

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>New England Marine Atlanta, LLC.</u>	NAME: <u>Ameriken, LLC</u>
ADDRESS: <u>4938 S. Atlanta Rd Suite 400</u>	ADDRESS: <u>618 N. Edgewood Ave</u>
CITY: <u>Atlanta</u>	CITY: <u>Wood Dale</u>
STATE: <u>GA</u> ZIP: <u>30339</u>	STATE: <u>IL</u> ZIP: <u>60191</u>
PHONE: <u>404.363.0552</u>	PHONE: <u>630.766.6226</u>
CONTACT PERSON: <u>Michael DeGasser</u> PHONE: <u>404.441.7611</u>	
CONTACT'S E-MAIL: <u>mdegasser@nemaseafood.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 type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>M-1</u>	BUILDING/LEASED SQUARE FEET: <u>20,000</u>
PARCEL NUMBER(S): <u>R6139-005</u>	ACREAGE: <u>4.38 Acres</u>
ADDRESS OF PROPERTY: <u>119 Pounds Rd Tucker, GA 30084</u>	
SPECIAL USE REQUESTED: <u>Food Processing, Fish &amp; Seafood Products</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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## LEGAL DESCRIPTION

ALL THAT TRACT AND PARCEL OF LAND LYING AND BEING IN LAND LOT 139 OF THE 6<sup>TH</sup> DISTRICT OF GWINNETT COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST RIGHT OF WAY OF POUNDS DRIVE (60' R/W) A DISTANCE OF 320.16 FEET NORTHERLY ALONG SAID RIGHT OF WAY FROM THE INTERSECTION WITH THE SOUTHEAST LINE OF LAND LOT 139: THENCE NORTH 10 DEGREES 48 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 22.16 FEET ALONG SAID RIGHT OF WAY TO A POINT; THENCE NORTH 10 DEGREES 06 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 120.85 FEET ALONG SAID RIGHT OF WAY TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 443.38 FEET AND AN ARC LENGTH AT 144.21 FEET, BEING SUBTENDED BY A CHORD OF NORTH 19 DEGREES 25 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 143.58 FEET ALONG SAID RIGHT OF WAY TO AN IRON PIN FOUND; THENCE NORTH 61 DEGREES 45 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 565.90 FEET ALONG LANDS NOW OR FORMERLY OF PIKE NURSERIES TO AN IRON PIN FOUND; THENCE SOUTH 40 DEGREES 32 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 321.85 FEET ALONG LANDS NOW OR FORMERLY OF GELZER AND OF GWINNETT COUNTY TO A POINT; THENCE SOUTH 61 DEGREES 45 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 495.92 FEET ALONG LANDS NOW OR FORMERLY OF AMERICAN DIE SUPPLIES TO A POINT; THENCE SOUTH 61 DEGREES 45 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 205.00 FEET TO THE POINT OF BEGINNING.

THE FOREGING PROPERTY BEING THE SAME AS SHOWN PER PLAT OF SURVEY FOR AMERICAN DIE SUPPLIES, INC., FILED 10/29/2001 AND RECORDED IN PLAT BOOK 91 PAGE 114, GWINNETT COUTY, GEORGIA RECORDS.

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RETRACEMENT - AS-BUILT  
SURVEY MADE FOR:  
**NEW ENGLAND MARINE ATLANTA, LLC**

PROPERTY LOCATED IN:  
LAND LOT 139 \* 6TH DISTRICT  
GWINNETT COUNTY, GEORGIA  
Scale: 1" = 50' \* 06-25-2019



THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USES OF THAT NAME APPEARING IN THE TITLE BLOCK AND IS CERTIFIED TO NO OTHER PARTY.



IF YOU DIG GEORGIA...  
CALL US FIRST!  
811  
UTILITIES PROTECTION CENTER  
IT'S THE LAW



THE GROSS ACREAGE IS 4.376 ACRES.  
THE NET ACREAGE IS 4.376 ACRES.

