

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Paradise Group, LLC</u>	NAME: <u>Harmony Management Group, LLC</u>
ADDRESS: <u>2901 Rigsby Lane</u>	ADDRESS: <u>PO Box 361243</u>
CITY: <u>Safety Harbor</u>	CITY: <u>Decatur</u>
STATE: <u>FL</u> ZIP: <u>34695</u>	STATE: <u>GA</u> ZIP: <u>30036</u>
PHONE: <u>404-444-8924</u>	PHONE: <u>404-678-0999</u>
CONTACT PERSON: <u>Dave Mattson</u> PHONE: <u>404-444-8924</u>	
CONTACT'S E-MAIL: <u>dmattson@paradiseventuresinc.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>2200</u>
PARCEL NUMBER(S): <u>R6057 048</u>	ACREAGE: <u>0.99 Acres</u>
ADDRESS OF PROPERTY: <u>4884 Highway 78</u>	
SPECIAL USE REQUESTED: <u>Automobile lubrication and emission</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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BK53241 PG0846

EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 57 of the 6th District of Gwinnett County, Georgia, containing 0.9938 acres, as shown on a plat of survey for William O. Pierce dated July 15, 1983, and revised August 2, 1983, by Robert M. Burch, Georgia Registered Land Surveyor No. 2054 and being more particularly described as follows.

BEGINNING at an iron pin marking the intersection of the offset southeastern right-of-way line of U.S. Highway No. 78, also known as Georgia State Highway No. 10 (said iron pin being located 70 feet from the centerline of said highway) with the southwestern right-of-way line of Stone Road (a 60-foot right-of-way), thence running along the southwestern right-of-way line of Stone Road and following the curvature thereof an arc distance of 254.37 feet to an iron pin (said arc being subtended by a chord bearing of South 52 degrees 58 minutes 50 seconds East at a distance of 251.40 feet); thence running South 64 degrees 02 minutes 53 seconds West a distance of 266.09 feet to an iron pin, thence running North 21 degrees 08 minutes 06 seconds West a distance of 244.60 feet to an iron pin located on the southeastern right-of-way line of U.S. Highway No. 78 (said iron pin being located 50 feet from the centerline thereof); thence running along the southeastern right-of-way line of U.S. Highway No. 78 and following the curvature thereof an arc distance of 79.10 feet to an iron pin (said arc being subtended a chord bearing of North 65 degrees 26 minutes 01 seconds East at a distance of 79.09 feet); thence running South 28 degrees 17 minutes 28 seconds East along the southeastern right-of-way line of U.S. Highway No. 78 a distance of 20.00 feet to an iron pin located on the southeastern offset right-of-way line of U.S. Highway No. 78, and thence running along the southeastern offset right-of-way line of U.S. Highway No. 78 and following the curvature thereof an arc distance of 51.47 feet (said arc being subtended by a chord bearing North 61 degrees 42 minutes 28 seconds East at a distance of 51.46 feet) to an iron pin marking the POINT OF BEGINNING

