

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>John Souter</u>	NAME: <u>John Souter Souter Holdings, LLC</u>
ADDRESS: <u>1567 Beaver Run Rd</u>	ADDRESS: <u>1567 Beaver Run Rd</u>
CITY: <u>Norcross, GA 30093</u>	CITY: <u>Norcross</u>
STATE: <u>GA</u> ZIP: <u>30093</u>	STATE: <u>GA</u> ZIP: <u>30093</u>
PHONE: <u>404-408-5338</u>	PHONE: <u>7 404-408-5338</u>
CONTACT PERSON: <u>John Souter</u> PHONE: <u>404-408-5338</u>	
CONTACT'S E-MAIL: <u>jsouter@cometnational.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: _____	BUILDING/LEASED SQUARE FEET: <u>38,500</u>
PARCEL NUMBER(S): <u>R6201 016</u>	ACREAGE: <u>3.54</u>
ADDRESS OF PROPERTY: <u>1567 Beaver Run R</u>	
SPECIAL USE REQUESTED: <u>TRUCK TERMINAL, MAINTENANCE, TWO ACCESSORIES STRUCTURES</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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**LEGAL DESCRIPTION**

**PARCEL NO 6201 016 TRACT 2**

All that tract or parcel of land lying and being in Land Lot 201 of the 6<sup>th</sup> District, Gwinnett County, Georgia being more particularly described as follows:

Beginning at the intersection of the easterly line of Land Lot 201 and the southerly right of way of Beaver Ruin Rd (130' RW); thence northerly along the southerly right of way of Beaver Ruin Rd. a distance of 701.2 feet to a point; thence leaving said right of way of Beaver Ruin Road South 60 degrees 17 minutes 38 seconds West a distance of 535.42 feet to a ½" rebar set which is the True Point of Beginning ; thence South 60 degrees 17 minutes 33 seconds West a distance of 497.11 feet to a nail found; thence North 29 degrees 27 minutes 35 seconds West a distance of 150.12 feet to a 1" opentop found; thence North 46 degrees 45 minutes 10 seconds East a distance of 471.09 feet to a ½" rebar set; thence South 38 degrees 06 minutes 31 seconds East a distance of 263.24 feet to a point which is the True Point of Beginning.

Said tract or parcel of land contains 99,069 square feet (2.27 acres) as shown on a plat of survey for Souter Holdings II, LLC by Christopher E. Moore & Associates, Inc. dated 8-5-2015 and last revised 6-3-2019.

SUP '19 059

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**LEGAL DESCRIPTION**

**PARCEL NO 6201 008B TRACT 1**

All that tract or parcel of land lying and being in Land Lot 201 of the 6<sup>th</sup> District, Gwinnett County, Georgia being more particularly described as follows:

Beginning at the intersection of the easterly line of Land Lot 201 and the southerly right of way of Beaver Ruin Rd (130' RW); thence northerly along the southerly right of way of Beaver Ruin Rd. a distance of 701.2 feet to a point which is the True Point of Beginning; thence leaving said right of way of Beaver Ruin Rd. South 60 degrees 17 minutes 33 seconds West a distance of 535.42 feet to a ½" rebar set; thence North 38 degrees 06 minutes 31 seconds West a distance of 263.24 feet to a ½" rebar set; thence North 46 degrees 45 minutes 10 seconds East a distance of 289.33 feet to a ½" rebar found on the southerly right of way of Beaver Ruin Road (130' RW); thence along said right of way South 71 degrees 25 minutes 44 seconds East a distance of 439.65 feet to a point which is the True Point of Beginning.

Said tract or parcel of land contains 125,777 square feet (2.89 acres) as shown on a plat of survey for Souter Holdings II, LLC by Christopher E. Moore & Associates, Inc. dated 8-5-2015 and last revised 6-3-2019.

**LESS AND EXCEPT**

**C-2 ZONING**

All that tract or parcel of land lying and being in Land Lot 201 of the 6<sup>th</sup> District, Gwinnett County, Georgia being more particularly described as follows:

Beginning at the intersection of the easterly line of Land Lot 201 and the southerly right of way of Beaver Ruin Rd (130' RW); thence northerly along the southerly right of way of Beaver Ruin Rd. a distance of 701.2 feet to a point which is the True Point of Beginning; thence leaving said right of way of Beaver Ruin Rd. South 60 degrees 17 minutes 33 seconds West a distance of 275.00 feet to a point; thence North 60 degrees 29 minutes 12 seconds West a distance of 338.35 feet to a point; thence North 46 degrees 45 minutes 10 seconds East a distance of 160.00 feet to a ½" rebar found on the southerly right of way of beaver Ruin Road (130' RW); thence along said right of way South 71 degrees 25 minutes 44 seconds East a distance of 439.65 feet to a point which is the True Point of Beginning.

