

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>JOHN E. SWINEY</u>	NAME: <u>MUSTAFA SHARIF</u>
ADDRESS: <u>1426 GOLF LINK DR</u>	ADDRESS: <u>2771 CRUSE RD SUITE 3</u>
CITY: <u>STONE MOUNTAIN</u>	CITY: <u>LAWRENCEVILLE GA 30044-2603</u>
STATE: <u>GA</u> ZIP: <u>30088</u>	STATE: <u>GA</u> ZIP: <u>30034</u>
PHONE: <u>(404) 502-8574</u>	PHONE: <u>(678) 641-1551</u>
CONTACT PERSON: <u>JOHN E. SWINEY</u> PHONE: <u>(4) 502-8574</u>	
CONTACT'S E-MAIL: <u>SWINEY J @ BELL SOUTH.NET</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>G-2</u>	BUILDING/LEASED SQUARE FEET: <u>4657</u>
PARCEL NUMBER(S): <u>7039 845</u>	ACREAGE: <u>1.497</u>
ADDRESS OF PROPERTY: <u>2771 CRUSE RD (SUITE 4)</u>	
SPECIAL USE REQUESTED: <u>POOL/BILLARDS HALL & RESTAURANT</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 Lot 39 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at an Iron Pin Set (IPS) at the mitered intersection of the southwesterly right-of-way of Old Shackelford Road (60' R/W) and the northwesterly right-of-way of Cruse Road (R/W varies); THENCE along the said right-of-way of Cruse Road S58°33'50"W a distance of 251.15' to a Nail Set (N/S); THENCE leaving said right-of-way N33°06'40"W a distance of 184.21' to a Nail Set (N/S); THENCE N31°14'13"W a distance of 101.34' to a Nail Found (NAIL); THENCE N05°56'44"E a distance of 97.94' to a Nail Found (N/F) on the said right-of-way of Old Shackelford Road; THENCE along said right-of-way along a curve to the right an arc distance of 43.74' to an Iron Pin Found (IPF), said arc being subtended by a chord bearing of S79°58'34"E, a chord distance of 43.70', and having a radius of 306.71'; THENCE S88°09'03"E a distance of 29.54' to a point; THENCE along a curve to the right an arc distance of 82.79' to a point, said arc being subtended by a chord bearing of S63°04'35"E, a chord distance of 82.55', and having a radius of 314.31'; THENCE S57°58'14"E a distance of 54.44' to a point; THENCE S56°17'52"E a distance of 199.34' to an Iron Pin Set (IPS) at the mitered intersection of said right-of-ways; THENCE along said miter S02°09'41"W a distance of 21.97' to an Iron Pin Set (IPS) and the POINT OF BEGINNING.

Said tract contains 65,221 ft² (1.497 acres) and is more particularly shown on a survey for "GREATER AMERICA INVESTMENT INC.; FIRST IC BANK; CHICAGO TITLE INSURANCE COMPANY", prepared by Busbee & Poss Land Surveying Company dated February 2nd, 2018.

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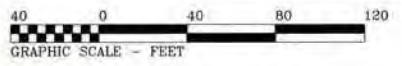
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CALL CHART

