

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Tuan Le</u>	NAME: <u>Vietnamese Buddhist Zen Center, Inc.</u>
ADDRESS: <u>316 Marbella Way</u>	ADDRESS: <u>1085 Harbins Rd.</u>
CITY: <u>McDonough, GA</u>	CITY: <u>Norcross</u>
STATE: <u>GA</u> ZIP: <u>30252</u>	STATE: <u>GA</u> ZIP: <u>30093</u>
PHONE: <u>678-209-3266</u>	PHONE: <u>(404) 610-3399</u>
CONTACT PERSON: <u>YEN TRINH</u> PHONE: <u>404-610-3399</u> CONTACT'S E-MAIL: <u>YTRINH99@GMAIL.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>R75</u> BUILDING/LEASED SQUARE FEET: <u>3939</u>		
PARCEL NUMBER(S): <u>R6171318</u> ACREAGE: <u>3.945</u>		
ADDRESS OF PROPERTY: <u>1085 Harbins Rd., Norcross, GA 30093</u>		
SPECIAL USE REQUESTED: <u>Place of worship/temple (renewal)</u>		

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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BK53648 PG0809

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 171 of the 6<sup>th</sup> District Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at an iron pin located on the southwesterly right of way of Harbins Road (80 foot right of way), 1,133.07 feet southeasterly, as measured along the southwesterly right of way of Harbins Road, from the southeasterly right of way of Cobb Meadow, thence south 54 degrees 40 minutes 02 seconds east along the southwesterly right of way of Harbins Road a distance of 168.44 feet to a point; thence southeasterly along the arc of a curve, and following said right of way, a distance 302.95 feet to an iron pin, said arc having a chord bearing of south 41 degrees 58 minutes 15 seconds east, a chord distance of 302.40 feet, and a radius of 1,443.62 feet; thence south 58 degrees 38 minutes 34 seconds west a distance of 433.56 feet to an iron pins; thence north 58 degrees 55 minutes 27 seconds west a distance of 275.00 feet to an iron pins; thence north 33 degrees 15 minutes 01 seconds east a distance of 485.37 feet to the point of beginning, said property being shown of plat of survey for Zachary Johnson by Matthew V Ingram, Georgia Registered Land Surveyor No. 2288, dated April 21, 1992, and being shown as 3,945 acres with an address of 1085 Harbins Road, Norcross, Georgia under the current numbering system for Norcross, Georgia.

