

**SPECIAL USE PERMIT APPLICATION**

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

| APPLICANT INFORMATION  | PROPERTY OWNER INFORMATION*         |
|--|-------------------------------------|
| NAME: <u>ACTION RENTALS ATL-N LLC.</u>                           | NAME: <u>STEFAN NASUI</u>           |
| ADDRESS: <u>4216 BUFORD HIGHWAY</u>                              | ADDRESS: <u>4216 BUFORD HIGHWAY</u> |
| CITY: <u>DULUTH</u>  | CITY: <u>DULUTH</u>                 |
| STATE: <u>GEORGIA</u> ZIP: <u>30096</u>                          | STATE: <u>GA</u> ZIP: <u>30096</u>  |
| PHONE: <u>305-491-7172</u>                                       | PHONE: <u>404-556-6001</u>          |
| CONTACT PERSON: <u>BRUNO E. RAMOS</u> PHONE: <u>305 491 7172</u> |                                     |
| CONTACT'S E-MAIL: <u>ber@beai.com; berexec@beai.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 checked="" type="checkbox"/> OWNER'S AGENT   | <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER |
| EXISTING/PROPOSED ZONING: <u>C1/ C2</u> BUILDING/LEASED SQUARE FEET: <u>3,600 sq. ft.</u>                             |   |
| PARCEL NUMBER(S): <u>6259-001 , 6259-001A</u> ACREAGE: <u>1.4+/- ACRES</u>  |   |
| ADDRESS OF PROPERTY: <u>4216 BUFORD HIGHWAY, DULUTH, GA. 30096. and 2746 EAST MOUNT TABOR CIR. DULUTH, GA 30096</u>   |   |
| SPECIAL USE REQUESTED: <u>Special use permit for outdoor storage pursuant of: Unified Development Ordinance</u>       |   |
| <u>Title 2: Land Use &amp; Zoning Chapter 230-130.4. Supplemental Use Standards. G. Outdoor Storage, paragraph 2.</u> |   |

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

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LEGAL DESCRIPTION  
4216 Buford Highway

All that tract or parcel of land lying and being in Land Lot 259, of the 6<sup>th</sup> District, Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at the Northerly point on the mitered intersection of the Southeasterly right of way of U.S. Highway 23 A.K.A. Buford Highway and the Northeasterly right of way of Mount Tabor Circle, thence along said right of way of U.S. Highway 23 in a Northeasterly direction a distance of 82.00 feet to a point; thence continuing in a Northeasterly direction a distance of 5.00 feet to a point; thence continuing in a Northeasterly direction a distance of 158.89 feet to a point; thence leaving said right of way in a Southeasterly direction a distance of 129.74 feet to a point; thence continuing in a Southeasterly direction a distance of 100.14 feet to a point; thence in a Southwesterly direction a distance of 272.94 feet to a point on the Northeasterly right of way of Mount tabor Circle; thence along said right of way in a Northwesterly direction a distance of 99.53 feet to a point; thence continuing in Northwesterly direction a distance of 116.09 feet to a point; said point being the Southerly point on the mitered intersection of the Southeasterly right of way of U.S. Highway 23; thence in a Northeasterly direction a distance of 30.52 feet to a point and THE TRUE POINT OR PLACE OF BEGINNING.

Said tract or parcel of land containing 1.40 +/- acres. As shown on Topographic Survey for Stefan Nasui by Adam and Lee Land Surveying dated 3/4/01.

Said tract shown as Gwinnett County PID R6259 001 – 4216 Buford Highway and PID R6259 001A – 2746 East Mount Tabor Circle.

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LEGAL DESCRIPTION  
2746 East Mount Tabor Circle

All that tract or parcel of land lying and being in Land Lot 259, of the 6<sup>th</sup> District, Gwinnett County, Georgia, said tract shown as Gwinnett County PID R6259 001A – 2746 East Mount Tabor Circle (0.63 ac. +/- per Gwinnett County GIS) and being more particularly described as follows:

Beginning at a point on the Northeasterly right of way of East Mount Tabor Circle, said point being 116.09 feet from the Southerly mitered corner of the right of way intersection of East Mount Tabor Circle and U.S. Highway 23 A.K.A. Buford Highway; thence leaving said right of way in a Northeasterly direction a distance of 271.60 feet to a point; thence in a Southeasterly direction a distance of 100.14 feet to a point; thence in a Southwesterly direction a distance of 272.94 feet to a point on the Northeasterly right of way of Mount tabor Circle; thence along said right of way in a Northwesterly direction a distance of 99.53 feet to a point and THE TRUE POINT OR PLACE OF BEGINNING.