BLOCK RESERVED FOR CLERK  
OF SUPERIOR COURT

THIS SURVEY WAS PREPARED WITHOUT THE  
THE BENEFIT OF A TITLE COMMITMENT.  
THEREFORE, ALL EASEMENTS AND MATTERS  
OF RECORD MAY NOT BE SHOWN HEREON.

LEGEND

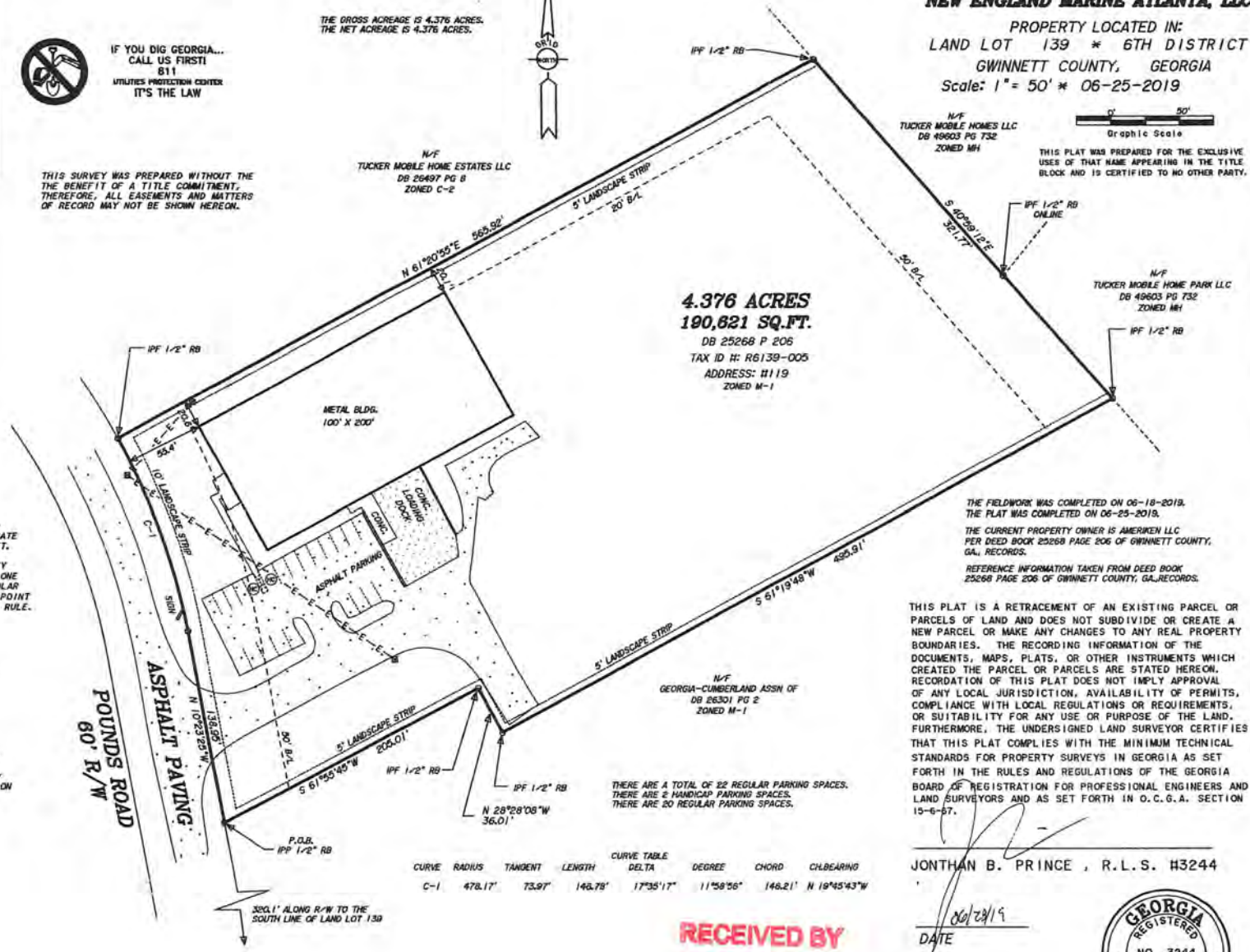
P.O.B.	POINT OF BEGINNING
IPF	IRON PIN FOUND
IPP	IRON PIN PLACED
RB	REBAR
MTP	MASH TOP PIPE
OTP	OPEN TOP PIPE
R/W	RIGHT-OF-WAY
B/L	BUILDING LINE
N/F	NOW OR FORMERLY
DB	DEED BOOK
PB	PLAT BOOK
PG	PAGE
L.L.	LAND LOT
L.L.L.	LAND LOT LINE
P.L.	PROPERTY LINE
C/L	CENTER LINE
P/C	PROPERTY CORNER
—	POWER POLE
-E-	OVERHEAD POWER LINE