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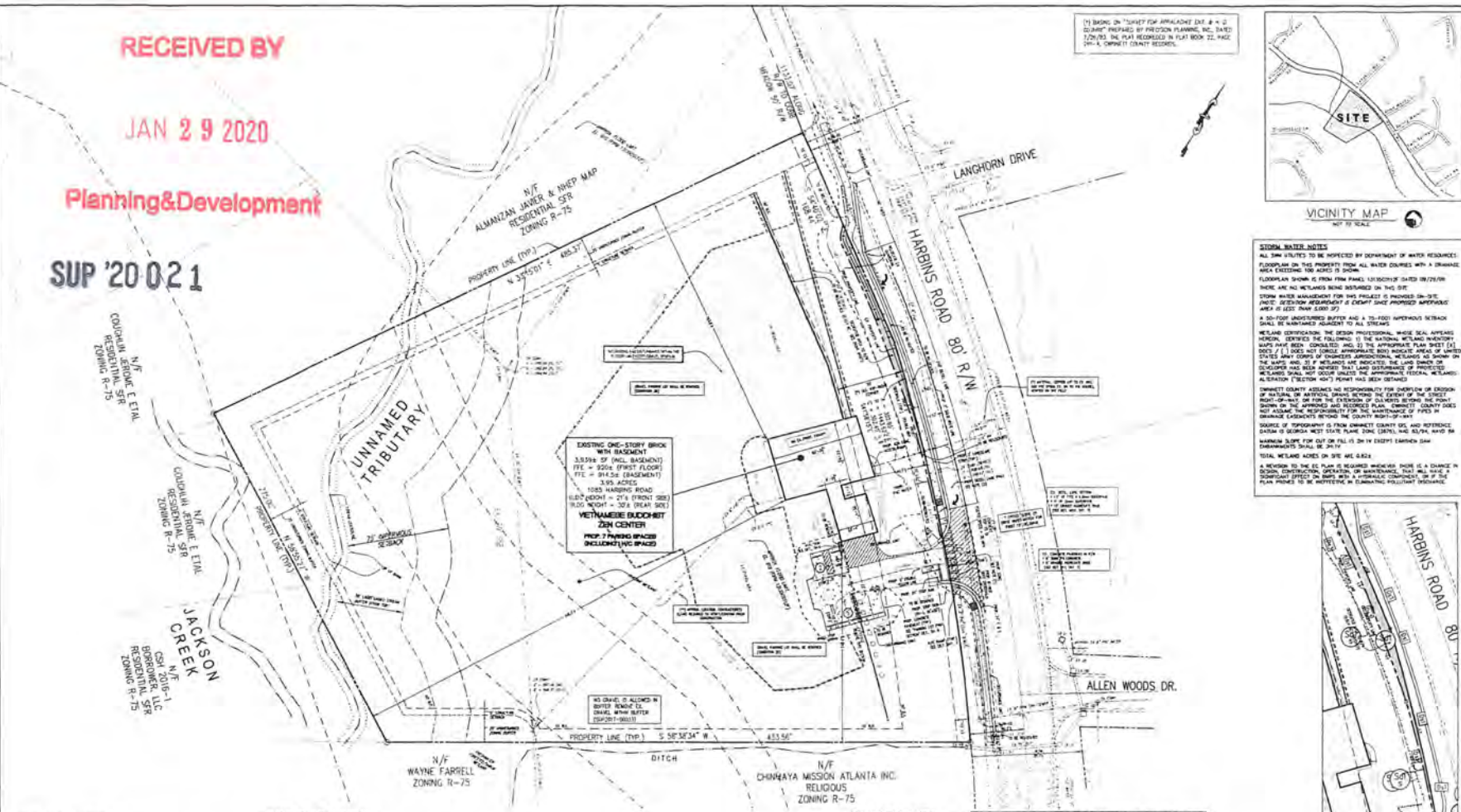
COLUMBIA RIVER E. ETL  
RESIDENTIAL SFR  
ZONING R-75  
N/W  
JACKSON  
CREEK  
N/W  
CSA 2016-1  
RESIDENTIAL SFR  
ZONING R-75

ALMANZAN LAMER & WHEP MAP  
RESIDENTIAL SFR  
ZONING R-75

N/W  
NORMAN E. ETL  
RESIDENTIAL SFR  
ZONING R-75

N/W  
WAYNE FARGELL  
ZONING R-75

N/W  
CHINMAYA MISSION ATLANTA INC.  
RELIGIOUS  
ZONING R-75



(1) SHOW ON "CONTRACT FOR APPLICANT USE # 4 - 0" EXHIBIT PREPARED BY PRECISION PLANNING, INC. DATED 1/29/15. THE PLAN RECORDED IN PLAT BOOK 72, PAGE 10-4. OWNERS: COUNTY RECORDS.



CIVIL ENGINEERING  
MTC-NGUYEN CIVIL SITE DESIGN  
74 AMELIA GARDEN WAY  
LAWRENCEVILLE, GA 30045  
(404) 966-9922  
CONTACT NAME:  
MR. MATTHEW NGUYEN, P.E.

PROJECT  
VIETNAMESE BUDDHIST ZEN CENTER  
PARCEL 318, L1 171, 8TH DISTRICT  
GWINNETT COUNTY  
AREA = 3.95 AC (NET AREA = 3.626 AC)  
DEDICATED R/W AREA = 0.024 AC  
DISTURBED AREA = 0.392 AC  
WHERE:  
ON SITE = 0.19± AC  
OFF SITE = 0.20± AC

FOR:  
VIETNAMESE BUDDHIST ZEN CENTER  
1085 HARBINS ROAD  
NORCROSS, GA 30093  
(770) 717-1780  
CONTACT NAME:  
MS. MAI TRAN

Table with columns: NO., DATE, ADDRESS, COMMENTS. It lists revision details for the site plan.

Table with columns: LEGEND, SYMBOL, DESCRIPTION. It defines various symbols used in the site plan, such as building footprints, parking spaces, and easements.

