

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Brian Jenabzadeh</u>	NAME: <u>Shah Investments 1, LLC</u>
ADDRESS: <u>3393 Jamont Blvd</u>	ADDRESS: <u>P.O. Box 9261</u>
CITY: <u>Alpharetta</u>	CITY: <u>Marietta</u>
STATE: <u>Georgia</u> ZIP: <u>30022</u>	STATE: <u>Georgia</u> ZIP: <u>30065</u>
PHONE: <u>678-437-5962</u>	PHONE: <u>678-760-0326</u>
CONTACT PERSON: <u>Brian Jenabzadeh</u> PHONE: <u>678-437-5962</u>	
CONTACT'S E-MAIL: <u>brianjamont@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 checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>C-2</u>	BUILDING/LEASED SQUARE FEET: <u>17,733</u>
PARCEL NUMBER(S): <u>R6164 243</u>	ACREAGE: <u>1.1</u>
ADDRESS OF PROPERTY: <u>4664 Jimmy Carter Blvd</u>	
SPECIAL USE REQUESTED: <u>Automobile Sales and Related Service</u>	

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

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EXHIBIT "A"

[LEGAL DESCRIPTION]

All that tract and parcel of land lying and being in Land Lot 164 of the 6<sup>th</sup> District of Gwinnett County, Georgia, and being more particularly described as follows:

TO LOCATE THE TRUE POINT OF BEGINNING commence at the corner formed by the intersection of the southwesterly right-of-way line of Jimmy Carter Boulevard (a 110 foot right-of-way) with the southeasterly right-of-way line of Green Hill Drive (a 60 foot right-of-way); thence southeasterly, along the southwesterly right-of-way line of Jimmy Carter Boulevard, 142.50 feet to an iron pin and THE TRUE POINT OF BEGINNING; thence South 41°49'55" east, along the southwesterly right-of-way line of Jimmy Carter Boulevard, 141.73 feet to an iron pin; thence departing the southwesterly right-of-way line of Jimmy Carter Boulevard, South 48°10'05" west, 289.95 feet to a nail found; thence North 40°37'24" west, 189.28 feet to an iron pin; thence North 59°45'00" east, 154.51 feet to an iron pin; thence North 55°09'00" east, 135.60 feet to an iron pin located on the southwesterly right-of-way line of Jimmy Carter Boulevard and THE TRUE POINT OF BEGINNING; said tract containing 1.076 acres of land and being more particularly shown and delineated on that certain plat of survey prepared for Worldwide Development Company LLC, United Americas Bank and Fidelity National Title Insurance Company by Metro Engineering & Surveying Co., Inc., dated October 26, 2007, last revised January 21, 2008.

