# REZONING APPLICATION

An application to amend the official zoning map of Gwinnett County, GA.

## Applicant Information

<table>
<thead>
<tr>
<th>Cypress Truck Lines, Inc. c/o Mahaffey Pickens</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NAME:</strong> Ralph F. McGee</td>
</tr>
<tr>
<td><strong>ADDRESS:</strong> PO Box 307</td>
</tr>
<tr>
<td><strong>CITY:</strong> Duluth</td>
</tr>
<tr>
<td><strong>STATE:</strong> Georgia</td>
</tr>
<tr>
<td><strong>ZIP:</strong> 30096</td>
</tr>
<tr>
<td><strong>PHONE:</strong> 770.232.0000</td>
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</table>

## Owner Information

<table>
<thead>
<tr>
<th>Tucker, LLP</th>
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<tbody>
<tr>
<td><strong>NAME:</strong> Tucker, LLP</td>
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<tr>
<td><strong>ADDRESS:</strong> PO Box 307</td>
</tr>
<tr>
<td><strong>CITY:</strong> Duluth</td>
</tr>
<tr>
<td><strong>STATE:</strong> Georgia</td>
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<td><strong>PHONE:</strong> 770.232.0000</td>
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## Applicant Information (continued)

<table>
<thead>
<tr>
<th>Cypress Truck Lines, Inc. c/o Mahaffey Pickens</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONTACT PERSON:</strong> Shane Lanham</td>
</tr>
<tr>
<td><strong>CONTACT’S E-MAIL:</strong> <a href="mailto:slanham@mptlawfirm.com">slanham@mptlawfirm.com</a></td>
</tr>
</tbody>
</table>

## Applicant is The

<table>
<thead>
<tr>
<th>OWNER’S AGENT</th>
<th>PROPERTY OWNER</th>
<th>CONTRACT PURCHASER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><strong>XX</strong></td>
</tr>
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## Present Zoning Districts

<table>
<thead>
<tr>
<th>C-2</th>
<th>M-1</th>
</tr>
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## Requested Zoning District

<table>
<thead>
<tr>
<th>M-1</th>
</tr>
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## Land Districts

<table>
<thead>
<tr>
<th>6 LAND LOT(S): 266</th>
</tr>
</thead>
</table>

## Address of Property

<table>
<thead>
<tr>
<th>3886 Buford Highway, Duluth</th>
</tr>
</thead>
</table>

## Proposed Development

<table>
<thead>
<tr>
<th>Truck Terminal with gravel parking</th>
</tr>
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</table>

## Residential Development

<table>
<thead>
<tr>
<th>No. of Lots/Dwelling Units: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling Unit Size (Sq. Ft.): N/A</td>
</tr>
<tr>
<td>Gross Density: N/A</td>
</tr>
<tr>
<td>Net Density: N/A</td>
</tr>
</tbody>
</table>

## Non-Residential Development

| No. of Buildings/Lots: 1          |
| Total Building Sq. Ft. +/-1,010   |
| Density: +/-605 square feet per acre |

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**Please attach a letter of intent explaining what is proposed.**

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**Received by:**

May 04, 2018

Planning & Development
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 266 of the 6th Land District of Gwinnett County, Georgia and being more particularly described as follows:

Beginning at an iron pin located on the southeasterly right-of-way line of Buford Highway (U.S. Route 23); thence South 33°19'25" East 379.09' to an iron pin found; thence North 85°24'02" West 106.01' to an iron pin set; thence North 89°12'50" West 138.08' to an iron pin set; thence South 80°09'20" West 74.06' to an iron pin set; thence North 41°10'14" West 181.27' to a right-of-way monument found on said right-of-way of Buford Highway; thence continuing along said right-of-way North 53°19'27" East 173.69' to an iron pin set; thence North 48°17'54" East 118.50' to the point of beginning.
1. Georgia Department of Transportation Right Of Way Map Project 5TP-216-125, Dated 09-04-01, Sheet 16 of 55.
3. Previous Survey of Property by Grant Shepard and Associates.

**GENERAL NOTES**

Equipment utilized: Topcon GTS-5B total station and Wild Metro data collector.

The information used in the preparation of this plat has been calculated for closure and has a closure precision that exceeds 1" in 10,000 and has adjusted by Compass Rule. This plat has a closure precision that exceeds 1" in 10,000. All matters pertaining to title are excepted.

This plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

GRESHAM PLANNING & DEVELOPMENT, INC.
P.O. BOX 2255
CLARKESVILLE, GEORGIA 30523

PH. 706.754.9844
FAX. 706.754-7145

SURVEY FOR
RALPH FORREST MCGEE
LAND LOTS 166 & 167 OF THE 6th DISTRICT
GWINNETT COUNTY, GEORGIA

REVISED DATE

SCALE: 1" = 60'

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May 04, 2018
Planning & Development
NOTES:
1. Building setback lines per Gwinnett County UDO: Front: 50 Feet / Side 25 Feet
2. According to Gwinnett County's Geographic Information Service, this property is not in a floodplain.

3886 Buford Hwy
Duluth, Ga 30096
Scale: 1" = 60'

RECEIVED
MAY 21, 2018
PLANNING & DEVELOPMENT
RZC2018-00012
SUP2018-00039
REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS 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 REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Please see attached

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

Please see attached

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

Please see attached

(D) WHETHER THE PROPOSED REZONING 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

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

Please see attached

(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 REZONING:

Please see attached
REZONING & SPECIAL USE PERMIT APPLICANT’S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

(A) Yes, the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development is adjacent to high-intensity commercial and industrial uses and is compatible with the character of surrounding development.