Said tract or parcel of land contains 70,972 square feet (1.62 acres) as shown on a plat of survey for Souter Holdings II, LLC by Christopher E. Moore & Associates, Inc. dated 8-5-2015 and last revised 6-3-2019.

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This map or plat has been calculated for closure and is found to be accurate within 1 foot in 100,000+ feet.

This plat has been prepared using a Trimble Total Station reading directly to 1 second and an automatic distance measuring device reading directly to .001 hundredths of a foot.

The field data upon which this map or plat is based has a closure precision of (1) foot in +10,000 feet and an angular error of 1 second per angle point, and was adjusted using compass rule.

**FLOOD HAZARD NOTE**  
 This property does not lie within a 100 year flood hazard zone as defined by the F.E.A. Flood Insurance Rate Map of Gwinnett County, Georgia and Incorporated areas, Map number 13133C0099F, dated 9-29-2006.

This plat was prepared for the exclusive use of the person, persons, or entity named in the certificate hereon. Said certificate does not extend to any unnamed person without an express recertification by the surveyor naming said person.

Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his employee, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information.

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:**

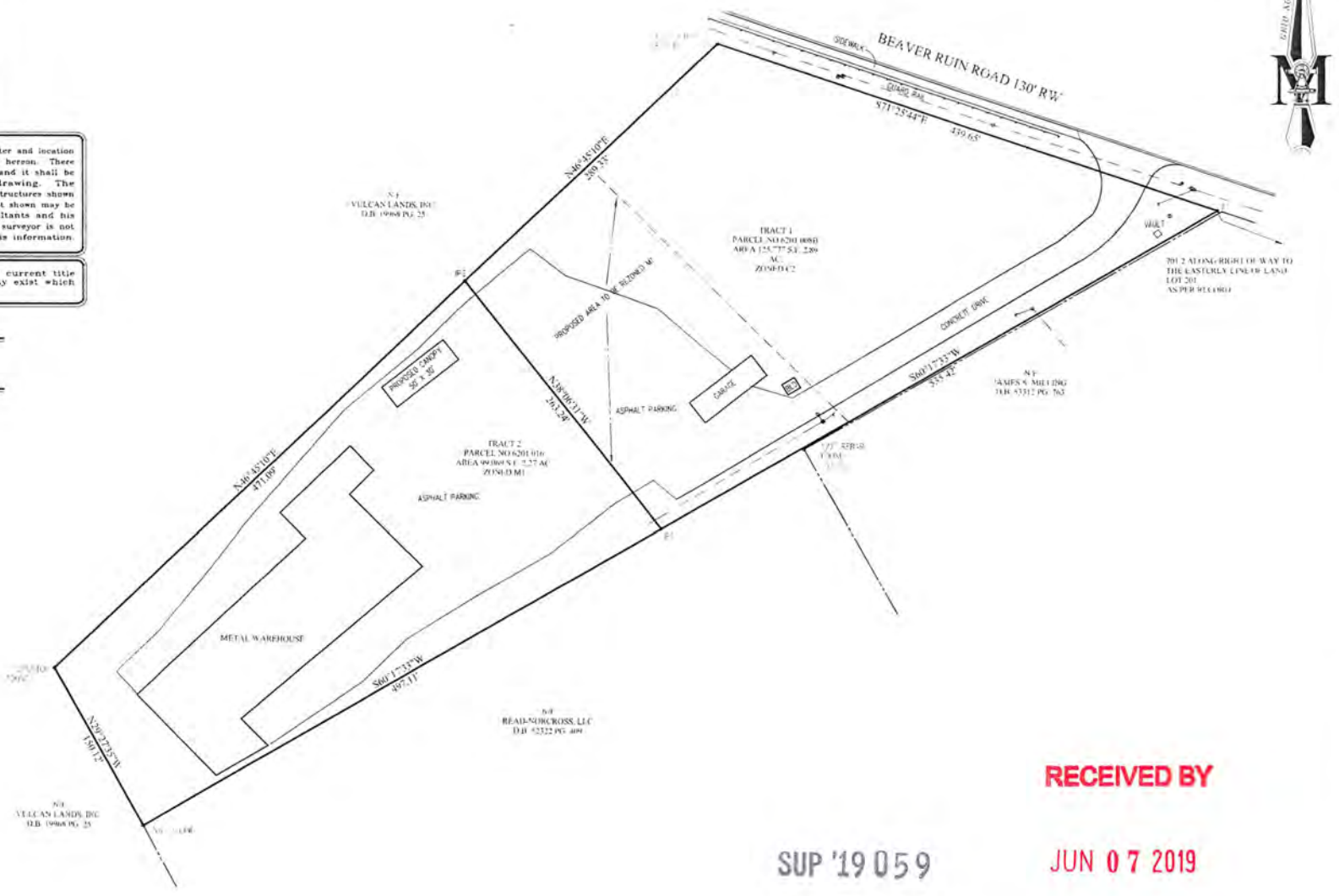
224,846 SQ FEET  
 5.16 ACRES

**NOTE:**

THIS PROPERTY IS SUBJECT TO ALL EASEMENTS  
 PERTAINING HERETO.

**GENERAL LEGEND**

- SANITARY SEWER MANHOLE
- JUNCTION BOX/STORM SEWER MANHOLE
- HEADWALL
- CATCH BASINS
- STORM SEWER LINE
- SUBDIVISION LOT NUMBER
- PROPERTY CORNER
- FIELD LOCATED PIN (AS NOTED)
- SANITARY SEWER LINE
- SIDEWALK
- BACK OF CURB
- IRON PIN 1/2"
- IRON PIN 1/4"
- D.R.E. DRAINAGE EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- A.E. ACCESS EASEMENT
- B.S.L. BUILDING SETBACK LINE
- R.O.E. RIGHT OF EASEMENT
- N/O/F. NOW OR FORMERLY
- R/O/W. RIGHT-OF-WAY



The survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G. § 47-1-56-67

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**M** CHRISTOPHER E. MOORE & ASSOCIATES, INC.  
 PROFESSIONAL LAND SURVEYING  
 848 FAIRWAY DRIVE MONROE, GA 30655  
 Phone: (770) 963-7418 www.emiland.com



SURVEY FOR  
 SOUTER HOLDINGS II, LLC

1 ASSTIC 20-  
 6TH DISTRICT  
 GWINNETT COUNTY, GEORGIA  
 848 FAIRWAY DRIVE  