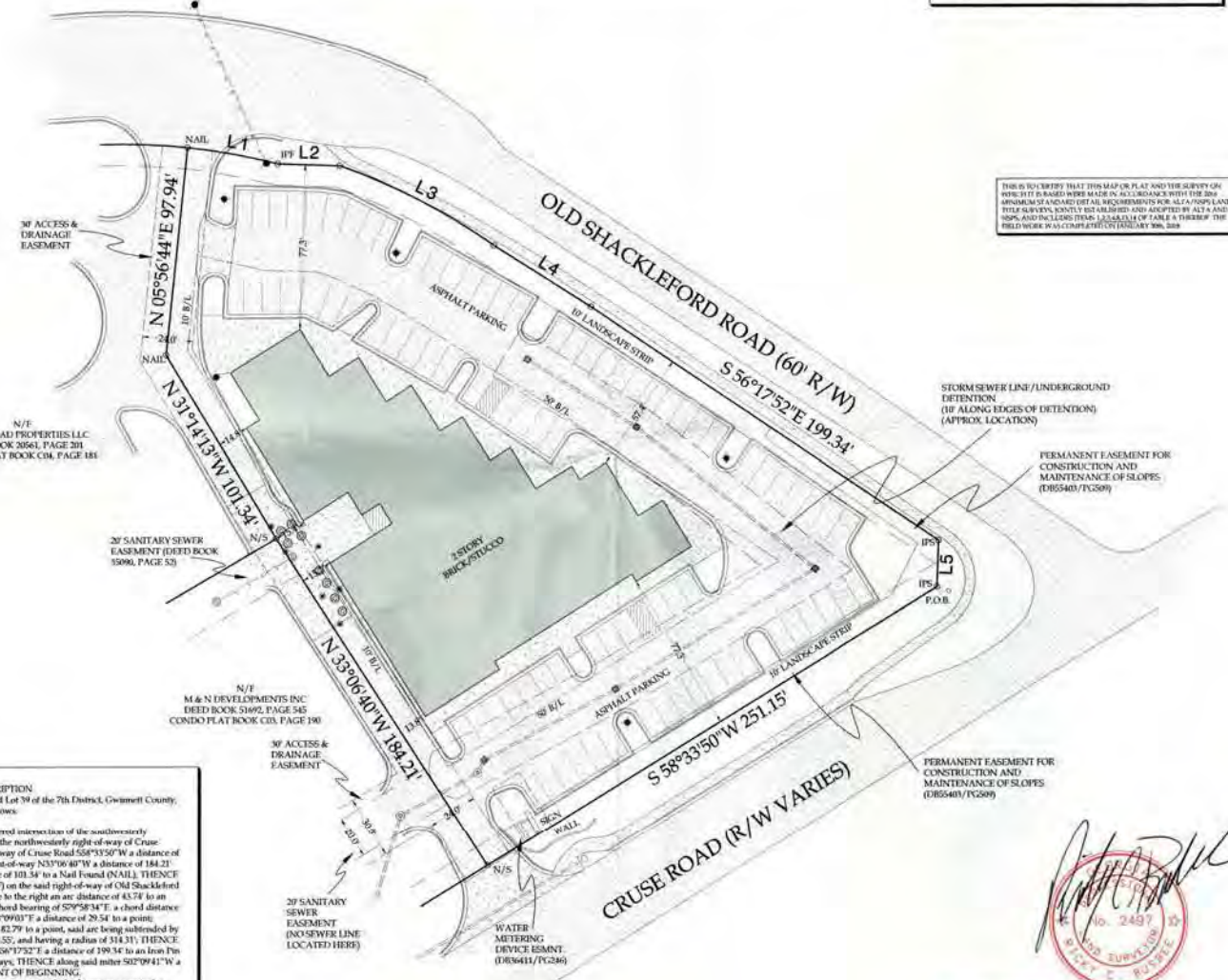
Course	Bearing	Distance
L1	Rad: 306.71' Chd: S 79°58'34" E	Arc: 43.74' 43.70'
L2	S 88°09'03" E	29.54'
L3	Rad: 314.31' Chd: S 63°04'35" E	Arc: 82.79' 82.55'
L4	S 57°58'14" E	54.44'
L5	S 02°09'41" W	21.97'



SITE DATA:

FARCEL ID: 7039 945
 ADDRESS: 2771 CRUISE ROAD
 LAWRENCEVILLE, GA 30044
 AREA: 65,221 SQ. FT. (1.497 ACRES)

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY OF THE SAME HAVE BEEN MADE IN ACCORDANCE WITH THE 2008 MINIMUM STANDARD SET REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, IDENTIFY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE THEREIN A SCHEDULE OF TOLERANCES IF THE FIELD WORK WAS COMPLETED ON OR AFTER JANUARY 30, 2008.



