

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>James Barney Powell, Jr.</u>	NAME: <u>James Barney Powell, Jr.</u>
ADDRESS: <u>1989 Morgan Way</u>	ADDRESS: <u>1989 Morgan Way</u>
CITY: <u>Buford</u>	CITY: <u>Buford</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30518</u>
PHONE: <u>770-403-1549</u>	PHONE: <u>770-403-1549</u>
CONTACT PERSON: <u>James Powell</u> PHONE: <u>770-403-1549</u>	
CONTACT'S E-MAIL: <u>JPowell17575@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 type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>RL</u> BUILDING/LEASED SQUARE FEET: <u>4,206</u>	
PARCEL NUMBER(S): <u>R7352132</u> ACREAGE: <u>0.90</u>	
ADDRESS OF PROPERTY: <u>1989 Morgan Way Buford, GA 30518</u>	
SPECIAL USE REQUESTED: <u>Metal Accessory Building Greater than 550 Square Feet</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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8K55144 PG0680

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot 352 of the 7th District, Gwinnett County, Georgia, containing 0.90 acres as shown on a plat of survey for W. E. Bailey by Thomas Wood and Associates, Registered land Surveyors, dated September 28, 1984, recorded in Plat Book 30, Page 216A, Gwinnett County Plat Records, which plat is hereby referred to, incorporated herein and made a part of this description and being more particularly described as follows: Beginning at an iron pin on the southern right of way of Morgan Way, said point being 52.0 feet northwesterly from the intersection of the southern right of way of Morgan Way and the southwestern right of way of Lakeview Drive as measured along the southern right of way of Morgan Way; thence proceeding along the southern right of way of Morgan Way North 64 degrees 08 minutes west a distance of 173.0 feet to an iron pin; thence south 25 degrees 52 minutes west a distance of 248.72 feet to an iron pin; thence south 63 degrees 28 minutes east a distance of 140.69 feet to an iron pin; thence north 33 degrees 14 minutes east a distance of 252.43 feet to an iron pin on the southern right of way of Morgan Way and the place or point of beginning.

Parcel ID Number: R7352 132. Subject to any Easements or Restrictions of Record.

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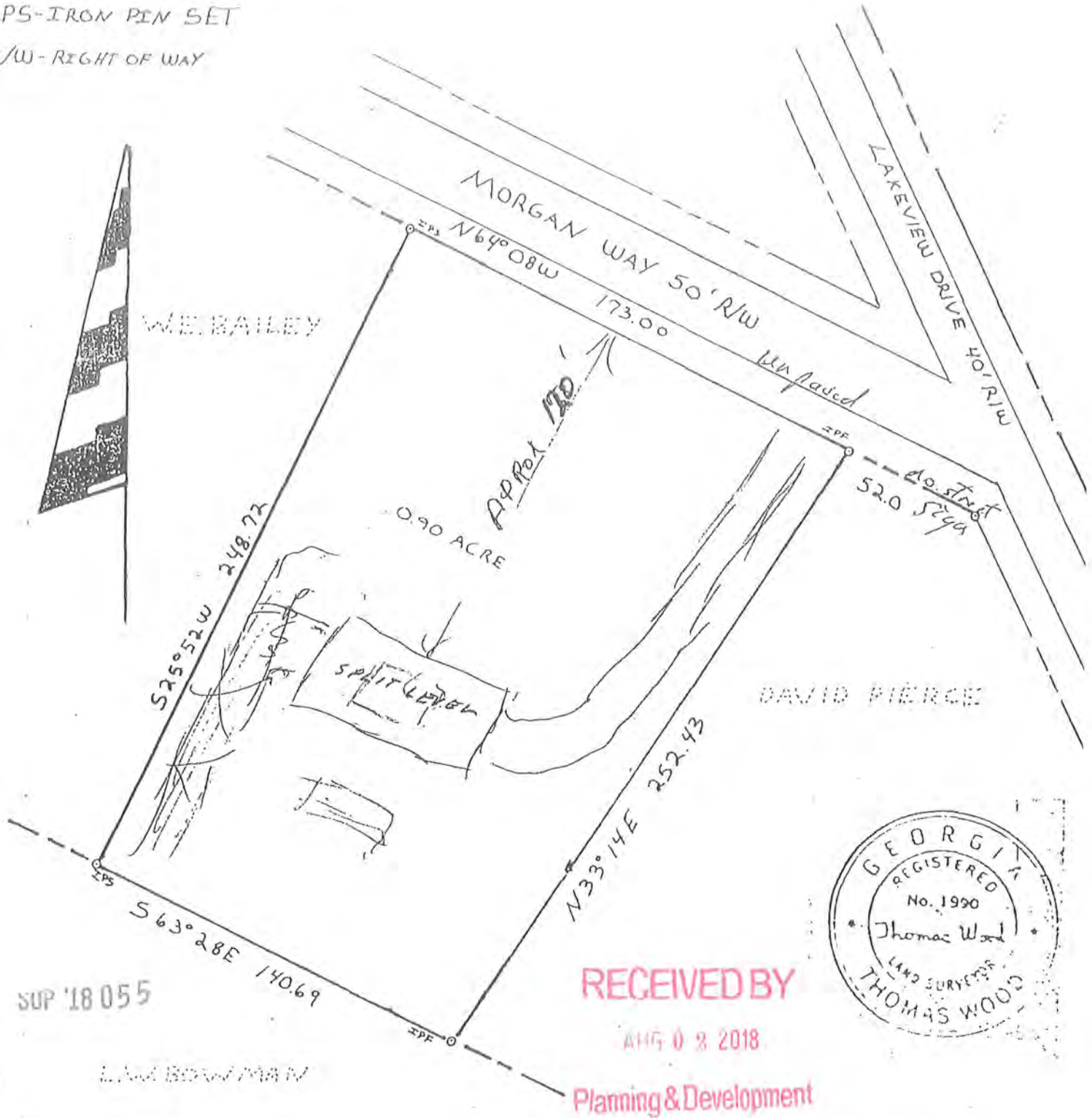
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THE FIELD DATA FOR THIS PLAT WAS OBTAINED WITH TOTAL STATION FROM 1989 AND HAS AN ANGULAR ERROR OF 10 SECONDS PER ANGLE POINT AND A CLOSURE OF 1 FOOT IN 3197 FEET, AND WAS ADJUSTED BY COMPASS RULE. THIS PLAT HAS A CLOSURE OF 1 FOOT IN 17077 FEET.

