

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Recovery Foundations Inc</u> ADDRESS: <u>3925 Meeting Street</u> CITY: <u>Duluth</u> STATE: <u>GA</u> ZIP: <u>30096</u> PHONE: <u>678-557-2097</u>	NAME: <u>Frank Darius</u> ADDRESS: <u>1536 RIDENOUR PKWY NW</u> CITY: <u>Kennesaw</u> STATE: <u>GA</u> ZIP: <u>30152</u> PHONE: <u>860-978-1418</u>
CONTACT PERSON: <u>Barry Henson</u> PHONE: <u>678-557-2097</u> CONTACT'S E-MAIL: <u>admin@recoveryfoundations.org</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>C-2</u>	BUILDING/LEASED SQUARE FEET: <u>4120</u>
PARCEL NUMBER(S): <u>5018 006A</u>	ACREAGE: <u>0.27</u>
ADDRESS OF PROPERTY: <u>2405 Lawrenceville Highway</u>	
SPECIAL USE REQUESTED: <u>Residential shelter</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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EXHIBIT A

LEGAL DESCRIPTION GWINNETT COUNTY GEORGIA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 18, 5TH DISTRICT, GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ½" REBAR ON THE NORTHERLY RIGHT OF WAY OF U S HIGHWAY 29, 159.2 FEET EASTERLY ALONG THE NORTHERLY RIGHT OF WAY OF U S HIGHWAY 29 FROM ITS INTERSECTION WITH THE EASTERLY RIGHT OF WAY OF SHANNON WAY, THENCE RUNNING N31°59'42"W FOR A DISTANCE OF 201.40 FEET TO A FOUND NAIL, THENCE RUNNING N58°06'55"E FOR A DISTANCE OF 60.00 FEET TO A POINT, THENCE RUNNING S31°25'20"E FOR A DISTANCE OF 194.56 FEET TO A POINT, THENCE RUNNING S56°10'20"W FOR A DISTANCE OF 8.00 FEET TO A POINT, THENCE RUNNING S34°22'57"E FOR A DISTANCE OF 6.00 FEET TO A POINT BEING THE NORTHERLY RIGHT OF WAY OF U S HIGHWAY 29, THENCE RUNNING S57°27'12"W ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 50.32 FEET TO A ½" REBAR AND THE POINT OF BEGINNING,

SAID TRACT OR PARCEL OF LAND CONTAINING 0.271 ACRES (11,814 SQUARE FEET) MORE OR LESS.



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Boundary Survey

THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENT(S), MAP(S), PLAT(S) OR OTHER INSTRUMENT(S) WHICH CREATED THE PARCEL(S) ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHER, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA, AS SET FORTH IN CHAPTER 186-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT OCGA 15-6-67



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

Daniel F. Conroy
DANIEL F. CONROY PLS #2350 DATE 12/05/2019

ZONING SUMMARY: C-2
BUSINESS

FRONT SETBACK 15'
SIDE SETBACK 10'
REAR SETBACK 30'

