

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Robert Jackson Wilson</u>	NAME: <u>Luyen Pieper</u>
ADDRESS: <u>10 Lumpkin Street</u>	ADDRESS: <u>140 Judd Road</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Monroe</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>CT</u> ZIP: <u>06468-1538</u>
PHONE: <u>(770) 962-9780</u>	PHONE: <u>(203) 452-7399</u>
CONTACT PERSON: <u>Jack Wilson</u> PHONE: <u>(770) 962-9780</u>	
CONTACT'S E-MAIL: <u>jwilson@rjwpclaw.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): C-2 REQUESTED ZONING DISTRICT: C-3

PARCEL NUMBER(S): R6232-047 ACREAGE: 0.39

ADDRESS OF PROPERTY: 3545 Satellite Blvd., Duluth, GA 30096

PROPOSED DEVELOPMENT: Automotive Repair Business

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>2592</u>
Gross Density: _____	Density: _____
Net Density: _____	

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

**RECEIVED BY**

**DEC 13 2016**

**Planning & Development**

**LEGAL DESCRIPTION**

3545 Satellite Blvd., Duluth, GA 30096

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 232 of the 6<sup>th</sup> District, Gwinnett County, Georgia, being more particularly described as follows:

COMMENCING at the intersection of the Northeastern right-of-way of Pleasant Hill Road (if right-of-way is extended) and the new Northwestern right-of-way of Satellite Boulevard (right-of-way varies) run Northeast along the new Northwestern right-of-way of Satellite Boulevard a distance of 392.51' to a point and the TRUE POINT OF BEGINNING; thence leaving the new Northwestern right-of-way of Satellite boulevard, run the following courses and distances: North 48° 25' 37" West, a distance of 9.52' to an iron pin found; North 29° 48' 45" West a distance of 193.66' to a point; North 33° 43' 43" East a distance of 64.98' to a point; and South 42° 03' 49" East a distance of 196.62' to an iron pin set; thence run along the arc of a curve to the right, having a radius of 894.93', an arc distance of 104.66', subtended by a chord bearing South 38° 00' 14" West a chord distance of 104.60' to a point, said point being the TRUE POINT OF BEGINNING; being improved property and containing 0.37 acres, more or less, all as shown on that Survey for Tirestar Properties, LLC, Quantum National Bank, U.S. Small Business Administration and Lawyers Title Insurance Corporation dated March 20, 2007 by J. Scott Smith, G.R.L.S. No. 3014, of Diversified Technical Group, LLC.

RZC '17 00 8

RECEIVED BY

DEC 13 2016

Planning & Development



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

Yes. The property has been used for automotive repairs since the 1980s. Other similar uses exist on the adjoining property and in close proximity.

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

No. The use is consistent with adjacent and nearby automotive and other intense commercial uses

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

Yes, but that use is limited by the new provisions of the UDO.

- (D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No. The rezoning will allow the existing use to continue and make the property more easily marketable.

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

Yes.

- (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 REZONING:

Yes. Having destination uses like this one in close proximity to major commercial and residential centers will reduce the number of vehicle trips and enhance the viability of redevelopment of nearby properties by providing necessary services in close proximity.

RZC '17 008

RECEIVED BY

DEC 13 2016

Planning & Development

# ROBERT JACKSON WILSON, PC

ATTORNEY AT LAW

10 LUMPKIN STREET ■ LAWRENCEVILLE, GA 30046  
770-962-9780

ROBERT JACKSON WILSON

[jwilson@rjwpcclaw.com](mailto:jwilson@rjwpcclaw.com)

December 9, 2016

Ms. Charlotte Nash, Chairman, and  
Members of the Board of Commissioners  
Gwinnett County Justice and Administration Center  
75 Langley Drive  
Lawrenceville, GA 30045

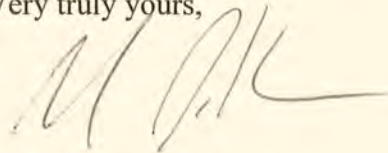
Re: Rezoning of 3545 Satellite Blvd., Duluth, GA 30096

Dear Chairman Nash and Members of the Commission:

I represent the applicant and owner in this request for rezoning. The property has been used as an automotive repair and tire shop since the 1980s. Under former zoning ordinances, the use is permitted as a matter of right. The UDO requires rezoning to C-3 to permit automotive repair uses as a matter of right. The property owner would like to be able to market and sell the property to an operator of the business or to an investor. She requests rezoning to C-3 to allow this long standing automotive use to continue and to allow the property to be freely marketable for those purposes in conformance with the requirements of the UDO. The small size of this tract indicates that it is not likely to be redeveloped for any other purpose. For these reasons, we respectfully request that the property be rezoned to C-3 to permit this use to continue as a matter of right. If you have any questions or need any additional information, please do not hesitate to call me.

With best regards, I am

Very truly yours,



Robert Jackson Wilson

RJW/bka

RZC '17 008

RECEIVED BY

DEC 13 2016

Planning & Development

**REZONING 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

12/9/16

Date

**Robert Jackson Wilson, Applicant**

Type or Print Name and Title



Signature of Notary Public

12/9/16

Date



**REZONING 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.

Luyen Pieper 12/1/2016  
Signature of Property Owner Date

**Luyen Pieper, Property Owner**

Type or Print Name and Title

Lisa S Johnson 12/1/16 \_\_\_\_\_  
Signature of Notary Public Date Notary Seal

**LISA S. JOHNSON**  
*NOTARY PUBLIC*  
MY COMMISSION EXPIRES SEPT. 30, 2019

RZC '17 00 8

RECEIVED BY  
DEC 13 2016  
Planning & Development

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, making application for a Rezoning, 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]* 12/9/16 Robert Jackson Wilson  
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

*B. Karen Atcher* 12/9/16  
 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 ROBERT JACKSON WILSON  
 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.

RZC '17 00 8

RECEIVED BY

DEC 13 2016

Planning & Development



**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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 REZONING REQUEST.**

**PARCEL I.D. NUMBER:**                          6     -   232   -   047    
(Map Reference Number)                      District                      Land Lot                      Parcel



12/8/16

Signature of Applicant

Date

Robert Jackson Wilson, Applicant

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)

Debra Smith  
NAME

tax services associate  
TITLE

12.08.2016  
DATE

**RECEIVED BY**

**DEC 13 2016**

**Planning & Development**