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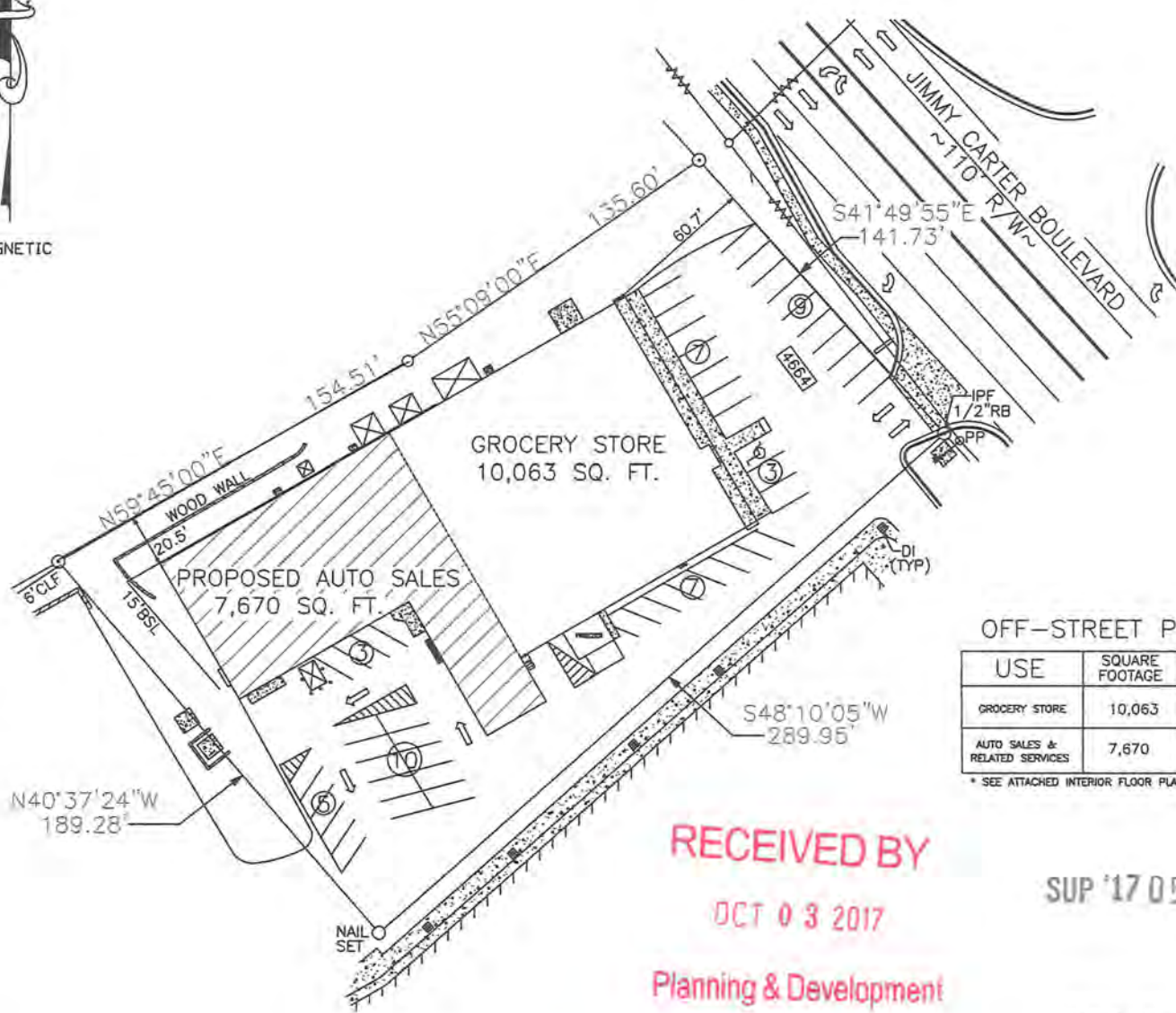
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F-G

# SITE PLAN



MAGNETIC



### OFF-STREET PARKING CALC.

USE	SQUARE FOOTAGE	MIN. REQUIRED # PARKING SPACES 1 PER 500 SQ. FT.	AVAILABLE # PARKING SPACES
GROCERY STORE	10,063	20.126	22
AUTO SALES & RELATED SERVICES	7,670	19.175	22

\* SEE ATTACHED INTERIOR FLOOR PLAN

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SCALE: 3/16"=1'

