTS(S): <u>R-75</u>	PRIOR ZONING CASE: <u>SUP1998-00062</u>
PARCEL NUMBER(S): <u>6-263-003A</u>	ACREAGE: <u>8.536</u>
ADDRESS OF PROPERTY: <u>2959 Duluth Hwy</u>	
PROPOSED CHANGE IN CONDITIONS: <u>to allow for the modification of the site plan on record as the nature of the improvements impacts stipulations outlined in SUP 1998-0062</u>	

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>5</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: _____	DENSITY: _____
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Legal Description

All that tract or parcel of land lying and being in Land Lot 263 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

To reach the true point of beginning commence at a point being the intersection of the northerly Right-of-Way of Claiborne Drive (70' R/W) and the southwesterly Right-of-Way of Georgia Highway No. 20 (Variable R/W, being 40 feet from centerline at this point); thence along said Right-of-Way of Georgia Highway No. 20 and running North $35^{\circ} 00' 01''$ West a distance of 199.97 feet to a point; thence South $59^{\circ} 10' 38''$ West a distance of 35.47 feet to the TRUE POINT OF BEGINNING, from point thus established and leaving said Right-of-Way of Georgia Highway No. 20 and running South $59^{\circ} 10' 38''$ West a distance of 400.13 feet to a point; thence South $58^{\circ} 39' 33''$ West a distance of 173.31 feet to a point; thence North $31^{\circ} 02' 34''$ West a distance of 799.25 feet to a point on the Land Lot Line common to Land Lots 263 and 264; thence along said Land Lot Line North $58^{\circ} 37' 35''$ East a distance of 159.83 feet to a point; thence leaving said Land Lot Line and running South $32^{\circ} 47' 53''$ East a distance of 200.04 feet to a point; thence North $59^{\circ} 08' 00''$ East a distance of 399.72 feet to a point on the southwesterly Right-of-Way of aforementioned Georgia Highway No. 20 (Variable R/W, being 75' from centerline at this point); thence along said Right-of-Way South $31^{\circ} 09' 10''$ East a distance of 327.69 feet to a point; thence along a curve to the left an arc distance of 272.07 feet (said curve having a radius of 5390.91 feet; a chord distance of 272.04 feet and a chord bearing of South $32^{\circ} 32' 46''$ East) to the true POINT OF BEGINNING. Said tract containing 8.553 acres.