Said tract or parcel of land containing 0.61 +/- acres. As calculated from Tract 2 on the Topographic Survey for Stefan Nasui by Adam and Lee Land Surveying dated 3/4/01, last revised 1/6/20.

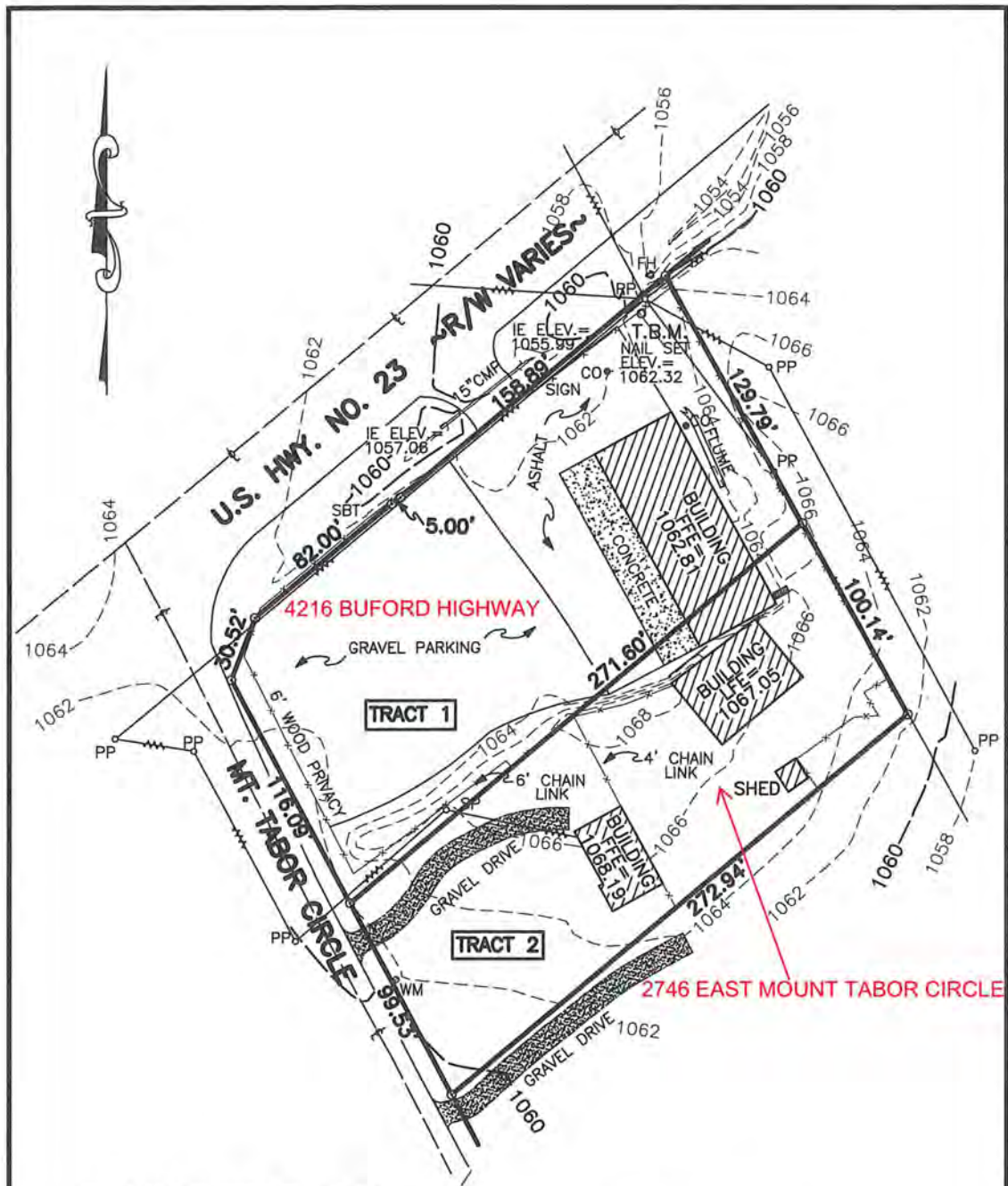
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THIS PROPERTY DOES NOT LIE WITHIN  
A FEDERAL FLOOD HAZARD AREA AS  
PER PANEL NO. 130322 0160 E

BOUNDARY NOTE:  
BOUNDARY NOT CERTIFIED. NO FIELDWORK PERFORMED  
DURING LAST REVISION OF SURVEY. LAST FIELD  
DATE IS 3/4/01.