 00111 SOUTHERN

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	6-3-19	ADD REAR TRACT	CEM

**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:

Minor delays on trucks

- (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:

It does,

- (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, It would NOT INCREASE TRAFFIC

- (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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Comet Transportation, Inc.

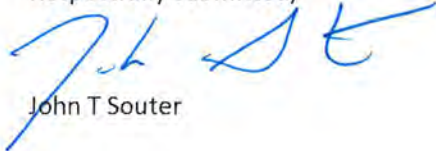
1567 Beaver Ruin Rd

Norcross, GA 30093

Re: Letter of Intent

Comet Transportation, Inc is the current tenant owned by Souter Holdings, LLC at the property located on 1567 Beaver Ruin Rd. Norcross, GA. This approximately three acre partial provides transportation and distribution services We have been in operation at this location since 2006. In addition to offering transportation and warehousing services., we run an operation that maintains and repairs vehicles on site in a confined area. This is vital to our operation.. It is my request to be allowed to continue to do so... I wish to add an unattached canopy to perform minor maintenance on equipment during periods of rain and extreme heat We are located behind vacant C-2 land next to a scrap yard not visible to any through traffic on Beaver Ruin. I believe the impact on traffic to be negligible. I would greatly appreciate the ability to continue to be allowed to do so.

Respectfully submitted,



John T Souter

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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.

John T. Souter 5-22-19  
Signature of Applicant Date

John T Souter OWNER  
Type or Print Name and Title

Pat Saltamacchio 5-22-19  
Signature of Notary Public Date Notary Seal



**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.

*J. T. Souter* 5-22-19  
Signature of Property Owner Date

John T Souter  
Type or Print Name and Title

*Pat. Saltamacchio* 5-22-19  
Signature of Notary Public Date Notary Seal





**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.

J. L. A. K.      5-22-19      John Souter / OWNER  
 SIGNATURE OF APPLICANT      DATE      TYPE OR PRINT NAME AND TITLE

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

Pat Saltamacchio      5-22-19  
 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 Souter  
 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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