(B) No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties.

(C) In light of the size, location, layout, topography, and nature features of the property and in conjunction with the nature of surrounding development, the Applicant submits that the subject Property does not have reasonable economic use as currently zoned.

(D) No, the proposed development will not result in an excessive or burdensome use of the infrastructure systems. The Property is located on Buford Highway (US Route 23) with convenient access to Pleasant Hill Road and Interstate 85.

(E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2030 Unified Plan which encourages infill development that is compatible with surrounding uses.

(F) The Applicant submits that the character of surrounding development and the proximity of the Property to major transportation corridors provide additional supporting grounds for approval of the proposed development.
LETTER OF INTENT
FOR REZONING AND SPECIAL USE PERMIT APPLICATIONS OF
CYPRESS TRUCK LINES, INC.

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached Rezoning and Special Use Permit Applications (the "Applications") on behalf of Cypress Truck Lines, Inc. (the "Applicant"), related to an approximately 1.687-acre property situated along Buford Highway (U.S. Route 23) south of its intersection with Pleasant Hill Road (the "Property"). The Property is currently zoned C-2. The Property includes a single-family home and accessory structures. The Applicant is requesting to rezone the Property to the M-1 zoning classification with a special use permit for Truck Terminal in order to utilize the property for vehicle and trailer parking on a gravel-surface parking lot.

As depicted on the site plan submitted with the Applications, the property will have two entrances. One on Buford Highway and the other on May Road. The Applicant is proposing to utilize the property as a gravel parking lot to park trucks and trailers in connection with its hauling business. No loading or unloading of cargo will occur on the Property. Further, the Applicant is not planning to erect any additional structures on the Property aside from installing a gravel parking lot. However, the existing building could be preserved and utilized as office space.

The surrounding area is characterized by heavy commercial and industrial uses. Across Buford Highway there is an equipment rental business as well as a construction aggregates...
supplier with active rail spur and associated loading facilities. To the south across May Road is an additional construction materials supplier with rail spur and associated loading facilities as well as multiple warehouses buildings. The proposed use is compatible with the policy and intent of the 2030 Plan which encourages land uses that are compatible with surrounding development.

The proposed gravel parking lot and truck and trailer parking is 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. The Applicant respectfully requests your approval of the Applications.

Respectfully submitted this 4th day of May, 2018.

MAHAFEEY PICKENS TUCKER, LLP

Shane M. Lanham
Attorneys for Applicant
REZONING 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.

______________________________  5-1-18
Signature of Applicant          Date

______________________________  Arrow Mgr.
Type or Print Name and Title

______________________________  5/1/2018
Signature of Notary Public      Date  Notary Seal

RZC '18012

RECEIVED BY

Planning & Development
REZONING 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.

Shane Lanham, Attorney for the Applicant

Signature of Applicant          Date

Shane Lanham, Attorney for the Applicant

Signature of Notary Public     Date       Notary Seal

RECEIVED BY
March 04, 2018
Planning & Development
REZONING 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.

Ralph J. Mcgee
Signature of Property Owner

Date

Harrison Scott, Notary Public
Type or Print Name and Title

Georgia, Gwinnett County

W-00300952 Expires Oct 23, 2020

Signature of Notary Public

Date

Notary Seal

RZC '18 012

RECEIVED BY
MAY 0 4 2018
Planning & Development
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a Rezoning, 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 OF APPLICANT   DATE   TYPE OR PRINT NAME AND TITLE

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

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

YOUR NAME

If the answer is yes, please complete the following section:

<table>
<thead>
<tr>
<th>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</th>
<th>CONTRIBUTIONS (List all which aggregate to $250 or More)</th>
<th>DATE CONTRIBUTION WAS MADE (Within last two years)</th>
</tr>
</thead>
<tbody>
<tr>
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Attach additional sheets if necessary to disclose or describe all contributions.
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5/3/18</td>
<td>Shane M. Lanham, Attorney for Applicant</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIGNATURE OF APPLICANT’S ATTORNEY OR REPRESENTATIVE</th>
<th>DATE</th>
<th>TYPE OR PRINT NAME AND TITLE</th>
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DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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X YES  □ NO  Mahaffey Pickens Tucker, LLP

YOUR NAME

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<th>DATE CONTRIBUTION WAS MADE (Within last two years)</th>
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<tbody>
<tr>
<td>See attached.</td>
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</tbody>
</table>

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED BY

MAY 04 2018

Planning & Development
CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS

MAHAFFEY PICKENS TUCKER, LLP

<table>
<thead>
<tr>
<th>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</th>
<th>CONTRIBUTIONS</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td>John Heard</td>
<td>$2000</td>
<td>02/20/2018</td>
</tr>
</tbody>
</table>

Updated 03/01/2018
VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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 REZONING REQUEST.

PARCEL I.D. NUMBER: 6 266 008
(Map Reference Number)
District Land Lot Parcel

Signature of Applicant Shane Lanham, Attorney for the Applicant
Date 5/3/18

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)

NAME

Tax Services Associate

TITLE

DATE 5/3/2018

RECEIVED BY

May 6, 2018
Planning & Development