IN MY OPINION THIS PLAT IS A CORRECT  
REPRESENTATION OF THE LAND PLATTED  
AND HAS BEEN PREPARED IN CONFORMITY  
WITH THE MINIMUM STANDARDS AND  
REQUIREMENTS OF THE LAW

REFERENCE BENCHMARK:  
GPS MONUMENT RELOCATED AT FREEDOM LANE.

REVISION NOTE:  
REVISED 1/6/20 - ADDED TRACT LINE

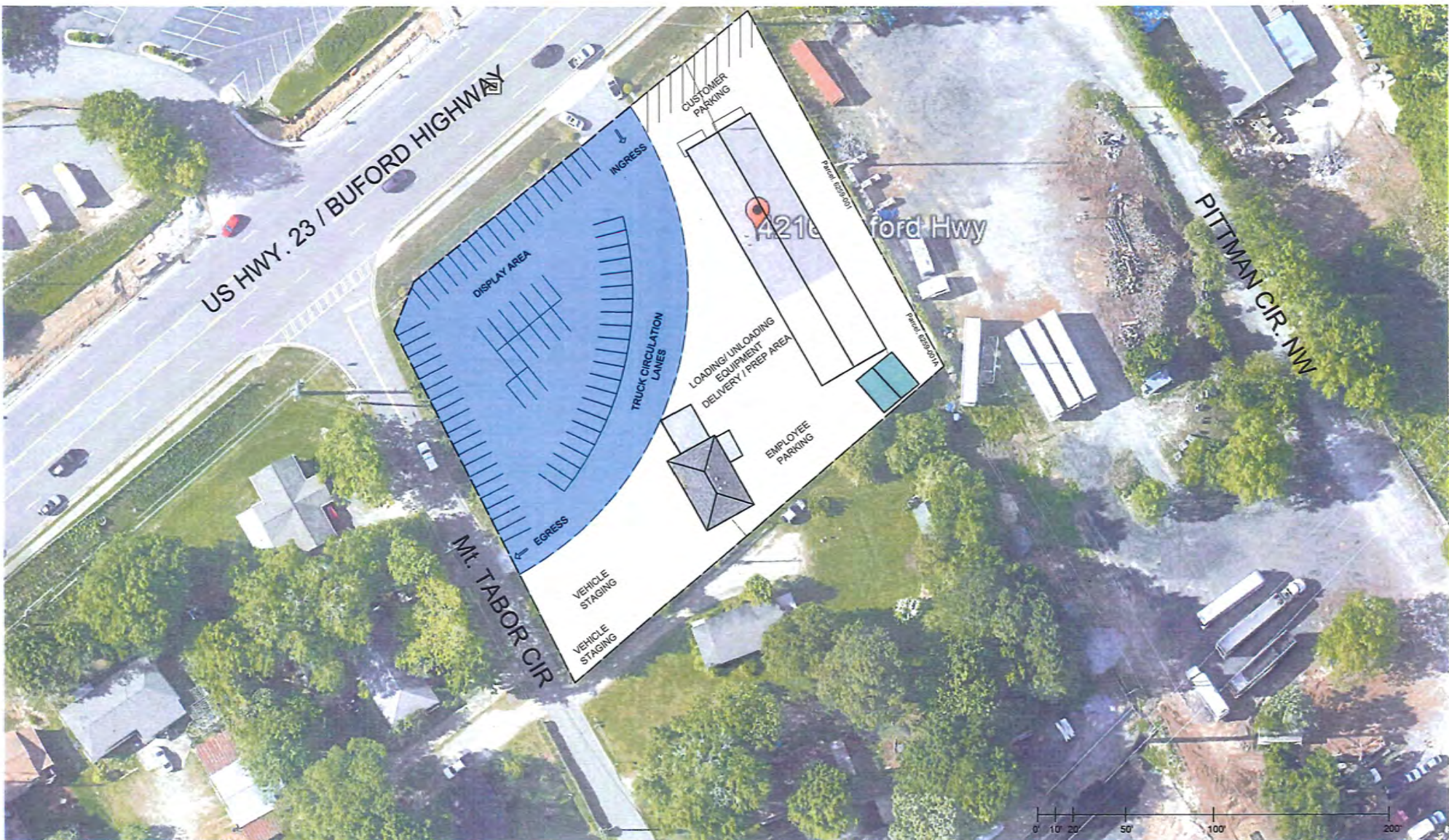
|   |   |                  |
|---|---|------------------|
| TOPOGRAPHIC SURVEY FOR:   |   |                  |
| STEFAN NASUI  |   |                  |
| DATE: 3/4/01  | LAND LOT: 259<br>DISTRICT: 6TH                  | DRAWN BY: DWJ/SL |
| SCALE: 1"=60'   | SECTION:<br>COUNTY: GWINNETT<br>SURVEYED BY: DF |                  |
| <b>ADAM &amp; LEE LAND SURVEYING</b><br>5640 GA. HWY. 20 S.<br>LOGANVILLE, GA. 30052 (770) 554-8995 |   |                  |
| 4216 BUFORD HWY   |   | 01030            |