P. O. BOX 9261  
MARIETTA, GA 30065  
678-437-5962

SHAH INVESTMENTS I, LLC  
4664 JIMMY CARTER BLVD  
NORCROSS, GA 30060

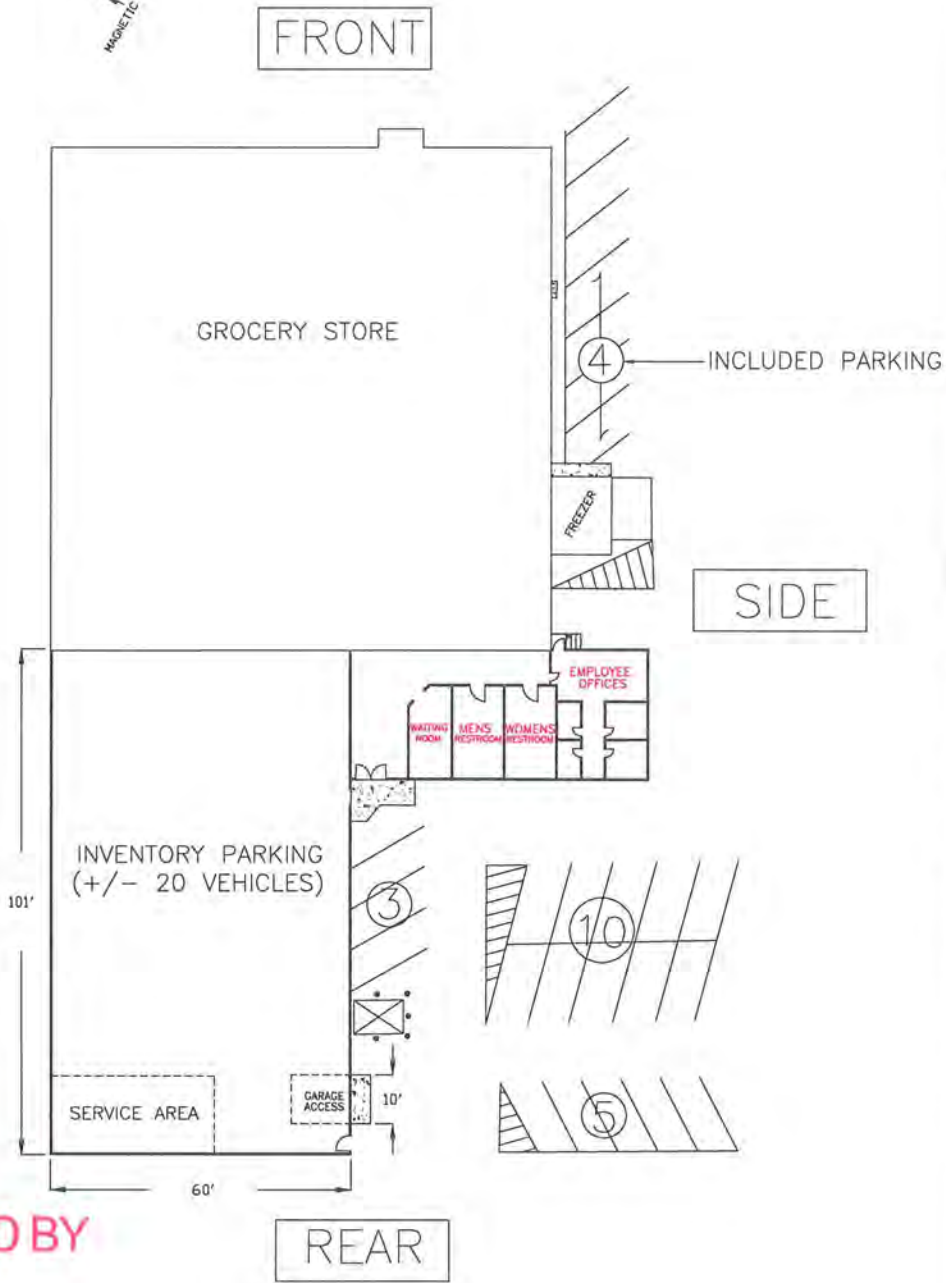
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DRAWN BY: B.J.

DATE: 09/26/17

REVISIONS:


# INTERIOR FLOOR PLAN & PARKING PLAN



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## OFF-STREET PARKING CALC.

USE	SQUARE FOOTAGE	MIN. REQUIRED # PARKING SPACES	AVAILABLE # PARKING SPACES
AUTO SALES & RELATED SERVICES	7,670 SQ. FT.	19.175 1 PER 400 SQ. FT.	22

SCALE: 1/2"=1'

P. O. BOX 9261  
MARIETTA, GA 30065  
878-437-5962



SHAH INVESTMENTS 1, LLC  
4664 JIMMY CARTER BLVD  
NORCROSS, GA 30060

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SHAH INVESTMENTS 1,  
LLC.

DRAWN BY: B.J.  
DATE: 09/26/17  
REVISIONS:

**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:

Please see attached.

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

Please see attached.

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

Please see attached.

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- (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:

Please see attached.

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

Please see attached.

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- (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:

Please see attached.

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SPECIAL USE PERMIT RESPONSE  
STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

- (A) Yes, the proposed Special Use Permit will permit a use that is suitable in view of the use and development of adjacent properties.
- (B) No, the proposed Special Use Permit will not adversely affect the existing use or usability of any nearby properties.
- (C) Applicant submits that the property does have reasonable economic use as currently zoned; however, due to the excessive vacant space that that is not being utilized, such economic use is enhanced with approval of this requested SUP. Applicant therefore submits the highest and best use of the subject tract is for C-2 with the Special Use requested.
- (D) No, the proposed Special Use Permit will not result in an excessive or burdensome use of the infrastructure systems. The business itself will not have any effect on the school system other than generating revenue through an increase in the ad valorem taxes on the subject property.
- (E) Yes, the proposed Special Use Permit is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan.
- (F) Applicant submits that the commercial/retail nature of the area provides additional support of this Special Use. Furthermore, the property has a garage bay which is an existing condition that would further the ability for automobile sales. Given the fact that building is large, includes many parking spaces, and has a garage bay, there are existing conditions that give supporting grounds for approval of the proposed Special Use Permit.

