

CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Vivian Rankins</u>	NAME: <u>Healthcare Integrated Systems, Inc.</u>
ADDRESS: <u>5639 Wells Circle</u>	ADDRESS: <u>5547 Nelson Pointe Dr.</u>
CITY: <u>Stone Mountain</u>	CITY: <u>Stone Mountain</u>
STATE: <u>Georgia</u> ZIP: <u>30087</u>	STATE: <u>Georgia</u> ZIP: <u>30087</u>
PHONE: <u>(770) 861-1916</u>	PHONE: <u>(404) 388-0913</u>
CONTACT PERSON: <u>Teresa Hicks</u> PHONE: <u>(404) 863-4880</u>	
CONTACT'S E-MAIL: <u>clarianplacestonemountain@gmail.com</u>	

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

Tenant/Business Owner <input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
APPLICANT IS THE:	
ZONING DISTRICT(S): <u>O-I</u> PRIOR ZONING CASE: <u>SUP1998-00021</u>	
LAND DISTRICT(S): <u>6</u> LAND LOT(S): <u>58</u> ACREAGE: <u>0.93</u>	
ADDRESS OF PROPERTY: <u>2425 W Park Place Blvd., Stone Mountain, Georgia 30087</u>	
PROPOSED CHANGE IN CONDITIONS: <u>Daycare and Outdoor Play</u>	
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: _____ DWELLING UNIT SIZE (Sq. Ft.): _____ GROSS DENSITY: _____ NET DENSITY: _____	NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/LOTS: <u>1</u> TOTAL GROSS SQUARE FEET: <u>2,252 s.f.</u> DENSITY: _____

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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All that tract or parcel of land and being in Land Lot 58 of the 6th District of Gwinnett County, Georgia, being more particularly described as follows:

COMMENCING at a point on the old Southeasterly Right of Way of West Park Place Boulevard (100' RW), said point being located 877.39 feet southwest of the intersection of the Right of Way of West Park Place Boulevard and Rock Bridge Road (80 foot Right of Way), run thence South 41 degrees 34 minutes 58 seconds East a distance of 10.02 feet to a point on the new southeasterly Right of Way of West Park Place Boulevard (120' RW), said point being the POINT OF BEGINNING. Run thence South 37 degrees 00 minutes 53 seconds East a distance of 236.87 feet to an iron pin found; run thence South 52 degrees 02 minutes 40 seconds West a distance of 172.10 feet to an iron pin found; run thence North 37 degrees 00 minutes 50 seconds West a distance of 236.23 feet to a point on the new southeasterly Right of Way of West Park Place Boulevard; thence along said right of way North 52 degrees 02 minutes 40 seconds East a distance of 172.10 feet to the POINT OF BEGINNING.

Said tract containing 0.933 acres or 40,649 square feet more or less.

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EXISTING CONDITIONS
SCALE: 1"=20'

CIC2017-00004
Received: November 4, 2016
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 Accurate Engineering & Construction (404) 505-5600 CONTACT: J. ARBITTARE 488-2344	OWNER: TAMANA GRAY BOTTLES & BOOTIES DAY CARE 2425 WEST PARK PLACE BLVD. DWINNETT COUNTY, GA. LAND LOT: 56, 5TH DISTRICT	DRAWN: PAR CHECKED: LL DATE: 6-28-05 SHEET
	EXISTING CONDITIONS C1.0	

Aerial & Tax Map



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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:
An expansion of the existing daycare to allow children up to age 12 years would be suitable.
- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
An increase in the noise from children playing in an outdoor play area would be anticipated.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
The property has a reasonable economic use as currently zoned.
- (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:
Small increases in traffic and stormwater runoff would be anticipated.
- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
Gwinnett Cnty 2020 Land Use Plan recommends office/Professional uses. This is an established and growing residential area, and a daycare would be a compatible use.
- (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:
Since the time of the SUP approval in 1998, the area has developed with more commercial and medium density uses. A daycare for children up to age 12 with a outside play area would be compatible with the surrounding area.

November 3, 2016

Letter of Intent

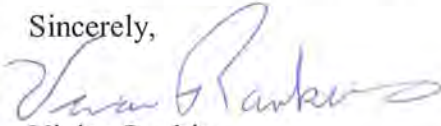
Change of Conditions: **Modify SUP for CIC-07-013**
Map Number: **R6058 257**

Proposed Development: **Change in Conditions for Daycare Center**

1. Remove condition 1A, which reads as follows, "Office and accessory uses. An infant daycare center may be permitted as a Special Use."
2. Remove condition 1C, which reads as follows, "No outside play area shall be allowed."

I propose to operate a daycare for children, ranging in ages from birth to 12 years. I expect to service approximately 42 to 48 students at any given time. I propose to operate Monday through Friday, for 6:30am until 7:00pm.

Sincerely,



Vivian Rankins
Tenant/Business Owner

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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

10-13-16

Date

Vivian Rankins, Tenant/Business Owner

Type or Print Name and Title



Signature of Notary Public

Signature of Notary Public

10/13/16

Date

Date

Notary Seal

Notary Seal

**SABRINA RENEE WATERS
MY COMMISSION EXPIRES
APRIL 29, 2018**

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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.