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# 4216 Buford Highway Site Plan



SUP 2019

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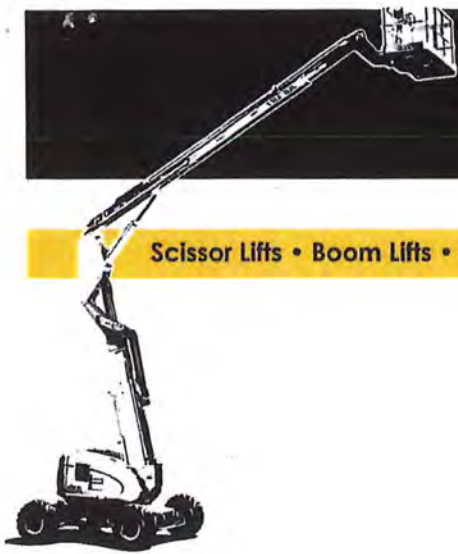
**SPECIAL USE PERMIT APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

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:  
Use being proposed is a dealership (Wacker Neuson Dealer) similar to the Kubota dealer down the Road. Clean and organized selling and Renting new and Used equipment. All service is done within the building.
- (B) WHETHER A PROPOSED SPECIAL USE PERMIT WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:  
No impact to the Existing property as the Site is currently being used as a used Automobile dealer under the properties current Special Use Permit.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED SPECIAL USE PERMIT HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:  
The existing use is Used Car Sales. The proposed use will allow for sale and rental of new and used equipment providing additional sales tax revenue and new tangible property tax revenue.
- (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:  
Proposed use will actually result in a lower traffic impact as the current use of used cars generates customers for each car model and year. vs the limited inventory options in equipment which will result in less customers coming to the site.
- (E) WHETHER THE PROPOSED SPECIAL USE PERMIT IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:  
Yes policy and intent allows for use with special use permit.
- (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:  
Competitors are located on Buford Highway to the North and South of the Subject property.





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**ACTION**  
EQUIPMENT

1-877-693-8210

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01-02-2020

Ms. Ashley Nichols  
Gwinnett County Government  
Planning Manager, Current Planning  
446 W. Crogan Street, Suite 250  
Lawrenceville, GA 30046

**RE:** Rezoning of parcel 6259001A from current C1 Neighborhood Business District to C2 General Business District. And Special Permit Application in Pursuit of *"Unified Development Ordinance, title 2: Land use & zoning, chapter 230-130.4. Supplemental use standards. G. Outdoor Storage, paragraph 2"* for parcels 6259001 and 6259001A.