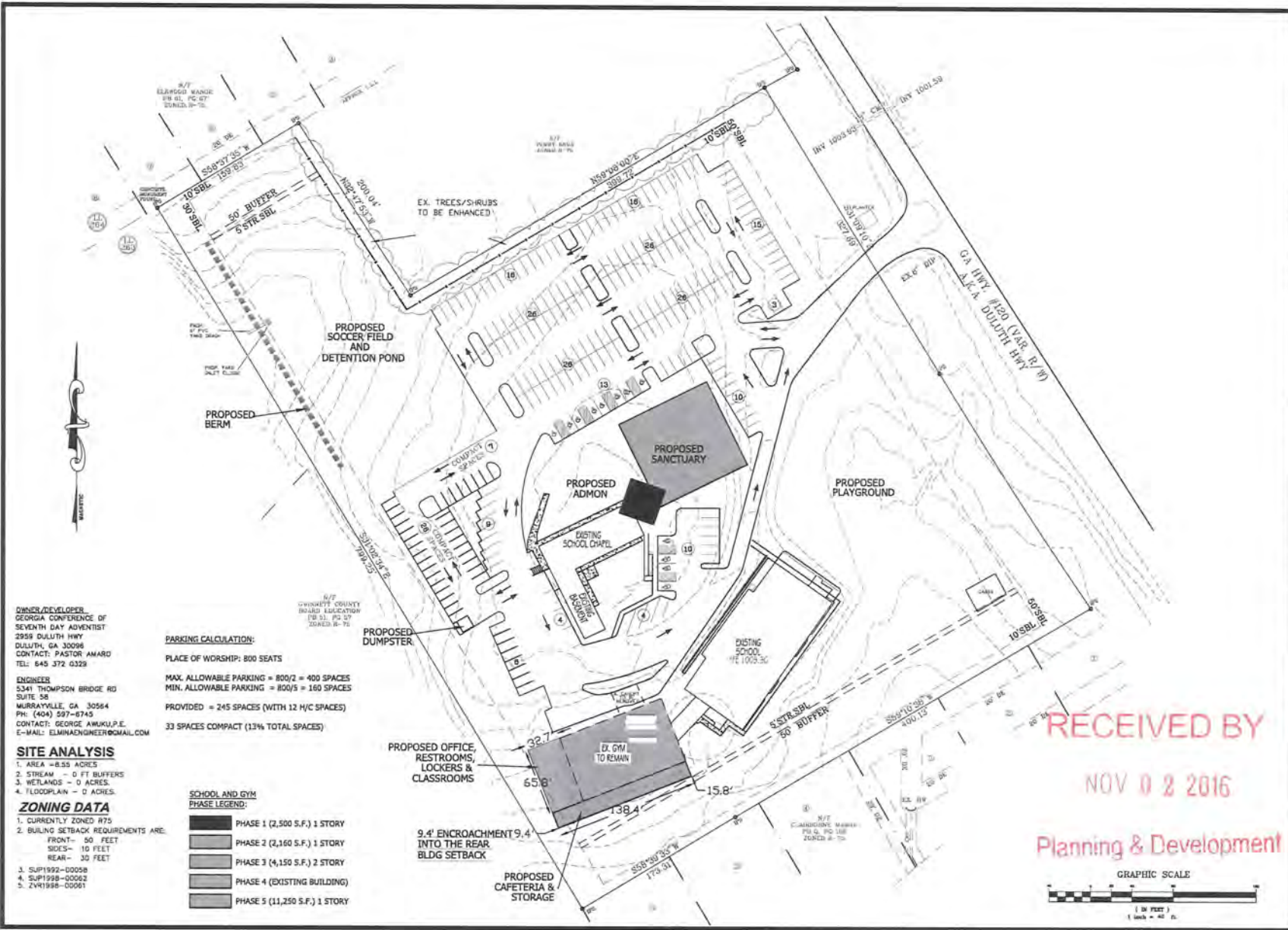
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SUP-98-062



OWNER/DEVELOPER
 GEORGIA CONFERENCE OF
 SEVENTH DAY ADVENTIST
 2959 DULUTH HWY
 DULUTH, GA 30096
 CONTACT: PASTOR AMARO
 TEL: 645 372 0329

ENGINEER
 5341 THOMPSON BRIDGE RD
 SUITE 50
 MURRAYVILLE, GA 30564
 PH: (404) 597-8743
 CONTACT: GEORGE AMUKU, P.E.
 E-MAIL: ELMKACNGINEER@GMAIL.COM

PARKING CALCULATION:
 PLACE OF WORSHIP: 800 SEATS
 MAX. ALLOWABLE PARKING = 800/2 = 400 SPACES
 MIN. ALLOWABLE PARKING = 800/5 = 160 SPACES
 PROVIDED = 245 SPACES (WITH 12 H/C SPACES)
 33 SPACES COMPACT (13% TOTAL SPACES)

SITE ANALYSIS
 1. AREA = 8.55 ACRES
 2. STREAM - 0 FT BUFFERS
 3. WETLANDS - 0 ACRES
 4. FLOODPLAIN - 0 ACRES

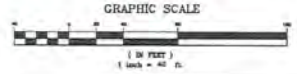
ZONING DATA
 1. CURRENTLY ZONED R75
 2. BUILDING SETBACK REQUIREMENTS ARE:
 FRONT- 50 FEET
 SIDES- 10 FEET
 REAR- 30 FEET


SCHOOL AND GYM PHASE LEGEND:

- PHASE 1 (2,500 S.F.) 1 STORY
- PHASE 2 (2,160 S.F.) 1 STORY
- PHASE 3 (4,150 S.F.) 2 STORY
- PHASE 4 (EXISTING BUILDING)
- PHASE 5 (11,250 S.F.) 1 STORY

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SEVENTH DAY OF ADVENTISTS-DULUTH
 2959 DULUTH HWY (VAC. HWY 100)
 DULUTH GA 30096
 PARCEL: 5341 THOMPSON BRIDGE ROAD
 MURRAYVILLE, GEORGIA 30564