LEGAL DESCRIPTION
 All that tract or parcel of land lying and being in Land Lot 39 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at an Iron Pin Set (IPS) at the mirrored intersection of the westerly right-of-way of Old Shackleford Road (60' R/W) and the northwesterly right-of-way of Cruse Road (R/W varies); THENCE along the said right-of-way of Cruse Road S58°33'50"W a distance of 231.13 to a Nail Set (N/S); THENCE leaving said right-of-way N33°06'40"W a distance of 184.21 to a Nail Set (N/S); THENCE N31°14'13"W a distance of 101.34 to a Nail Found (NAIL); THENCE N85°50'44"E a distance of 97.94 to a Nail Found (N/F) on the said right-of-way of Old Shackleford Road; THENCE along said right-of-way along a curve to the right an arc distance of 43.74 to an Iron Pin Found (IPF); said arc being subtended by a chord bearing of S79°58'34"E, a chord distance of 43.70; and having a radius of 306.71; THENCE S88°09'03"E a distance of 29.54 to a point; THENCE along a curve to the right an arc distance of 82.79 to a point, said arc being subtended by a chord bearing of S63°04'35"E, a chord distance of 82.55; and having a radius of 314.31; THENCE S57°58'14"E a distance of 54.44 to a point; THENCE S02°09'41"W a distance of 21.97 to an Iron Pin Set (IPS) and the POINT OF BEGINNING.

Said tract contains 65,221 sq. ft. (1.497 acres) and is more particularly shown on a survey for "GREATER AMERICA INVESTMENT INC., FIRST FC BANK, CHICAGO TITLE INSURANCE COMPANY", prepared by Busbee & Poiss Land Surveying Company dated February 2nd, 2018.

DRAWN BY: JEF

THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER COMMUNITY PANEL NO. 13135C0066 & DATED SEPTEMBER 2004 2006 ZONE 'X'.

ALTA/NSPS LAND TITLE SURVEY FOR:
 GREATER AMERICA INVESTMENT INC., FIRST FC BANK,
 CHICAGO TITLE INSURANCE COMPANY

DIED BOOK 4TH PAGE 31
 GWINNETT COUNTY, GEORGIA
 SCALE 1"=40' DATE: FEBRUARY 2nd, 2018

BUSBEE & POISS
 LAND SURVEYING COMPANY
 3406 WOODLAWN STREET, SUITE A
 DUBLIN, GEORGIA 30096
 (770) 497-7864
 (FAX) (770) 497-9881
 www.busbeepoiss.com

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DATE: _____ REVISION NOTES: _____

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:

NONE

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

NONE

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

NONE

- (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:

EXISTING SHOPPING CENTER NO EXCESSIVE OR BURDENSOME WHEN CHANGE

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

NONE

- (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:

HELP TO INCREASE FAMILY FUNG

J.S. CADD DESIGN SERVICE

1426 Golf Link Dr.
Stonemountain Ga. 30088
(404) 502-8574

Letter of Intent

My name is John Swiney i am requesting a rezoning of the property located at 2771 Cruse Rd. from C-1 to C-2 to increase the number of pool table from 3 table which is allow to 8 pool table in the Restaurant that would become a Billiard / Pool hall w/ a Restaurant.

John Swiney
(404) 502-8574

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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 John E. Swinney 6/1/18
Date 5/30/18

JOHN E. SWINNEY
Type or Print Name and Title


Signature of Notary Public 6/1/18 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.

*

[Handwritten Signature]

Signature of Property Owner

5/31/18

Date

Mustafa Sharif / President

Type or Print Name and Title

[Handwritten Signature]

Signature of Notary Public

5/31/18

Date

MD RAFIQUZZAMAN
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMMISSION EXPIRES
MAY 18, 2019

Notary Seal

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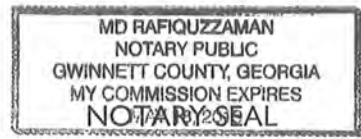
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

John E. Swiney 5/30/18 John E. Swiney (owner's Agent)
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

John Swiney 5/31/18 Tobiasa Shamuf / President ✓
 SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

[Signature] 5/31/18
 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 John E. Swiney
 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.

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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: 7th - 39 - 7039 845*
(Map Reference Number) District Land Lot Parcel

[Signature] 5/30/18
Signature of Applicant Date

JOHN E. SWINLEY (OWNER AGENT)
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)

Ingrid Espinal TSA II
NAME TITLE

06/01/2018
DATE

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