Bruno E. Ramos (Applicant) / Stefan Nasui (Owner)

Dear Ms. Holland,

We are hereby applying for a rezoning of parcel 6259001A from C1 Neighborhood Business District to C2 General Business District and for a special use permit under *"Unified Development Ordinance, title 2: Land use & zoning, chapter 230-130.4. Supplemental use standards. G. Outdoor Storage, paragraph 2"* of the Gwinnett County Planning & Development Department to use the two following parcels: 6259001 and 6259001A for Outdoor storage of equipment, materials and merchandise correspondent to Action Rental Equipment inventory. The motion to occupy the frontage of the property for merchandise exhibit over Buford Highway and Mount Tabor Cir. is similar to Sunbelt Rentals (3885 Buford Highway, Duluth GA) and Mason Tractor Company (5038 Buford Hwy, Norcross GA) presented in exhibit "A" attached to this application package.

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*Action Speaks Louder than Words*

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Jacksonville • Ft. Myers • Hollywood • Pensacola • Atlanta • Savannah • Gainesville

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Ms. Ashley Nichols  
January 02, 2020  
Page Two

The previously mentioned parcels have the corresponding address and existing zoning:

- Parcel 6259001 with the address: 4216 Buford Highway, Duluth GA. 30096. Zoning C-2 General Business District
- Parcel 6259001A with the address: 2746 East Mount Tabor Cir. Duluth GA 30096. Zoning C-1 Neighborhood Business District

Relating to the proposal, please find attached the following:

- Parcel 6259001A rezoning Application Form
- Special Use Permit Application Form
- Legal description matching the attached boundary survey
- Boundary Survey matching the attached Legal description
- Four Tabloid size Site Plan copies and one 8.5x11" reduction
- Standards Governing Exercise of the Zoning Power
- Letter of Intent
- Exhibit "A"
- Applicant Certification with Notarized Signature
- Property Owner Certification with Notarized Signature
- Conflict of Interest Certification/Campaign Contributions
- Verification of Paid Property Taxes for parcel 6259001
- Verification of Paid Property Taxes for parcel 6259001A
- Application fee checks of the amount of 900 dollars (750.00 dollars for the application and 150.00 dollars for Special use permit fee) payable to Gwinnet County Planning and Development Department.

If you have any questions or need additional information please do not hesitate to contact me.

Respectfully submitted,  
Action Equipment



Bruno-Elias Ramos, AIA, GC, LEED AP  
Principal-in-Charge

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**SPECIAL USE PERMIT APPLICANT'S CERTIFICATION**

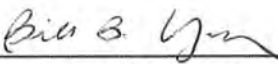
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

12/26/2019  
Signature of Applicant Date

**Bruno E. Ramos**

**STEFAN NASUI**

Type or Print Name and Title

12/30/19Please see attachment.  
Signature of Notary Public Date Notary Seal

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**INDIVIDUAL ACKNOWLEDGMENT**

State/Commonwealth of Georgia }  
County of Gwinnett } ss.

On this the 30 day of December, 2019, before me,  
Day Month Year

Bill B. Yang, the undersigned Notary Public,  
Name of Notary Public

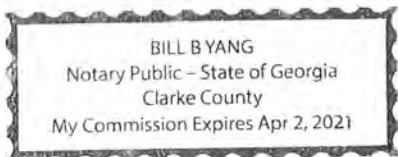
personally appeared Stefan Nasri,  
Name(s) of Signer(s)

☐ personally known to me – OR –

☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) are subscribed  
to the within instrument, and acknowledged to me  
that he/she/they executed the same for the purposes  
therein stated.

WITNESS my hand and official seal.



Bill B. Yang  
Signature of Notary Public

Place Notary Seal/Stamp Above

Any Other Required Information  
(Printed Name of Notary, Expiration Date, etc.)

**OPTIONAL**

*This section is required for notarizations performed in Arizona but is optional in other states.  
Completing this information can deter alteration of the document or fraudulent reattachment  
of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: Special use permit Applicant's Certificate

Document Date: 12/26/2019 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_




**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.

 01-06-2020  
Signature of Property Owner Date


STEFAN NASCUI  
Type or Print Name and Title

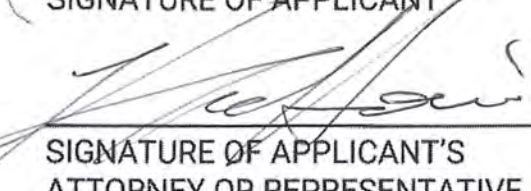
 1/6/2020  
Signature of Notary Public Date Notary Seal

