

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: _____	NAME: <u>Bernadino D'Almeida</u>
ADDRESS: <u>SAME</u>	ADDRESS: <u>4139 Arcadia indus Cirde</u>
CITY: _____	CITY: <u>Lilburn</u>
STATE: _____ ZIP: _____	STATE: <u>GA</u> ZIP: <u>30047</u>
PHONE: _____	PHONE: <u>404-422-1869</u>
CONTACT PERSON: <u>Bernadino D'Almeida</u>	PHONE: <u>404-422-1869</u> (02) 305 450-4572
CONTACT'S E-MAIL: <u>babab10@hotmail.com</u> <u>meme4501612@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>M 1</u>	BUILDING/LEASED SQUARE FEET: <u>7,533 sq.ft</u>
PARCEL NUMBER(S): <u>6125 022</u>	ACREAGE: <u>1 ac.</u>
ADDRESS OF PROPERTY: <u>4139 Arcadia Industrial Cir</u>	
SPECIAL USE REQUESTED: <u>Automobile Repair</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION

**4139 ARCADIA INDUSTRIAL CIRCLE
LILBURN, GA**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 125 OF THE 6TH DISTRICT, GWINNETT COUNTY, GEORGIA AND BEING PARTICULARLY DESCRIBED AS PART OF LOT 5, ARCADIA INDUSTRIAL PARK AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE FROM A POINT AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF ARCADIA INDUSTRIAL CIRCLE (100' R/W) WITH THE EASTERLY RIGHT-OF-WAY LINE OF ARCADIA ROAD (100' R/W); THENCE LEAVING SAID INTERSECTION AND RUNNING IN A EASTERLY DIRECTION ALONG SAID RIGHT-OF-WAY LINE OF ARCADIA INDUSTRIAL CIRCLE 564 FEET TO AN IRON PIN FOUND(1/2" REBAR), SAID POINT BEING THE POINT OF BEGINNING, FROM SAID POINT OF BEGINNING AS THUS ESTABLISHED; THENCE CONTIUNING ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT A DISTANCE OF 115.12 FEET, HAVING A RADIUS OF 612.98 FEET, AND BEING SUBTENDE BY A CHORD BEARING OF NORTH 59 DEGREES 07 MINUTES 48 SECONDS EAST A DISTANCE OF 114.95 FEET TO AN IRON PIN FOUND(1/2" REBAR); THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 32 DEGREES 34 MINUTES 08 SECONDS EAST A DISTANCE OF 330.63 FEET TO AN IRON PIN SET(1/2" REBAR/CAP); THENCE SOUTH 71 DEGREES 44 MINUTES 30 SECONDS WEST A DISTANCE OF 167.58 FEET TO AN IRON PIN SET(1/2" REBAR/CAP); THENCE NORTH 23 DEGREES 21 MINUTES 09 SECONDS WEST A DISTANCE OF 296.44 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING (0.999 ACRES 43,528 SQUARE FEET),

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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:

C-8 Industrial Site

- (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:

Has been in use since 1975 in this Industrial Area

- (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:

None

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

auto service Garage ^{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:

This Area is in an Industrial Park
All existing structures have similar businesses

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September 28, 2018

Gwinnett County
Department of Planning & Development - Planning Division
446 West Crogan Street, Suite 250
Lawrenceville, GA, 30046

Letter of Intent for Special Use Permit Application

To whom it may concern,

Boundary Zone, Inc. is writing this Letter of Intent to accompany the attached Rezoning and Special Use Permit Applications (the "applications") on behalf of Bernadino Dalmeida (the "applicant"), in regards to an approximately 1.44-acre property situated in the Arcadia Industrial Park south of Lawrenceville Highway and its intersection with Arcado Road. The address of the subject property is 4139 Arcadia Industrial Circle, Lilburn, GA, 30047, and is currently zoned M-1. The property includes an existing one-story, 25.5 foot tall, 7533.84 square foot building. The applicant is requesting to rezone the property to the M -1 with a special use permit zoning classification for Baba Auto Repair, Inc. in order to utilize the property for automobile repair services.