**SIDEWALK NOTES:**  
SIDEWALK SHALL BE LOCATED AT LEAST 2 FEET FROM THE BACK OF CURB AND SHALL BE CONSTRUCTED OF CONCRETE A MINIMUM OF ONE FOOT (3') IN WIDTH AND 4" THICK WITH A CROSS SLOPE OF 0.25" PER FOOT. CONCRETE SHALL BE CLASS "B" AND HAVE A STRENGTH OF 2800 PSI AT 28 DAYS.  
SIDEWALK SHALL BE LOCATED 2 FEET FROM BACK OF CURB BRIDGES LOCATED IN THE AREA BETWEEN THE CURB AND THE SIDEWALK SHALL CONSIST OF GRASS OR LANDSCAPING. WHERE NO CURB EXISTS OR IF ROAD IMPROVEMENTS ARE PROVIDED BY THE COUNTY SIDEWALKS INCLUDING APPROPRIATE SIGNAGE FACILITIES SHALL BE CONSTRUCTED IN A LOCATION ACCEPTABLE TO THE DOT.  
SIDEWALK SHALL BE INSTALLED ON ADJACENT STREETS (ABUTTING SIDES) PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

- SITE PLAN NOTES:**
- OWNER: VIETNAMESE BUDDHIST ZEN CENTER CONTACT: MS. MAI TRAN PHONE NO.: (770) 717-1780
  - DEVELOPER: VIETNAMESE BUDDHIST ZEN CENTER CONTACT: MS. MAI TRAN PHONE NO.: (878) 209-3268
  - CONTRACTOR: LE BROSSEURS CONSTRUCTION CONTACT: MS. TRAN LE PHONE NO.: (878) 209-3268
  - ENGINEER: MTC-NGUYEN CIVIL SITE DESIGN CONTACT: MR. MATTHEW NGUYEN, P.E. PHONE NO.: (404) 966-9922
  - TOTAL SITE AREA IS 3.95 ACRES, ZONED R-75. DISTURBED AREA IS 0.392 ACRES (0.19± AC ON-SITE)
  - THE PROPOSED USE FOR THE SITE IS CHURCH/TEMPLE
  - SITE BOUNDARY INFORMATION TAKEN FROM "SURVEY FOR APPLICANT USE, B.M. OUTLINE", PREPARED BY PRECISION PLANNING, INC., DATED 07/24/15, PHONE: (770) 338-9000
- TOPOGRAPIHC, UTILITY INFORMATION FOR WATER AND SEWAGE DISPOSAL FROM GWINNETT COUNTY GIS AND FIELD OBSERVATION.
- BUILDING SETBACK RESTRICTIONS:**  
FRONT: 50'  
REAR: VARIES  
SIDES: 25' AND 10'
- THIS TRACT OF LAND LIES WITHIN A 100 YEAR INTERMEDIATE REGIONAL FLOOD ZONE AS PER FEMA MAP NO. 13025C0112P LAST REVISED 08/29/06
- NECESSARY BARRICADES, SIGNIFICANT LIGHTS, SONGS AND OTHER TRAFFIC CONTROL METHODS AS MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC SHALL BE PROVIDED AND MAINTAINED THROUGHOUT THE CONSTRUCTION OF PROJECT.
- THE AREA PROPOSED FOR DISTURBANCE UNDER THIS PERMIT SUBMITTAL DOES NOT INCLUDE ANY WETLANDS, ANTHROPOGENIC WATERS, OR STATE WATERS.
- CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.

**DEVELOPMENT SEWER NOTES:**  
1. OWNER'S RESPONSIBILITY SHALL BE TO OBTAIN ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.  
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.  
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.  
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.  
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.

PARKING LOTS SHALL BE MAINTAINED IN GOOD CONDITION, FREE OF POLES, WELLS, SIGNS, TRASH, AND DEBRIS.  
NO COMPACTOR IS PROPOSED FOR THIS SITE.

**BARBER NOTES:**  
THE BARBER AND HIS LICENSED ASSISTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.  
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**REQUIREMENTS OF NUMBER OF PARKING SPACES**  
FROM: GWINNETT COUNTY ZONING REGULATION, SECTION 100.07

USE/DEVELOPMENT CATEGORY	MINIMUM PARKING SPACES	MINIMUM PARKING SPACES
CHURCH/TEMPLE	1 PER 5 SEATS	1 PER 3 SEATS
PROPOSED SEATS IN THIS BUDDHIST CENTER	33 SEATS	
MINIMUM PARKING SPACES REQUIRED:	33 SEATS x (1 SPACE / 5 SEATS) = 7 SPACES	

