

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>St.Mary's Malankara Syriac Orthodox Church</u>	NAME: <u>Ted Brockett/Rhonda Brockett</u>
ADDRESS: <u>765 Paper Creek Dr</u>	ADDRESS: <u>3639 Wentworth Lane SW</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lilburn</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30047</u>
PHONE: <u>678-628-5901</u>	PHONE: <u>404-610-0730</u>
CONTACT PERSON: <u>Rev.Varkey Mathai</u> PHONE: <u>678-628-5901</u>	
CONTACT'S E-MAIL: <u>padhiri@gmail.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>R100</u>	BUILDING/LEASED SQUARE FEET: <u>4500.00</u>
PARCEL NUMBER(S): <u>R5013-002</u>	ACREAGE: <u>5.00</u>
ADDRESS OF PROPERTY: <u>2778 Hutchins Rd, Lawrenceville, GA 30044</u>	
SPECIAL USE REQUESTED: <u>Christian Worship Place</u>	

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 lots 12 and 13, 5th District, Gwinnett County, Georgia containing 5.0 acres and being more completely described as follows:

Beginning at that point on the southern right of way of Hutchins Road (80' R/W) at the dividing line of Land lots 13 and 20 of the 5th District; thence running in a westerly direction along the southern right of way of Hutchins Road 792.97 feet to an iron pin set at the TRUE POINT OF BEGINNING; thence leaving said right of way and running S 63°03'16" E 160.77 feet to an iron pin set; thence S 27°59'31" E 757.30 feet to an iron pin found; thence N 64°22'40" W 629.71 feet to an iron pin found; thence N 14°38'52" W 216.59 feet to an iron pin set; thence N 22°32'06" W 182.64 feet to an iron pin set on the southern right of way of Hutchins Road; thence continuing along said right of way along a curve to the left an arc distance 214.12 feet, said arc having a chord which bears N 64°50'44" E a distance of 214.10 feet to the TRUE POINT OF BEGINNING.

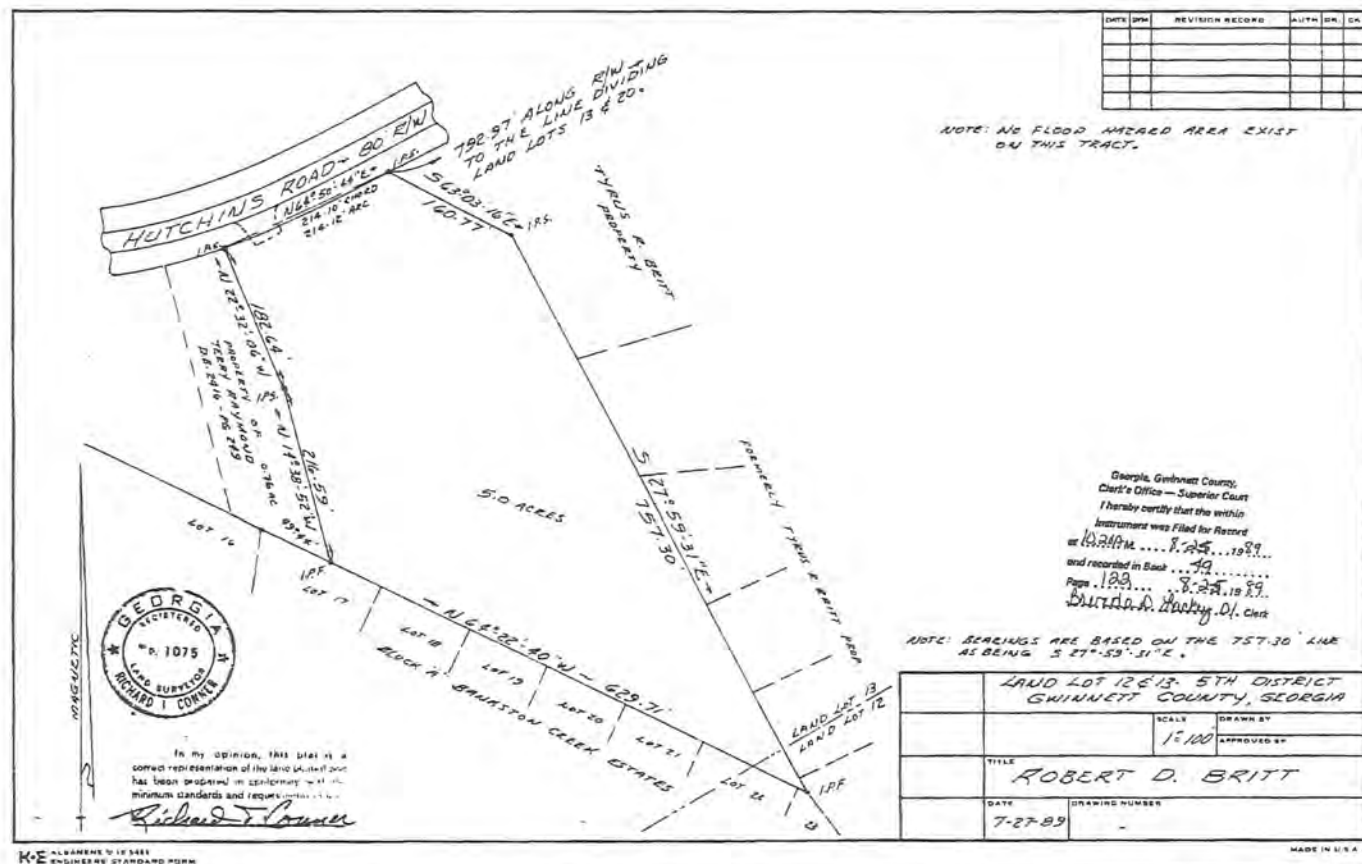
Said parcel being depicted on that survey for Robert D. Britt dated July 27, 1989 prepared by Richard I. Conner, Georgia Registered Surveyor No. 1075 a copy of which is recorded in Plat Book 49, Page 122, in the Office of the Clerk of the Superior Court of Gwinnett County, Georgia.