The applicant is proposing to utilize the property as an automobile repair shop with both concrete and asphalt parking areas for vehicles being serviced, as depicted on the site plan submitted with the applications. Further, the applicant is not planning to erect any additional structures on the property aside from relocating a fence at the front of the property. The existing conditions of the building will be preserved and utilized as earlier specified.

The surrounding area is characterized by heavy commercial and industrial uses. Within the Arcadia Industrial Park, there exist several other automobile and/or truck repair businesses along with

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www.BoundaryZone.com

454 Satellite Blvd NW, Suite 200, Suwanee, GA 30024 / 770-271-5772
1100 Peachtree Street, Suite 200, Atlanta, GA 30309 / 404-446-8180
975 Cobb Place Blvd, Suite 101, Kennesaw, GA 30144 / 678-730-4393
8024 Glenwood Ave, Suite 109, Raleigh, NC 27612 / 919-363-9226

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equipment and storage facilities. These businesses are similar to the applicant's business located on the subject property. The proposed use is compatible with the policy and intent of the Gwinnett County 2030 Unified Plan (Comprehensive Plan), which encourages land uses that are compatible with surrounding development. The proposed concrete and asphalt parking lots are compatible with existing heavy commercial and industrial uses.

The applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the applications filed herewith.

Please feel free to contact me at 770-271-5772 should you have any questions or comments.

Sincerely,

Greg Dean
Registered Landscape Architect
Boundary Zone, Inc.

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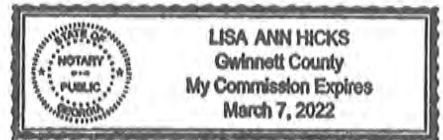
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975 Cobb Place Blvd, Suite 101, Kennesaw, GA 30144 / 678-730-4393
8024 Glenwood Ave, Suite 109, Raleigh, NC 27612 / 919-363-9226

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.

P. BACARDI 09/28/2018
Signature of Applicant Date

BERNARDINO DACHEMBA OWNER
Type or Print Name and Title



Lisa Ann Hicks 9/28/2018
Signature of Notary Public 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.

B DALMEIDA

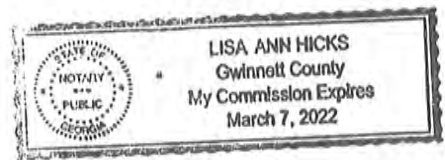
09/28/2018

Signature of Property Owner

Date

BERNARDINO DALMEIDA OWNER

Type or Print Name and Title



Lisa Ann Hicks 9/28/2018

Signature of Notary Public

Date

Notary Seal

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SUP 28 004

**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

Type or Print Name

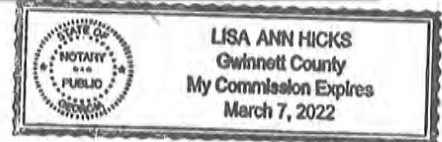
Date

Lisa Ann Hicks

Signature of Notary Public

9/18/2018

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.

B. DALMEIDA BERNARDINO DALMEIDA
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

B DALMEIDA 09/28/2018
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

Lisa Ann Hicks 9/28/2018
 SIGNATURE OF NOTARY PUBLIC DATE



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 Bernardino Dalmeida
 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: 6E - 125 - 022
(Map Reference Number) District Land Lot Parcel

B DALOMEIOS 09/28/2018
Signature of Applicant Date

BERNARDINO DALOMEIOS
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)

Delna Smith
NAME

tax services associate
TITLE

September 17, 2018
DATE

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THIS PLAT IS A RETRACTION OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-4-67.