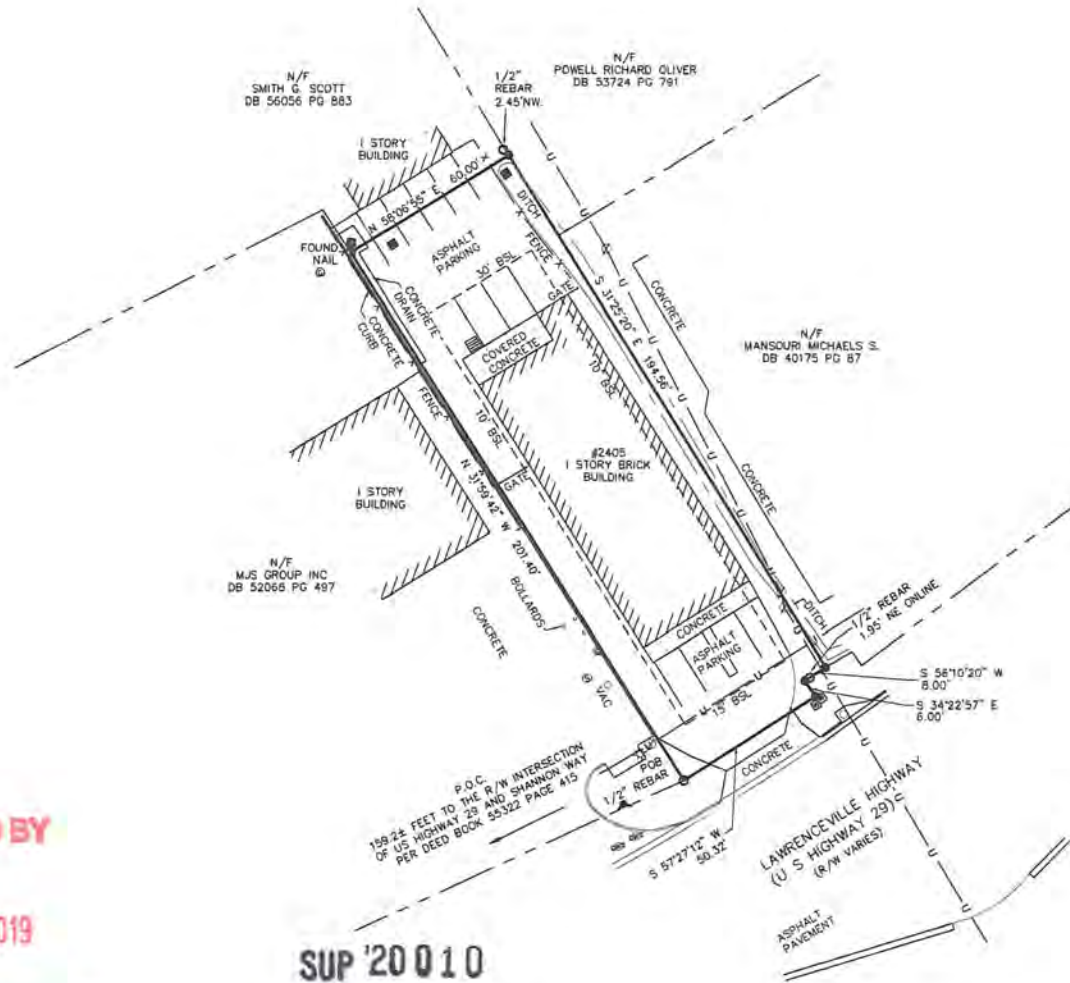
INFORMATION OBTAINED FROM
GWINNETT COUNTY RECORDS

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

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MAGNETIC NORTH
PER DB 52068 PG 498
SCALE: 1" = 30'

NO.	REVISION	DATE



BOUNDARY SURVEY
PREPARED FOR: CAROLYN HENSON
LAND LOT 18, 5TH DISTRICT,
GWINNETT COUNTY, GEORGIA - 12/05/2019

○ PROPERTY CORNER	⊙ MANHOLE	⊠ A/C UNIT	⊠ GAS VALVE	L.L. LAND LOT	C.B. CATCH BASIN	-S- SEWER LINE	B.S. BUILDING SETBACK LINE	DB DEED BOOK	F.K.A. FORMERLY KNOWN AS
○ FOUND (AS NOTED)	⊙ CLEAN OUT	< GUY WIRE	⊠ CABLE BOX	N/F NOW OR FORMERLY	CNT. CANTILEVER	-G- GAS LINE	CONC. CONCRETE	PB PLAT BOOK	NAD NORTH AMERICAN DATUM
○ 1/2" REBAR WITH CAP SET LSP# 839	⊙ WATER METER	⊙ JUNCTION BOX	⊠ POWER METER	R/W RIGHT-OF-WAY	⊠ TELEPHONE BOX	-C- CABLE LINE	EDP EDGE OF PAVEMENT	PG PAGE	NAD NORTH AMERICAN VERTICAL DATUM
⊠ R/W MONUMENT	⊙ WATER VALVE	⊙ OUTFLOW STRUCTURE	⊠ POWER BOX	P/L PROPERTY LINE	⊠ SIGN	-T- TELEPHONE LINE	BFE BASEMENT FLOOR ELEVATION	POB POINT OF BEGINNING	
⊠ FIRE HYDRANT	⊙ POWER POLE	⊙ DRAINAGE INLET	⊙ REGULAR PARKING	OH OVERHANG	-W- WATER LINE	-X- FENCE LINE	GFE GARAGE FLOOR ELEVATION	POC POINT OF COMMENCEMENT	⊠ HARDWOOD TREE
	⊙ LIGHT POLE	⊙ POWER/LIGHT POLE	⊠ HANDICAP	⊠ GAS METER	-U- OVERHEAD UTILITY LINE	-920- CONTOUR LINE	FFE FINISHED FLOOR ELEVATION	A.K.A. ALSO KNOWN AS	⊠ 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.

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

© COPYRIGHT 2019 - BOUNDARY ZONE, INC. THIS DRAWING AND IT'S REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

TOTAL AREA: 0.271 ACRES / 11,814 SQUARE FEET

BOUNDARY REFERENCE: DEED BOOK 55322, PAGE 415
FIELDWORK PERFORMED ON 12/04/2019

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 365,133 FEET.

THIS PLAT HAS BEEN PREPARED USING A TRIMBLE ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.02 FEET.