IPF - IRON PIN FOUND

IPS - IRON PIN SET

R/W - RIGHT OF WAY



Soil Type M. F2

1989 MORGAN WAY

SURVEY FOR: W.E. BAILEY  
 LAND LOT 352, 7<sup>th</sup> DISTRICT, GWINNETT COUNTY

7-352-OUT OF 125

SCALE: 1" = 50'

DATE: 28 SEPT 1989

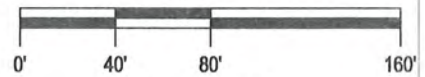
THOMAS WOOD & ASSOC., 50 MAIN STREET, P.O. BOX 531, BUFORD, GA. 30518; PHONE 945-2600



NOTE: A LARGE PORTION OF THE EXISTING TREES HAVE BEEN CLEARED, GRASS HAS BEEN ESTABLISHED, AND A GRAVEL DRIVEWAY HAS BEEN ADDED ALONG THE EASTERN PROPERTY LINE SINCE THIS AERIAL PHOTOGRAPH WAS TAKEN.



NORTH  
ARROW



SCALE: 1"=80'

AUGUST 2,  
2018

**PROPOSED SITE PLAN  
FOR 1989 MORGAN WAY**

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**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:

No

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Letter of Intent

1989 Morgan Way

Buford, GA 40518

Prepared by Jimmy Powell

August 2<sup>nd</sup>, 2018

I have lived at 1989 Morgan Way since June of 2017. My family and I moved here from Tyler, Texas, after my wife and I both finished up our college degrees. One of the major selling points to us was the fact that we own almost an acre of land. Since living on Morgan Way, we have made numerous improvements to the lot so that we can enjoy our little piece of property to the fullest. We now have a yard that our kids can play in, our dog can run in, and have drastically improved the drainage runoff that we encounter during storms. I am a Civil Engineer by trade, so I had a good idea of what needed to be done before purchasing the property.

I am also a very avid fisherman. I do not do it for a job or second source of income, I fish strictly for fun and relaxation. Being the fisherman that I am, I am the proud owner of a 21' bass boat, along with a lot of tackle and other objects that are associated with fishing. My boat will not fit in the existing garage that is located in the basement of the home. It is currently being stored outside under a cover, exposed to the weather, and with no way to secure the boat from crime. I also have a lot of tools and a large zero turn lawnmower that I need a place to store. In order to accomplish this, I would like to build a 10' tall by 24' wide by 41' long metal building to store my boat and other various items in.

This building will not be used for anything other than recreational activities. There will be no plumbing installed, there will be no accommodations for a living area, and there will be no sort of business ran or income generated from my new building. The building will be earth tones with complimenting trim and a gray roof in order to match the color scheme of our house. It will also be poured on a concrete foundation and insulated. The building will be visible from the road, but only for a very short period of time. The elevation of the proposed building is about 10 feet below the existing road, so trees and existing houses and fences will aid in blocking the view of the building. The building will be located as far to the back of the property as possible while still maintaining adequate drainage. Everyone I have spoke with has complimented me on how much better the property looks since we have been living there, and I will continue to improve on the aesthetics of the property while living there.

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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.

J Powell  
Signature of Applicant

8-2-18  
Date

James Barney Powell, Jr.  
Type or Print Name and Title

Land Owner

Elizabeth Rickwood  
Signature of Notary Public

8/2/18  
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.

*[Handwritten Signature]*

Signature of Property Owner

8.2.18

Date

James Barney Powell, Jr.

Type or Print Name and Title

Land Owner

*[Handwritten Signature]*

Signature of Notary Public

8/2/18

Date



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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.

*[Handwritten Signature]*

Signature of Applicant

*James Barry Powell, Jr.*

Type or Print Name

*Land Owner*

*8-2-18*

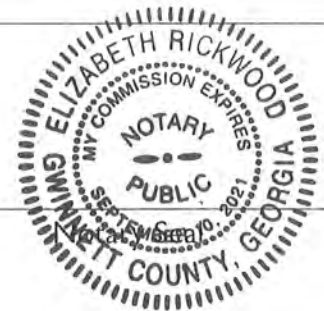
Date

*[Handwritten Signature]*

Signature of Notary Public

*8/2/18*

Date



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**8/2/2018**

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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]                                      8-2-18                                      James Barney Powell, Jr.  
SIGNATURE OF APPLICANT                      DATE                                      TYPE OR PRINT NAME AND TITLE

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

[Signature]                                      8/2/18  
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    James Barney Powell, Jr.  
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:** \_\_\_\_\_ - \_\_\_\_\_ - R7352 132  
(Map Reference Number)                      District                      Land Lot                      Parcel

[Signature] \_\_\_\_\_                      8-2-18 \_\_\_\_\_  
Signature of Applicant                      Date

James Barney Powell Jr. \_\_\_\_\_                      Land Owner \_\_\_\_\_  
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] \_\_\_\_\_                      TSA I \_\_\_\_\_  
NAME                      TITLE

8-2-18 \_\_\_\_\_  
DATE

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