**PARKING SPACES ALLOWED:**  
33 SEATS x (1 SPACE / 3 SEATS) = 11± SPACES OF 11 SEATS

FROM: GEORGIA ACCESSIBILITY CODE, SECTION 100-20-20-07

TOTAL PARKING SPACES IN LOT	REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES
1 TO 25	1

**REQUIREMENTS OF PARKING SPACES:**  
REGULAR PARKING SPACES (15' x 30') 8 SPACES  
ACCESSIBLE PARKING SPACES (15' x 30') 1 SPACE  
TOTAL PARKING SPACES 7 SPACES

**DEVELOPER:**  
VIETNAMESE BUDDHIST ZEN CENTER  
1085 HARBINS ROAD  
NORCROSS, GA 30093  
(770) 209-3268  
TRANLE@PROBROS.COM  
CONTACT:  
MR. TRAN LE

**ENGINEER:**  
MTC-NGUYEN CIVIL SITE DESIGN  
1085 HARBINS ROAD  
LAWRENCEVILLE, GA 30045  
(404) 966-9922  
MTC@MTCNGUYEN.COM  
CONTACT:  
MR. MATTHEW NGUYEN, P.E.

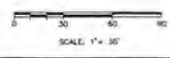
GWINNETT COUNTY DOT IS NOT ON THE ONE-CALL SYSTEM CALL (770) 822-7474 WHEN LOCATING UTILITIES FOR CONSTRUCTION.

SITE LIGHTING IS NOT INCLUDED IN THE SCOPE OF WORK OF THIS PROJECT.

**THE SEWERAGE NOTES:**  
THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.  
THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.  
THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPLICABLE AGENCIES.

**PROTECTION CENTER OF GEORGIA**

24 HOUR CONTACT  
MR. MICHAEL TRAN  
(404) 425-4862



SITE PLAN

CERTIFICATION AND SEAL

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATIONS WERE PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF GEORGIA AS DULY VERIFIED BY MY HONOR AND SEAL.

**SITE PLAN**

PROJECT NO. 10000-113-01  
DATE: 01/29/20  
DRAWING NO. 01-SP

**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:

Yes. There are 3 places of worship within a 2 miles radius of the property.

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

No. We don't plan to change the property or have a lot of visitors.

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

Yes.

- (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. We don't expect much to change. We don't have many visitors on a daily basis.

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

Yes. We plan to use the property as a place for 2-3 nuns to live.

- (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:

We don't plan to add to the existing building besides bringing it up to code to meet the requirements outline in the building inspection.

January 28, 2020

To Whom It May Concern:

I am applying for a renewal Special Use Permit on behalf of the Vietnamese Buddhist Zen Center, Inc. for the property located at 1085 Harbins Rd., Norcross, GA 30093. The property 3.945 acres and the building size is 3939 square feet. The current zoning classification is R-75.

We would like to use the property as a temple, mainly as a place of residence for two to three nuns. We do not expect a lot of visitors on a daily basis. There are two major Buddhist holidays during which we expect less than 20 visitors. We do not plan to add to the existing building other than bringing it up to code to meet the requirements outlined in the building Compliance Inspection Report.

We are almost complete inside building renovation work to bring building up to code. Also, we are also completed with site work. Due to lack of construction funding, we are little slower than normal to completed both building and site work construction work.

Please let me know if you need any additional information.

Thank you very much for your help and consideration.

Sincerely,



Tuan Le

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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.

*Tuanle*

Signature of Applicant

*Jan. 28, 2020*

Date

*TUAN LE (owner's agent)*

Type or Print Name and Title

*[Handwritten Signature]*

Signature of Notary Public

*1/28/2020*

Date

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.

*Loc Nguyen*

*1/28/2020*

Signature of Property Owner

Date

*LOC NGUYEN*

Type or Print Name and Title



*[Handwritten Signature]*

*1/28/2020*

Signature of Notary Public

Date

Notary Seal

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**JAN 29 2020**

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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.

Tuan Le Jan. 28, 2020 TUAN LE (OWNER'S Agent)  
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

Kim Le 1/28/2020 Kim Le  
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE  
 ATTORNEY OR REPRESENTATIVE

[Signature] 1/28/2020  
 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 TUAN LE  
 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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**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: 6<sup>th</sup> - 171 - 26171318  
(Map Reference Number) District Land Lot Parcel

Tuanle Signature of Applicant Jan. 28, 2020 Date

TUAN LE (owner's agent)  
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)

Lovell Hunley NAME TSA-I TITLE

1-28-20  
DATE

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