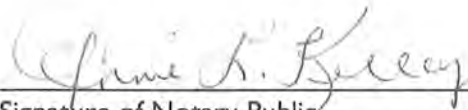
Oct 13, 2016

Signature of Property Owner

Date

GARY BURGESS, Owner

Type or Print Name and Title



10/13/16

Signature of Notary Public

Date



Notary Seal

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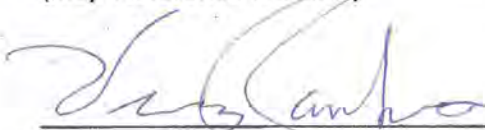
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**VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS**

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: 6th - 58 - R6058 257
(Map Reference Number) District Land Lot Parcel

 10-14-2016
Signature of Applicant Date

Vivian Rankins, Tenant/Business 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)

Kate Murphy TSAI
NAME TITLE

11-4-16
DATE

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CASE NUMBER SUP-98-021

BOARD OF COMMISSIONERS

GWINNETT 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. WATERS, 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 TAWANNA GRAY for the proposed use of DAY CARE FACILITY 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-98-021

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 FEBRUARY 24, 1998, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 24TH day of FEBRUARY, 1998, that the aforesaid application for a Special Use Permit is hereby APPROVED subject to the following enumerated conditions:

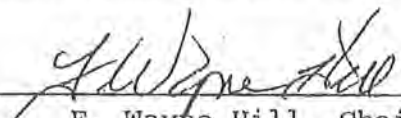
1. To restrict the use of the property as follows:
 - A. Office and accessory uses. An infant daycare center may be permitted as a Special Use.
 - B. Limit the height of the buildings to no more than two stories.
 - C. No outside play area shall be allowed.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural buffer, undisturbed except for approved utility crossings and replantings with evergreen trees and shrubs to provide an effective visual screen at a height of no less than six feet adjacent to the entire southerly property line.
 - B. Provide a 10-foot wide landscaped strip outside the new dedicated right-of-way of West Park Place Boulevard.
 - C. Provide a 5-foot wide landscaped strip adjacent to internal property lines except for approved access.

- D. Exit-entrances shall be in accordance with the Gwinnett County Department of Transportation regulations and subject to the approval of the Development Division.
- E. Provide interparcel access for all buildings/units.
- F. All dumpsters shall be visibly screened by a masonry wall or solid wood fence. No dumpster shall be located within 75 feet of the southerly property line. Dumpsters shall not be emptied between the hours of 8.00 p.m. and 7:00 a.m.
- G. All buildings are to be of brick, stone, stucco or other masonry construction. All signage shall also be constructed of brick, stone, stucco or other masonry construction to match the exterior of the buildings.
- H. At the time of development, provide sidewalks within the new dedicated right-of-way of West Park Place and Rockbridge Road across the entire property frontage.
- I. No parking lot shall be used for sale of any vehicles.
- J. No building shall have any general access doors on the south side where buildings back up to residential houses. Emergency and restricted access shall be permitted.
- K. No paving shall be permitted within 75 feet of the southerly property line.
- L. Outdoor lighting on the buildings shall be limited to residential-type exterior lighting. Lighting for the parking area shall be limited to no higher than 8 feet in height.
- M. There shall be no retaining walls or drainage structures over 5 feet in height within 75 feet of the southerly property line.

CASE NUMBER SUP-98-021


- N. Provide a 60-foot building setback from the southerly property line for one-story buildings and a 75-foot rear yard setback from the southerly property line for two-story buildings.
3. To abide by the following requirements, dedications and improvements:
- A. Dedicate right-of-way and improve West Park Place Boulevard as may be required by the Gwinnett County Department of Transportation.
 - B. Design required on-site stormwater detention facilities such that they are not located within any required buffers.
 - C. Curb cuts shall be located a minimum of 200 feet apart and no closer than 200 feet to any intersection.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
F. Wayne Hill, Chairman

Date Signed: March 20, 1998

ATTEST:


Deputy Clerk

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 58 OF THE 6th DISTRICT OF GWINNETT COUNTY AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT OF WAY (100ft. R/W) OF WEST PARK PLACE BOULEVARD, SAID POINT BEING LOCATED 877.39ft. SOUTHWEST OF THE INTERSECTION OF THE RIGHT OF WAY OF WEST PARK PLACE BOULEVARD AND ROCKBRIDGE ROAD (80ft. R/W): THENCE S 37°00'50" E A DISTANCE OF 253.31ft. TO A POINT: THENCE S 52°02'40" W A DISTANCE OF 172.10ft. TO A POINT: THENCE N 37°00'50" W A DISTANCE OF 253.31ft. TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY OF WEST PARK PLACE BOULEVARD: THENCE ALONG SAID RIGHT OF WAY N 52°02'40" E A DISTANCE OF 172.10ft. TO THE POINT OF BEGINNING. THIS BEING THE SAME PROPERTY AS SHOWN ON A PLAT OF SURVEY FOR TAWANA GRAY BY W.E. CLONTS, GA. RLS# 2166, DATED NOVEMBER 4, 1997, SAID PLAT BEING MADE A PART HEREOF BY REFERENCE.

RECEIVED BY GWINNETT COUNTY CLERK BEING DATED

BY: *[Signature]*
DATE: 11-7-97

SUP-98-021