THIS MAP OR PLAT HAS BEEN CALCULATED  
FOR CLOSURE AND IS FOUND TO BE ACCURATE  
WITHIN ONE FOOT 1/96.061 FEET.

THE FIELD DATA UPON WHICH THIS SURVEY  
IS BASED HAS A CLOSURE PRECISION OF ONE  
FOOT IN 14,792 FEET AND ANGULAR  
ERROR OF 00'00.33" PER ANGLE POINT  
AND WAS ADJUSTED USING LEAST SQUARES RULE.

THE EQUIPMENT USED TO  
MAKE THIS SURVEY WAS A  
TOPCON GPT-3005W TOTAL STATION.

BASED ON THE INFORMATION SHOWN ON  
THE FLOOD HAZARD BOUNDARY MAPS  
FURNISHED BY THE FEDERAL EMERGENCY  
MANAGEMENT AGENCY, IT IS MY OPINION  
THAT THIS PROPERTY IS OUTSIDE OF  
THE 100 YR FLOOD HAZARD AREA.  
PANEL # 13130C.015E  
EFFECTIVE DATE 09-29-2006



**4.376 ACRES**  
**190,621 SQ.FT.**  
DB 25268 P 206  
TAX ID #: R6139-005  
ADDRESS: #119  
ZONED M-1

THE FIELDWORK WAS COMPLETED ON 06-18-2019.  
THE PLAT WAS COMPLETED ON 06-25-2019.  
THE CURRENT PROPERTY OWNER IS AMERIKEN LLC.  
PER DEED BOOK 25268 PAGE 206 OF GWINNETT COUNTY,  
GA, RECORDS.  
REFERENCE INFORMATION TAKEN FROM DEED BOOK  
25268 PAGE 206 OF GWINNETT COUNTY, GA, RECORDS.

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR  
PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A  
NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY  
BOUNDARIES. 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,  
OR 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  
15-6-67.

THERE ARE A TOTAL OF 22 REGULAR PARKING SPACES.  
THERE ARE 2 HANDICAP PARKING SPACES.  
THERE ARE 20 REGULAR PARKING SPACES.

CURVE	RADIUS	TANGENT	LENGTH	CURVE TABLE DELTA	DEGREE	CHORD	CHLBEARING
C-1	478.17'	73.97'	146.78'	17°35'17"	11°58'56"	148.21'	N 19°45'43"W

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JONATHAN B. PRINCE, R.L.S. H3244  
DATE 8/28/19



JOB #: 061819DE

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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:  
PLEASE SEE ATTACHED
  
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT 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 SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:  
PLEASE SEE ATTACHED
  
- (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:  
PLEASE SEE ATTACHED
  
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT 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 SPECIAL USE PERMIT:  
PLEASE SEE ATTACHED

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**CHANGE IN CONDITIONS APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