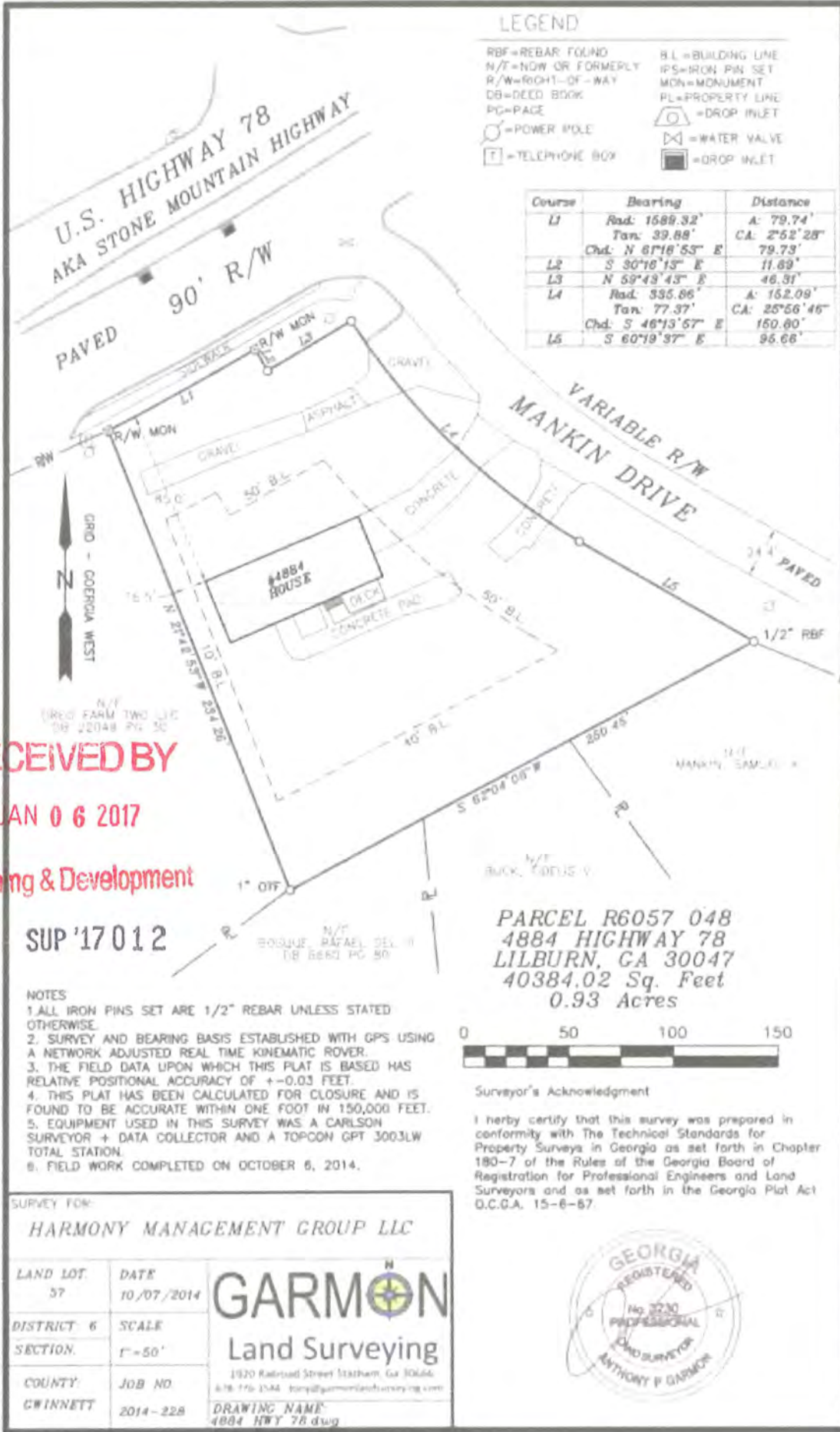
LESS AND EXCEPT the property conveyed to Gwinnett County Department of Transportation by Right of Way Deed dated October 6, 2005, and recorded in Deed Book 44863, Page 117, Gwinnett County, Georgia records

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LEGEND

- RBF=REBAR FOUND
- N/T=NOW OR FORMERLY
- R/W=RIGHT-OF-WAY
- DB=DEED BOOK
- PG=PAGE
- =POWER POLE
- =TELEPHONE BOX
- BL=BUILDING LINE
- IPS=IRON PIN SET
- MON=MONUMENT
- PL=PROPERTY LINE
- =DROP INLET
- ⊗=WATER VALVE
- =DROP INLET

Course	Bearing	Distance
L1	Rad: 1589.32' Tan: 39.88'	A: 79.74' CA: 2°52'28"
	Chd: N 6°18'53" E	79.73'
L2	S 30°18'15" E	11.89'
L3	N 59°49'45" E	46.81'
L4	Rad: 335.86' Tan: 77.37'	A: 152.09' CA: 25°56'46"
	Chd: S 46°13'57" E	150.80'
L5	S 60°19'37" E	95.66'

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**PARCEL R6057 048
4884 HIGHWAY 78
LILBURN, GA 30047
40384.02 Sq. Feet
0.93 Acres**

- NOTES**
1. ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
 2. SURVEY AND BEARING BASIS ESTABLISHED WITH GPS USING A NETWORK ADJUSTED REAL TIME KINEMATIC ROVER.
 3. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS RELATIVE POSITIONAL ACCURACY OF +/-0.03 FEET.
 4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 150,000 FEET.
 5. EQUIPMENT USED IN THIS SURVEY WAS A CARLSON SURVEYOR + DATA COLLECTOR AND A TOPCON GPT 3003LW TOTAL STATION.
 6. FIELD WORK COMPLETED ON OCTOBER 6, 2014.