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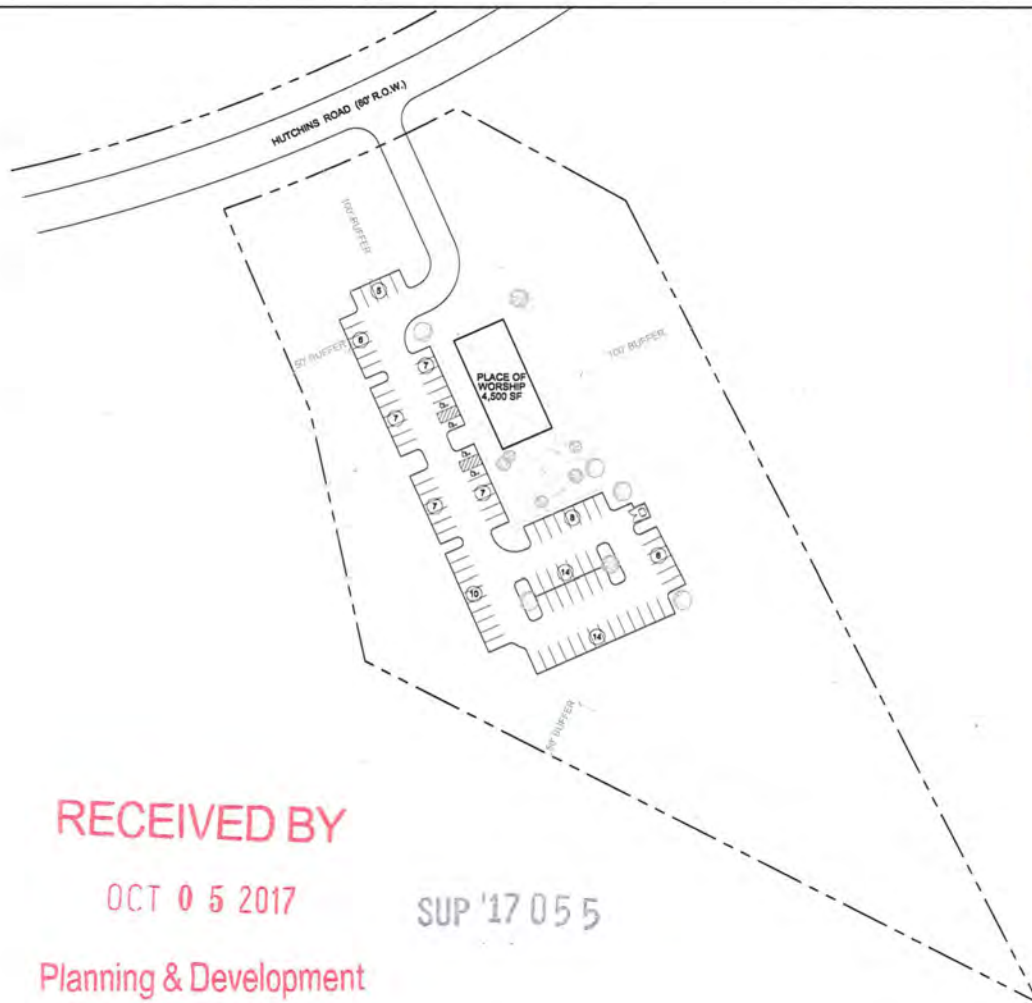