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## ***Shah Investments 1, LLC***

P.O. Box 9261  
Marietta, Ga 30065  
(678)-437-5962  
9/26/2017

### LETTER OF INTENT

Board of Commissioners  
Gwinnett County  
446 West Crogan Street  
Lawrenceville, Georgia 30046  
Re: Special Use Permit: Automobile Sales and Related Services

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Dear Board Members,

The applicant respectfully submits this Special Use Permit Application (hereinafter the "Application") for the purpose of obtaining a Special Use Permit for an approximately 1.1 acre tract (hereinafter the "Property") located on Jimmy Carter Blvd. The applicant is requesting a Special Use Permit to conduct Automobile Sales and Related services ("Auto Dealership"). The Property is currently zoned C-2.

In its current state, the Property is comprised of a 1-story-brick building comprising of 17,733 square feet of heated space. Located within the Property boundary are 44 parking spaces. Approximately 10,063 Sq. Ft. of the building operates as a grocery store in the front while the rear portion of the building, which is currently vacant, consists of 7,670 Sq. Ft. Based on the 2017 Gwinnett County Ordinance, Table 240.1, current guidelines for the off-street parking requirements call for a minimum of 1 parking space for every 500 Sq. Ft of retail space and 1 parking space for every 400 Sq. Ft. for Auto Sales and Related Services. Based on these requirements, the grocery store would need 20

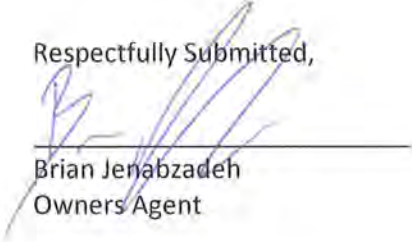
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parking spaces while the Auto Dealership would need 20 spaces as well. Based on the Survey, 22 parking spaces can be allocated for the grocery store and 22 parking spaces for Auto Sales and related services. As shown in the Site Plan, there are 18 parking spaces in the rear and 4 spaces on the side creating 22 spaces.

With regards to the operation of the business, the Applicant proposes to park vehicles inside the building to protect them from the outdoor elements. The interior of the building could accommodate at least 20 vehicles, however, the inventory may fluctuate at times. In the event the front portion of the building does become vacant, the Applicant would like for this Special Use Permit to cover the whole building to allow the applicant to grow its business and utilize the rest of the parking spaces available on the Property. With regards to servicing vehicles, all repairs are limited in scope only to inventory vehicles and not open to the public. Since the Property is located on the Jimmy Carter Boulevard Commercial corridor, this Special Use Permit would allow a use that is consistent to the area while maintaining the same or even less traffic that is currently being experienced in the shopping center. Therefore, the requested zoning will have no adverse impact on the current or contemplated uses of nearby or surrounding properties.

The applicant and its representatives welcome the opportunity to meet with the staff of Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this application. The applicant respectfully requests your approval for this application.

Respectfully Submitted,



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Brian Jenabzadeh  
Owners Agent

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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.

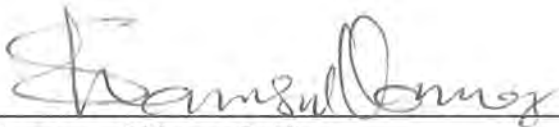


Signature of Applicant

9/21/17  
Date

**Brian Jenabzadeh Owner's Agent**

Type or Print Name and Title



Signature of Notary Public

9/21/2017  
Date



Notary Seal

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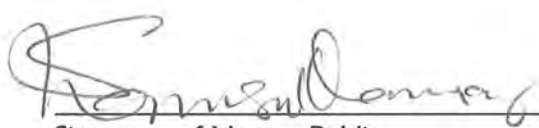
**SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION**

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.


  
\_\_\_\_\_  
Signature of Property Owner

9/21/17  
\_\_\_\_\_  
Date

Farahnaz - Ghasemshahi  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public


09/21/2017  
\_\_\_\_\_  
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.

 9/21/17 Brian Jenabzadeh-Owner's Agent  
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

— N/A — —  
 SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

 09/21/2017  
 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 Brian Jenabzadeh  
 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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