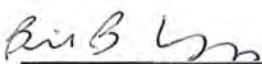


**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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.

 12/26/2019 Bruno E. Ramos CEO.  
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 12/26/19 STEFAN NASUTA  
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

 12/30/19 *please see attachment.*  
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 BRUNO E. RAMOS  
YOUR NAME

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

| NAME AND OFFICAL<br>POSITION OF<br>GOVERNMENT OFFICIAL | CONTRIBUTIONS<br>(List all which aggregate to<br>\$250 or More) | DATE CONTRIBUTION<br>WAS MADE<br>(Within last two years) |
|--|---|--|
|  |   |  |
|  |   |  |
|  |   |  |

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

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**INDIVIDUAL ACKNOWLEDGMENT**

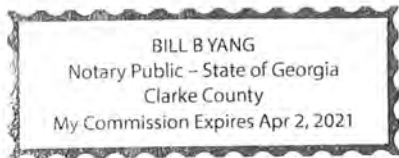
State/Commonwealth of Georgia }  
County of Gwinnett } ss.

On this the 30 day of December, 2019, before me,  
Day Month Year

Bill B. Yang, the undersigned Notary Public,  
Name of Notary Public

personally appeared Stefan Nasui,  
Name(s) of Signer(s)

☐ personally known to me – OR –  
☒ proved to me on the basis of satisfactory evidence  
to be the person(s) whose name(s) is are subscribed  
to the within instrument, and acknowledged to me  
that he/she/they executed the same for the purposes  
therein stated.



WITNESS my hand and official seal.  
B B Yang  
Signature of Notary Public

Place Notary Seal/Stamp Above

Any Other Required Information  
(Printed Name of Notary, Expiration Date, etc.)

**OPTIONAL**

*This section is required for notarizations performed in Arizona but is optional in other states.  
Completing this information can deter alteration of the document or fraudulent reattachment  
of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: Conflict of interest certification for Spina  
Document Date: 12/26/19 Number of Pages: 1  
Signer(s) Other Than Named Above: \_\_\_\_\_

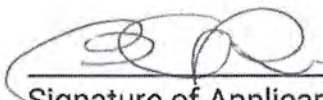
use  
prompt

**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:** 01 - 6259001  
(Map Reference Number) District Land Lot Parcel

 12/26/2019  
Signature of Applicant Date  
Bruno E. Ramos STEFAN. NASUI  
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)

Love H. Hanley TSA-I  
NAME TITLE  
12-31-19  
DATE

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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:** 01 -          - 6259001A  
(Map Reference Number)      District      Land Lot      Parcel



Signature of Applicant

12/26/2019

Date

**Bruno E. Ramos**

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.\*\*\***

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**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)

Lovell Hinkley  
NAME

TSA I  
TITLE

12-31-19

DATE

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# ACTION EQUIPMENT

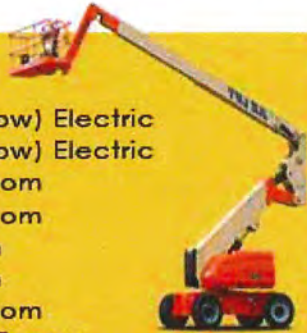
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## Booms

30 ft. (47" Narrow) Electric  
40 ft. (68" Narrow) Electric  
40-45 ft. Jib-Boom  
60-65 ft. Jib-Boom  
68 ft. Jib-Boom  
76 ft. Jib-Boom  
80-85 ft. Jib-Boom  
120-125 ft. Jib-Boom



## RR (4x4 Scissor)

33 ft. Compact All Terrain  
33 ft. Dual-Deck All Terrain  
43 ft. Dual-Deck All Terrain

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## Electric Scissor

19 - 20 ft. (32" Narrow)  
26 ft. (32" Narrow)  
26 ft. (46" Wide-Deck)  
33 ft. (46" Wide-Deck)



## Telehandlers

5,500 lb (19 ft.) Comp.  
6,000 lb (22 & 44 ft.)  
8,000 lb (44 ft.)  
10,000 lb (48 & 56 ft.)

## Excavators



## Roller Compactors



## Loaders



## Skid Steer/Backhoe



## Fork Lifts



OPERATOR CERTIFICATION AND HAZMAT TRAINING AVAILABLE

# 1-877-693-8210

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