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SITE STATISTICS	
GROSS PARCEL SIZE	5.00 AC
BUILDING (250 seats)	4,500 SF
MINIMUM PARKING ALLOWED (@ 1 space per 5 seats)	50 SPACES
MAXIMUM PARKING ALLOWED (@ 1 space per 2 seats)	125 SPACES
TOTAL PARKING PROVIDED	91 SPACES



2778 HUTCHINS ROAD
LAWRENCEVILLE, GA 30044

PRELIMINARY SITE PLAN

PSP.002

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PRELIMINARY SITE PLAN
SCALE = 1:40



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:

YES

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

NO

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

YES

- (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:

NO

- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT 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 SPECIAL USE PERMIT:

THE PLACE OF WORSHIP WILL BE MOSTLY USED ON SUNDAYS AND WILL NOT DISTURB THE NEIGHBORHOOD.

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ST. MARY'S MALANKARA SYRIAC ORTHODOX CHURCH

Mailing Address: 765 Paper Creek Drive, Lawrenceville, GA 30046

The letter of Intent.

A brief history of our Church:

We are a Christian Church similar to other ancient Orthodox Churches and Catholic Church. Now we are under contract to purchase a 5 acre parcel of land in the Lawrenceville area of the Gwinnett County located at 2778 Hutchins Road, Lawrenceville and currently zoned R-100. We are able and willing to comply with all county requirements and follow directions to fulfill the dream to build the house of the Lord. However, the parcel of land we are purchasing has only 214 feet of road frontage and the Gwinnett County Zoning Ordinance requires 250 feet of road frontage on a residentially owned parcel. Therefore we are requesting a Special Use Permit to allow us to use this parcel for our church facility. This parcel was originally surveyed in 1989 and is just 36 feet short of the required road frontage.

As responsible members of the community and as a spiritual organization that existed in the community for the past 31 years, we have been involved in our community needs; voluntary projects at shelters, collecting and distributing can food to the homeless shelters, giving counseling to the youth and families and so on.

We will stay focused on doing everything possible within our reach to get involved with the community needs and concerns.

The granting of this Special Use Permit will fulfill the intent of the Zoning Ordinance, it will not harm any adjoining property nor will it harm the public good and it will allow a feasible economic use of the property. The denial of this proposed Special Use Permit, or the grant with unreasonable conditions, will result in substantial monetary damage to the applicants and owners. The subject property has been vacant for many years. Furthermore, the denial of this request will violate the applicants' and owners' rights of due process and equal protection, procedural and substantive, and violation of Article I, Section I, Paragraphs 1 and 2, and Article I, Section III, Paragraph 1 of the Georgia Constitution and the Fifth and Fourteenth Amendments

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to the United States Constitution. Denial of the special use permit will destroy applicants' and owners' property rights without first paying just compensation.

A denial of this application would constitute an arbitrary and capricious act by Gwinnett County without any rational basis therefore, constituting an abuse of discretion. A refusal to grant the special use permit to the subject property so as to permit the only feasible economic use of the property would be unconstitutional and would discriminate in an arbitrary and capricious and unreasonable manner between the applicants and owners of similarly situated property. This application meets the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning as an expression of the government's police power.

We thank you all in advance for considering the variance application and hope that you would grant us with an approval to build a church at the above mentioned site.

Thanking you all.



(Rev. Fr. Varkey Mathai P.)

President / CEO

(St. Mary's Malankara Syriac Orthodox Church.

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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.



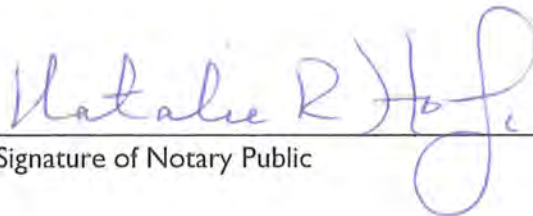
Signature of Applicant

10/4/17

Date

Rev. Fr. Vorkey Markas P. President/CEO

Type or Print Name and Title



Signature of Notary Public

10/4/17

Date



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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.

Rhonda Brockett
Signature of Property Owner

Ted Brockett

10/03/2017
Date

Mrs. Rhonda Brockett
Type or Print Name and Title

Ted Brockett M.D.

Melissa E. Smith
Signature of Notary Public
Exp. 11/5/2019

10/3/17
Date



Notary Seal

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**SPECIAL USE PERMIT IN A
RESIDENTIAL DISTRICT**

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.