CONCEPT MASTER PLAN	SHEET TITLE
DATE: 10/24/2016	JOB NUMBER
CP-1	

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

The use of the property will remain the same, the development is an expatiation of use permitted in previous SUP

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

We do not believe the change in conditions will adversely affect any neighboring propertys

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

The property is a church and the change in conditions is to allow it to continue to grow as such

- (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:

The change in conditions should have very little impact on the above

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

It is expanding on the current SUP of the property and in line with development standards

- (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:

The property will be an expansion of intended use granted and operating under a current SUP

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Suite 58, 5341 THOMPSON BRIDGE ROAD, MURRAYVILLE, GA 30564 TEL 404 597 6745/ELMINAENGINEER@GMAIL.COM

October 26, 2016

Board of Commissioners
Gwinnett County
446 West Crogan Street
Lawrenceville, Georgia 30046

Dear Board Members;

Change in Conditions from SUP1998-00062

Parcel ID: 6-263-003A (2959 DULUTH HWY) Seventh-Day Adventist Church.

The Applicant respectfully submits to the Board of Commissioners a request for a change in the conditions as approved under Special Use Permit (SUP)1998-0062. SUP1998-0062 provided for a reduction of buffers for the existing church expansion then. The church, since then, has seen additional growth and in anticipation of future growth prepared a master plan (as indicated on Concept Plan submitted). A change in conditions is required to allow for the modification of the site plan on record as the nature of the proposed improvement impacts stipulations agreed to in the SUP1998-0062.

The following improvements are proposed:-

- Phase 1 – new 2,300 SF administration building,
- Phase 2 – new 2,160 SF cafeteria and storage facility addition to the existing gym building,
- Phase 3 – new 4,100 SF office/classrooms/locker rooms addition to the existing gym building,
- Phase 4 – 6,800 SF remodeling the existing gym building, and
- Phase 5 – new 11,250 SF sanctuary building.
- The improvements also call for additional parking, improvements to the existing detention pond and new pond/playfield and landscape installation.

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Suite 58, 5341 THOMPSON BRIDGE ROAD, MURRAYVILLE, GA 30564 TEL404 597 6745/ELMINAENGINEER@GMAIL.COM

Stipulation A of the approved SUP1998-0062 will be maintained in part. The 50-foot wide natural undisturbed buffer adjacent to Elkwood Manor and Clairborne Manor subdivisions will not be impacted. The approved 0-foot buffer along the western property line/B B Harris Elementary School will be impacted by the addition of a parking lot, using the ball field as a detention pond and an addition to the existing gym.

Stipulation B of the approved SUP1998-0062 will be maintained. The agreed to planting per ZV1998-0061 will be enhanced by replanting sparsely vegetated areas and the installation of a 6-foot opaque fence. The proposed improvement will require extending the existing parking parallel and along that section of the reduced buffer.

The Gwinnett County Board of Education (BOE) has been notified of the applicant's requested improvements to encroach into the rear setback line. At the time of preparing the application we are yet to hear back from them. Any information from the BOE regarding our application will be forwarded to Planning and Development Staff and Board Members.

Thank you for your time and consideration of our request. The applicant is opened to working with Staff and Board Members to achieve the successful implementation of this project.

Respectively Submitted,

George Awuku, P.E.

Design Engineer

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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

10/26/2016

Date

Angel Amaro

Type or Print Name and Title

 10-26-16

Signature of Notary Public Date



Notary

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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.



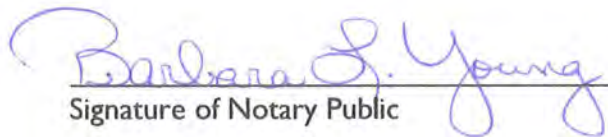
Signature of Property Owner

10/26/2016

Date

Angel Amaro

Type or Print Name and Title



Signature of Notary Public

10-26-16

Date



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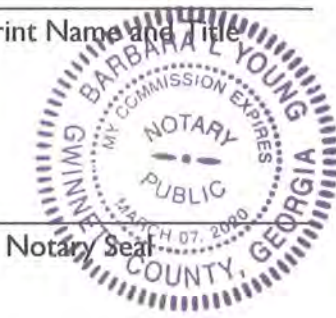
CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

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.