BOUNDARY zone, inc. LAND SURVEYING SERVICES & LAND PLANNING SERVICES

SURVEYING LANDSCAPE ARCHITECTURE LAND PLANNING
WWW.BOUNDARYZONE.COM (770) 271-5772

SWANEE (770) 271-5772
454 SATELLITE BLVD, SUITE 200
SWANEE, GA 30024

ATLANTA (404) 426-8180
1101 PEACHTREE STREET, SUITE 200
ATLANTA, GA 30309

KENNESAW (678) 730-4393
975 COBB PLACE BLVD, SUITE 101
KENNESAW, GA 30144

PROJECT 2148701

SHEET 1 OF 1

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:

See attached

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

See attached

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

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:

See attached

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

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:

See attached

Special Use Permit Applicant's Responses

- (A) WHETHER A PROPOSED REZONING/SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY

Yes. The proposed Residential Shelter would be completely contained within the existing building on the property. There would be no exterior evidence of any changes in the building. There would be no negative impact on adjacent and nearby commercial properties.

- (B) WHETHER THE PROPOSED REZONING/SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USEABILITY OF ADJACENT OR NEARBY PROPERTY

No. The proposed Residential Shelter would be contained to the property, with no exterior evidence of the shelter's presence. There would be little to no negative impact on the adjacent and nearby properties. Additionally, as most of the nearby and adjacent are zoned C-2, our shelter may provide new customers for these businesses.

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

Prior to the Applicant entering into its lease, the property was used as storage space for the owner. In addition to operating a residential shelter in part of the space, the Applicant will additionally use part of the space as offices for the Applicant's employees and a community meeting place.

- (D) WHETHER THE PROPOSED REZONING/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. The proposed use would not cause any burdensome or excessive use of existing streets, transportation facilities, utilities, or schools.

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

Yes. According to Section 210-170.1 of Title 2: Land Use and Zoning of the Gwinnett County Unified Development Ordinance, the C-2 General Business District is to provide for "retailing of major goods and services, general office facilities and public functions

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that would serve a community area of several neighborhoods.” The proposed Residential Shelter will serve an important public function in the surrounding community by providing a community meeting space for 12 Step meetings and providing a sober living environment, jobs, and recovery support for people suffering from addiction and alcoholism.

(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/SPECIAL USE PERMIT

There are no existing or changing conditions affecting the use and development of the property.

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**Letter of Intent For Residential Shelter
2405 Lawrenceville Highway (2405 Highway 29)**

The applicant, Recovery Foundations, Inc. (hereinafter, the "applicant") submits this request for a Special Use Permit for a residential shelter on an approximately .27-acre tract of land (hereinafter, the "property") located at 2405 Lawrenceville Highway near its intersection with Shannon Way. In some Gwinnett County databases, the property address may be listed as 2405 Highway 29. The property covered by this application is currently zoned C-2 (General Business District). The space would also include office space for the applicant's 2-4 employees and a community center to host 12 Step meetings for the residents and the public, both of which are permitted uses under C-2 zoning according to Section 230-100 Table of Permitted and Special Uses of the Unified Development Ordinance.

There is one 4,120 square foot building on the property with a height of 21 feet. Given the acreage of 0.27, this is equal to a density of approximately 17,900 square feet per acre. There will be no changes to the exterior of the building, which would continue to appear as it does today. The proposed residential shelter would be essentially invisible to anyone not inside the existing buildings.

The proposed residential shelter would provide an alcohol- and drug-free living environment for individuals in a substance addiction recovery program. The building would support approximately 25 residents, in addition to 2-4 employees at any given time. In addition to providing a residential shelter, the applicant will connect residents with job programs (off-property), provide transportation, and provide addiction recovery support to help residents develop the tools necessary for them to find success in their recovery and to transition back to being contributing members of their community. In addition, the applicant will have a community service requirement for all residents.

All of the adjacent and the majority of the nearby parcels are zoned C-2, meaning the proposed operation of a residential shelter will provide minimal to no disruption to residential areas. The few nearby residential properties are zoned RM-13 (Multi-Family Residence District) or RZT. The applicant's proposed use will not have a negative impact on these properties and will actually provide an important service by carrying 12 Step addiction recovery meetings.

There are currently 13 parking spaces on the site. Given that transportation will be provided to the residents by the applicant in the form of 12-15 person passenger needs, these thirteen spaces are more than sufficient to support the facility.

The applicant will typically have 2-3 employees on the property during typical business hours. The applicant will require at least one employed supervisor on the premises at all times to ensure that residents are safe and behaving in a way that does not negatively impact the surrounding community.

In conclusion, the property is an appropriate location for the proposed residential shelter and would have little to no negative impact on any surrounding properties or to the citizens in nearby or surrounding areas.

Respectfully submitted,

Recovery Foundations Inc


Barry Henson, Director of Recovery Foundations

12/5/2019
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.

Franklin A. Darius

Signature of Property Owner

12/2/19

Date

Franklin A. Darius, Owner

Type or Print Name and Title

Michelle Dollar

Signature of Notary Public

12-2-19

Date



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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.

Barry Henson 12/4/2014 Barry Henson
 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] 12-4-19
 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 Barry Henson
 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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