Signature of Applicant

Rev. Fr. Varkey Mathai P. President/CEO

Type or Print Name

10/4/17

Date



Signature of Notary Public

10/4/17

Date



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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] 10/4/17 Rev. Fr. Varkey Mathan P.
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE
President/CEO

[Signature] 10/4/17 Rev. Fr. Varkey Mathan P.
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE President/CEO

[Signature] 10/4/17
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 Rev Fr. Varkey Mathan P.
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.

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: 5 - 12413 - R5013002
(Map Reference Number) District Land Lot Parcel

[Signature] 10/5/17
Signature of Applicant Date

Rev. Fr. Vaskey [Signature] P. President/CEO
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)

[Signature] TSAI
NAME TITLE
10-2-17
DATE

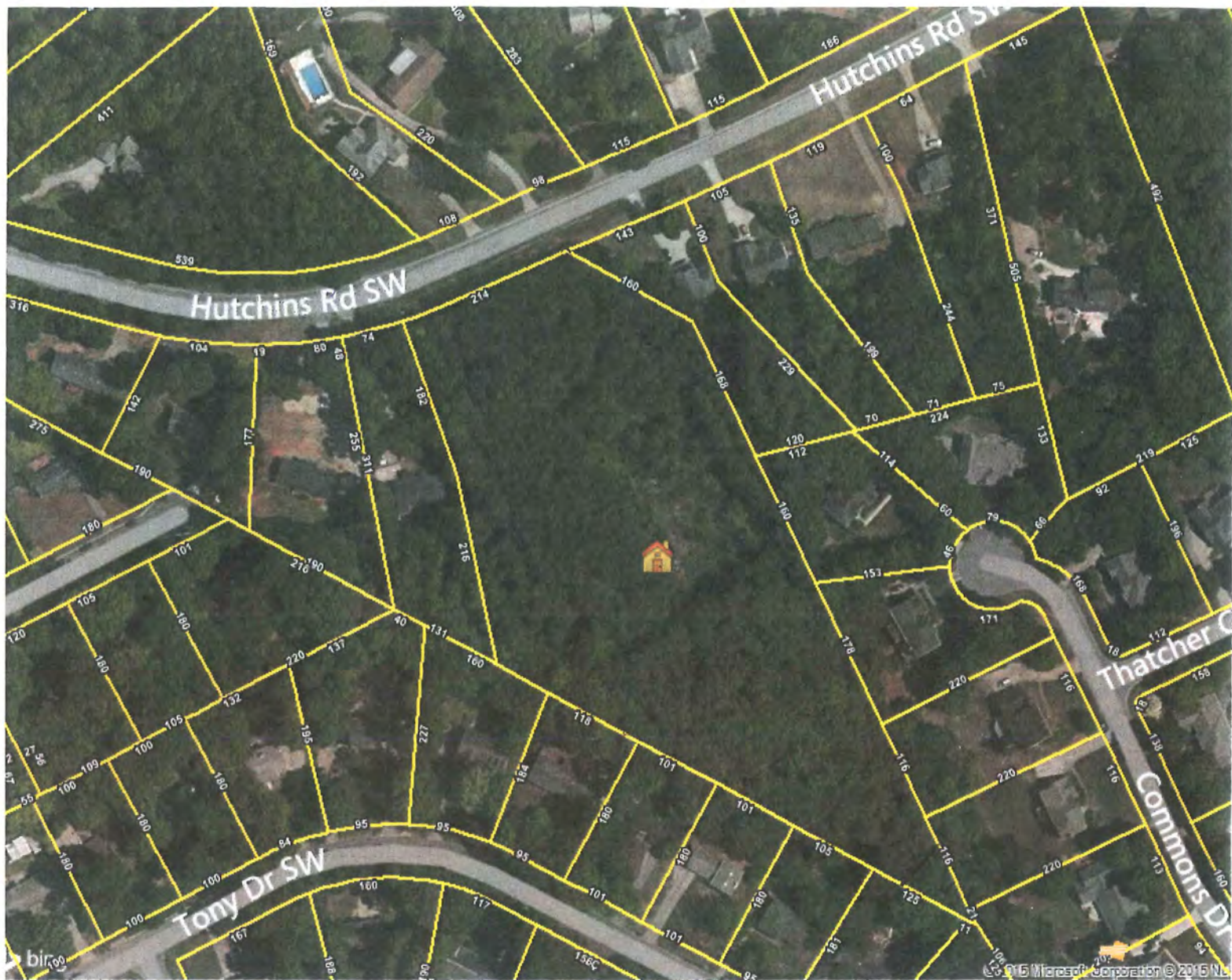
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Right click on the image and select "Copy Image".



Map for Parcel Address: 2778 Hutchins Rd Lawrenceville, GA 30044, Parcel ID: R5013 002

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Contact GAMLS at (770)493-9000 ext 391 for Help.

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Special use permit