Angel Amaro 10/26/2015 Angel Amaro
 Signature of Applicant Date Type of Print Name and Title

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

Barbara J. Young 10-26-16
 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 Angel Amaro
 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 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: 6 - 263 - 003A
 (Map Reference Number) District Land Lot Parcel

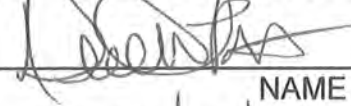
 10/26/2016
 Signature of Applicant Date
 Angel Amaro

 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.*****

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)

 10/31/16 TSA II
 NAME Deidre Pitts TITLE

 DATE

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CASE NUMBER SUP-98-062

BOARD OF COMMISSIONERS

WINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	VOTE
Wayne Hill, Chairman	<u>AYE</u>
Tommy Hughes, District 1	<u>AYE</u>
Patti Muise, District 2	<u>AYE</u>
Judy Waters, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. HUGHES, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by DULUTH SEVENTH-DAY ADVENTIST for the proposed use of CHURCH EXPANSION (REDUCTION IN BUFFERS) on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

CASE NUMBER SUP-98-062

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on May 26, 1998, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 26th day of May, 1998, that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. A church and accessory uses which may include a school.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural undisturbed buffer, adjacent to Elkwood Manor and Claiborne Manor subdivisions. For the remainder of the site, provide buffers adjacent to residential zoning as specified by the 1985 Zoning Resolution except for the encroachment of the parking lot and ballfield as shown on the site plan submitted February 24, 1998 and for approved perpendicular access and utility crossings and replanting where sparsely vegetated.

CASE NUMBER SUP-98-062

B. Provide replanting as agreed upon by the adjacent property owners (Tommy and Nancy Knox) and the Seventh Day Adventist Church, per the terms of agreement entered as part of the rezoning and variance application (Z-98-0061).

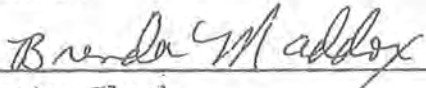
WINNETT COUNTY BOARD OF COMMISSIONERS

By: 

F. Wayne Hill, Chairman

Date Signed: June 25, 1998

ATTEST:



Deputy Clerk

Legal Description

All that tract or parcel of land lying and being in Land Lot 263 of the 6th District, Gwinnett County, Georgia and being more particularly described as follows:

To reach the true point of beginning commence at a point being the intersection of the northerly Right-of-Way of Claiborne Drive (70' R/W) and the southwesterly Right-of-Way of Georgia Highway No. 20 (Variable R/W, being 40 feet from centerline at this point); thence along said Right-of-Way of Georgia Highway No. 20 and running North $35^{\circ}00'01''$ West a distance of 199.97 feet to a point; thence South $59^{\circ}10'38''$ West a distance of 35.47 feet to the TRUE POINT OF BEGINNING, from point thus established and leaving said Right-of-Way of Georgia Highway No. 20 and running South $59^{\circ}10'38''$ West a distance of 400.13 feet to a point; thence South $58^{\circ}39'33''$ West a distance of 173.31 feet to a point; thence North $31^{\circ}02'34''$ West a distance of 799.25 feet to a point on the Land Lot Line common to Land Lots 263 and 264; thence along said Land Lot Line North $58^{\circ}37'35''$ East a distance of 159.83 feet to a point; thence leaving said Land Lot Line and running South $32^{\circ}47'53''$ East a distance of 200.04 feet to a point; thence North $59^{\circ}08'00''$ East a distance of 399.72 feet to a point on the southwesterly Right-of-Way of aforementioned Georgia Highway No. 20 (Variable R/W, being 75' from centerline at this point); thence along said Right-of-Way South $31^{\circ}09'10''$ East a distance of 327.69 feet to a point; thence along a curve to the left an arc distance of 272.07 feet (said curve having a radius of 5390.91 feet; a chord distance of 272.04 feet and a chord bearing of South $32^{\circ}32'46''$ East) to the true POINT OF BEGINNING. Said tract containing 8.553 acres.

SVP-98-062