Surveyor's Acknowledgment

I hereby certify that this survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act D.C.G.A. 15-6-67.

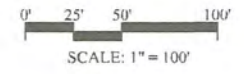
SURVEY FOR:
HARMONY MANAGEMENT GROUP LLC

LAND LOT: 57	DATE: 10/07/2014	 GARMON Land Surveying 1920 Railroad Street, Marietta, GA 30066 678-776-2544 tonp@garmonlandsurveying.com
DISTRICT: 6	SCALE: 1"=50'	
COUNTY: CWINNETT	JOB NO. 2014-228	
SECTION:	DRAWING NAME: 4884 HWY 78.dwg	





2901 RIGSBY LANE
SAFETY HARBOR, FL 34695
PHONE (727) 726-1115



SITE DATA			
	SITE AREA	BLDG AREA	PROVIDED PARKING
OIL CHANGE	0.99 ACRES	2,200	6

GWINNETT COUNTY JURISDICTION - C2 ZONING - SUP REQUIRED.

PROJECT NAME		
LILBURN GA OIL CHANGE 4884 STONE MOUNTAIN HIGHWAY LILBURN, GWINNETT COUNTY, GA		
DRAWING TITLE		
CONCEPTUAL SITE PLAN		
DATE: 1-5-2017	STORE NO.:	DRAWING NO.:
DESIGNED BY: DAM	SCALE: 1" = 30'	
REVIEWED BY: DAM	RELEASED TO CONSTRUCTION:	
P3		
		OF DWGS.

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See attached letter.

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:

- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL 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:

- (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:

- (E) WHETHER THE PROPOSED SPECIAL USE 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:

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January 5, 2017

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

RE: 4884 Highway 78 – Gwinnett County – Parcel R6057 048

This letter of intent is for a Special Use Permit request to allow for an Automobile Lubrication and Emission facility in the C-2 zoning district per Section 230-100 Table 230.4. The site is located on a 0.99 acre tract located at 4884 Highway 78. The proposed building will be approximately 2,200 sf with 8 parking spaces for a density of 2,222 sf per acre of commercial use per the attached site plan. The height of the proposed building is 17' high with a 30' high tower feature at the corner.

- (A) The proposed development will consist of an oil change facility per the attached site plan. This Special Use Permit request will be suitable in view of the use and developments of nearby properties. There are auto repair businesses along this road including a Tires Plus just west of this site.
- (B) The proposed oil change and emissions only concept will compliment these surrounding businesses. The proposed use will have no impact on the usability of adjacent or nearby properties.
- (C) The property to be affected by the proposed Special Use Permit does have a reasonable economic use as currently zoned however it is too small for most users and has limited access.
- (D) The proposed development will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- (E) The proposed development will be in conformity with the policy and intent of the Land Use Plan by providing a convenient neighborhood service in a C-2 Zoning District.
- (F) There are no 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.

Sincerely,

Dave Mattson

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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

1-6-17

Date

Dave Mattson, Proj. Mgr.

Type or Print Name and Title



Signature of Notary Public

1/6/2017

Date

Q. EADWAN
NOTARY PUBLIC, GWINNETT COUNTY, GEORGIA
My Commission Expires October 7, 2019

Notary Seal

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SPECIAL USE PERMIT OWNER'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.

By: *Richard Louis Porter* Jan. 04 2017
Signature of Applicant Date
Harmony Management Group LLC

RICHARD LOUIS PORTER, Manager
Type or Print Name and Title

State of Georgia
County of DeKalb
I hereby certify and subscribed before me this 4th day of January, 2017 by
Richard Porter
Melchouay Smt 1/4/17
Signature of Notary Public Date Notary Seal

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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.

[Signature] 1-6-17 Dave Mattson, Proj. Mgr.
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature] 1/6/2017
 SIGNATURE OF NOTARY PUBLIC DATE

Q. BADWAN
 NOTARY PUBLIC, GWINNETT COUNTY, GEORGIA
 My Commission Expires October 7, 2019
 NOTARY SEAL

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 Dave Mattson
 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 - 057 - 048
(Map Reference Number) District Land Lot Parcel

Dave 1-6-2017
Signature of Applicant Date

Dave Mattson Proj. Mgr.
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 tax services associate
NAME TITLE

1.6.2017
DATE

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