- (A) Yes, approval of the Application will permit a use that is suitable for the use and development of adjacent and nearby property. The property will continue to be used as currently zoned.
- (B) No, approval of the Application will not adversely affect the existing use or usability of any of the nearby properties. The property will be managed, utilized and maintained in a way that will maintain or increase the attractiveness to the surrounding area.
- (C) Yes, the property is currently zoned M-1 and will be continued to be used for this purpose. Therefore maintaining the economic use as currently zoned.
- (D) No, approval of the Application will not cause any excessive or burdensome use of the infrastructure.
- (E) Yes, approval of the Application would be in conformity with the policy and intent of the land use plan.
- (F) There will be no existing nor changing conditions affecting the use of the property as the existing building and property will be utilized in a similar manner to its current use.

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Gwinnett County Planning & Development  
446 West Crogan Street  
Lawrenceville, GA 30044

New England Marine Atlanta, LLC.  
4938 S. Atlanta Rd SE  
Suite 400  
Atlanta, GA 30339

LETTER OF INTENT FOR SPECIAL USE PERMIT APPLICATION OF  
NEW ENGLAND MARINE ATLANTA, LLC.

New England Marine Atlanta, LLC. (NEMA) submits this Letter of Intent and Special Use Application for the property located at 119 Pounds Dr. Tucker, GA 30084. This property is already zoned as M-1, but will require a Special Use Permit. There will be no changes or additions outside of the existing building.

NEMA is a well established company located in Cobb county that would like to relocate to Gwinnett county. The proposed use of this facility is processing seafood related products. NEMA produces high-quality products, including ready-to-eat salads and dips, which require the highest sanitary standards. The facility will be required to follow all state and federal regulations in regards to food safety and sanitation. NEMA is currently meeting and exceeding these regulations set forth by the FDA and Georgia Department of Agriculture.

NEMA will have approximately 20-25 valued family-oriented employees. Many of our employees are related to each other and have worked for the company for many years. Our normal business hours are Sunday to Friday from 5am to afternoon. We receive 3-4 incoming shipments per week and send out 1-2 smaller box trucks per day for deliveries.

NEMA is mindful of any concerns of being a seafood product related company. In our current location we are occupying a suite between the landlord and another tenant. These two companies are not in a similar business and even have a retail and office space. We do not receive any complaints from the nature of our business. We are always sensitive to our neighbors. Any storage of fish waste (skin, bones) is stored within the facility in covered vats and is frequently recycled multiple times per week.

We are attracted to this particular location due to the quality and peacefulness of the area. Two of the three owners and three of our managers are current residents of Gwinnett. Simply, we live in Gwinnett and want to work in Gwinnett. Our goal is

to continue our successful business that will add to the economic growth of the community in which we work and live.

We ask for your support to enable us in accomplishing our goal and we are always available and open to answer any questions.

We thank you for your consideration.

Sincerely,



Michael P. DeGasser  
COO - New England Marine Atlanta, LLC.  
Cell: 404.441.7611  
mdegasser@nemaseafood.com

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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

7/3/19  
Date

Michael P. DeGasser, COO  
Type or Print Name and Title

  
Signature of Notary Public

7-3-19  
Date

**ANGELIQUE SALLEY**  
NOTARY PUBLIC  
Cobb County  
State of Georgia  
My Comm. Expires May 5, 2023  
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.

Dale Kengott 7-3-19  
Signature of Property Owner Date

DALE KENGOFF MANAGING MEMBER  
Type or Print Name and Title

Catherine Tokarz 7-3-19  
Signature of Notary Public Date



Notary Seal

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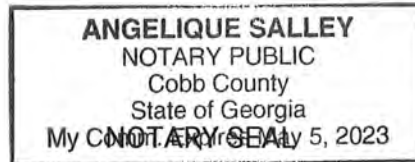
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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.

Michael P. DeGasser      7/3/19      Michael P. DeGasser, COO  
 SIGNATURE OF APPLICANT      DATE      TYPE OR PRINT NAME AND TITLE

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

Angelique Salley      7-3-19  
 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    Michael P. DeGasser  
 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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