FOR THE FIRM
BOUNDARY ZONE, INC.
LSP #839
NOT VALID WITHOUT
ORIGINAL SIGNATURE

Ben E. Butterworth 09/27/2018
BEN E. BUTTERWORTH - RLS #2294 DATE

ZONING SUMMARY M-1
LIGHT INDUSTRIAL DISTRICT

FRONT SETBACK 50'
SIDE SETBACK 20'
REAR SETBACK 15'

INFORMATION OBTAINED FROM
GWINNETT COUNTY ZONING,
DATED 09/27/2018

THE SURVEYOR IN NO WAY INTENDS TO
INTERPRET OR MAKE CONCLUSION REGARDING
THE ZONING AND SETBACK DESIGNATION SHOWN
HEREON.



NO.	REVISION	DATE

GRAPHIC SCALE - IN FEET
0 20 40 80

BOUNDARY SURVEY
PREPARED FOR: BERNADINO DALMEIDA
TRACT "A", PART OF LOT 5, ARCADIA INDUSTRIAL PARK
LAND LOT 125, 6TH DISTRICT,
GWINNETT COUNTY, GEORGIA - 09/27/2018

○ PROPERTY CORNER FOUND (AS NOTED)	○ MANHOLE	⊕ A/C UNIT	⊕ GAS VALVE	LL LAND LOT	⊕ C.B. CATCH BASIN	-S-SEWER LINE	⊕ BSL BUILDING SETBACK LINE	DB DEED BOOK	S/W SIDEWALK
● 1/2" REBAR WITH CAP SET LSF# 839	⊕ WATER METER	⊕ GUY WIRE	⊕ CABLE BOX	N/F NOW OR FORMERLY R/W RIGHT-OF-WAY	⊕ CNT CANTILEVER	-G-GAS LINE	CONC CONCRETE	PB PLAT BOOK	F.K.A. FORMERLY KNOWN AS
⊕ R/W MONUMENT	⊕ WATER VALVE	⊕ JUNCTION BOX	⊕ POWER METER	P/L PROPERTY LINE	⊕ TELEPHONE BOX	-C-CABLE LINE	EOP EDGE OF PAVEMENT	PG PAGE	NAD NORTH AMERICAN DATUM
▲ FIRE HYDRANT	⊕ OUTFLOW STRUCTURE	⊕ DRAINAGE INLET	⊕ REGULAR PARKING	⊕ OH OVERHANG	⊕ SIGN	-T-TELEPHONE LINE	BFE BASEMENT FLOOR ELEVATION	POB POINT OF BEGINNING	NAD NORTH AMERICAN VERTICAL DATUM
	⊕ POWER POLE	⊕ LIGHT POLE	⊕ GAS METER	⊕ HANDICAP	-W-WATER LINE	-X-FENCE LINE	BFE FINISHED FLOOR ELEVATION	POC POINT OF COMMENCEMENT	A.K.A. ALSO KNOWN AS
	⊕ LIGHT POLE	⊕ POWER/LIGHT POLE			-U-OVERHEAD UTILITY LINE	-C-CONTOUR LINE			⊕ HARDWOOD TREE
									⊕ PINE TREE

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

TOTAL AREA: 0.990 ACRES / 43,528 SQUARE FEET
BOUNDARY REFERENCE: DEED BOOK 49814, PAGE 461
FIELDWORK PERFORMED ON 09/20/2018

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNSAID PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 279,496 FEET.

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THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION.
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.03 FEET.



BOUNDARY zone inc. LAND SURVEYING SERVICES & LAND PLANNING SERVICES
SURVEYING LANDSCAPE ARCHITECTURE LAND PLANNING
WWW.BOUNDARYZONE.COM (770) 271-5772

MIAMI (770) 271-5772
444 SATELLITE BLVD, SUITE 250
SAVANNAH, GA 30242
ATLANTA (404) 446-4187
1100 PEACHTREE STREET, SUITE 200
ATLANTA, GA 30308
KENNESAW (678) 734-4993
975 CORB PLACE BLVD, SUITE 101
KENNESAW, GA 30144

PROJECT
1986801
SHEET
1 OF 1