

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Robert Jackson Wilson</u>	NAME: <u>Vulcan Lands, Inc.</u>
ADDRESS: <u>10 Lumpkin Street</u>	ADDRESS: <u>1200 Urban Center Drive</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Vestavia</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>AL</u> ZIP: <u>35242</u>
PHONE: <u>(770) 962-9780</u>	PHONE: <u>(205) 298-3000</u>
CONTACT PERSON: <u>Robert Jackson Wilson</u> PHONE: <u>(770) 962-9780</u>	
CONTACT'S E-MAIL: <u>jwilson@rjwpclaw.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>M-2</u>	BUILDING/LEASED SQUARE FEET: <u>800 s.f.</u>
PARCEL NUMBER(S): <u>R6-200-004</u>	ACREAGE: <u>15.18</u>
ADDRESS OF PROPERTY: <u>1700 Willow Trail Parkway</u>	
SPECIAL USE REQUESTED: <u>Asphalt Plant adjacent to existing quarry</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED BY
 PLANNING AND DEVELOPMENT
 APRIL 3, 2020
 SUP2020-00033

LEGAL DESCRIPTION

Vulcan Lands, Inc.

E.R. Snell Contractor, Inc.

A parcel of land located in Land Lot 200 in the 6th District of Gwinnett County, Georgia, said parcel being more particularly described as follows:

Commence at a point marking the Northerly end of the chamfer between the Southerly Right of Way of Frontage Road NW and the Easterly Right of Way of Hillcrest Road; thence leaving said chamfer run North 63 degrees 23 minutes 42 seconds East for a distance of 529.50 feet to a Found Concrete Right of Way Monument, said point lying on the apparent Southerly Right of Way of Interstate 85; thence run North 65 degrees 50 minutes 48 seconds East along said right of way for a distance of 5.52 feet to a point, said point being the POINT OF BEGINNING of the parcel herein described; thence run North 65 degrees 50 minutes 48 seconds East along said apparent Right of Way for a distance of 692.08 feet to a point; thence run North 59 degrees 48 minutes 48 seconds East along said Right of Way for a distance of 453.14 feet to a point; thence leaving said Right of Way run South 27 degrees 35 minutes 34 seconds East for a distance of 586.83 feet to a point; thence run South 62 degrees 37 minutes 49 seconds West for a distance of 1134.23 feet to a point; thence run North 28 degrees 28 minutes 27 seconds West for a distance of 603.50 feet to the POINT OF BEGINNING. Said parcel contains 661,229.66 Square Feet or 15.180 Acres.

RECEIVED BY

APR 03 2020

Planning & Development

SUP '20 033

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. The use is suitable in view of the adjacent quarry and nearby industrial uses.

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

No. The use will be contained to the Vulcan owned property. It will not affect the use or usability of any adjoining property.

(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. The Permit would relieve traffic congestion and other burdens by allowing the use to continue near its current location in close proximity to Interstate 85.

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

Yes. The land use plan recognizes the existing M-2 uses which have operated for many years on Vulcan's property.

(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:

Vulcan's need for expansion in the Tenant's current location warrants approval. Keeping these uses operating near their current location benefits customers and the public.

RECEIVED BY

APR 03 2020

SUP '20 033

ROBERT JACKSON WILSON, PC

ATTORNEY AT LAW

10 LUMPKIN STREET ■ LAWRENCEVILLE, GEORGIA 30046
770-962-9780

ROBERT JACKSON WILSON

jwilson@rjwpcclaw.com

April 3, 2020

Hon. Charlotte Nash, Chairman, and
Members of the Board of Commissioners
Gwinnett County Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30045

Re: Special Use Permit Application
Tax Parcel R6-200-004

Dear Chairman Nash and Members of the Board:

The undersigned represents E.R. Snell Contractor, Inc. and Vulcan Lands, Inc. in this Application for a Special Use Permit for an asphalt plant. E.R. Snell Contractor has operated an asphalt plant as a tenant at Vulcan Materials' quarry at I-85 and Beaver Run Road for approximately thirty (30) years. The existing plant predated the adoption of the UDO in 2014. At the time the existing plant was opened, no special use permit was required under the County's zoning ordinance. Vulcan's ongoing and expanding operations require the use of the area where E.R. Snell's current asphalt plant is located. Vulcan now requires that E.R. Snell relocate its existing plant to adjacent M-2 property owned by Vulcan.

The location is a strategic one in close proximity to Interstate 85. The location near I-85 relieves burdens on transportation infrastructure and provides for convenient delivery to customers without burdening residents. The existing plant has been fully operational at Vulcan's property since 1990 without incident. Under the UDO, an asphalt plant is permitted in the M-2 zoning classification (the most intense industrial zoning permitted under the County's UDO), with a Special Use Permit. The new configuration would contain the plant and two small buildings—a control house for computer equipment and a lab. These buildings would total 800 square feet. This Special Use Permit would allow the operation to continue uninterrupted on a suitable site very close to the current location. The Special Use Permit would allow E.R. Snell to continue to provide necessary construction materials and support for public road projects and private businesses and residents. For these reasons, the Applicant and Owner respectfully request your approval of the Special Use Permit. If you have any questions or need any additional information, please let me know.

With best regards, I am

Very truly yours,


Robert Jackson Wilson

RJW/bka
cc: E.R. Snell Contractor, Inc.
Vulcan Lands, Inc.

RECEIVED BY
PLANNING AND DEVELOPMENT
APRIL 3, 2020
SUP2020-00033


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.

M.J.K. 4/2/2020
Signature of Applicant Date

Robert Jackson Wilson
Type or Print Name and Title

B. Karen Atcher 04/02/2020 Notary Seal
Signature of Notary Public Date



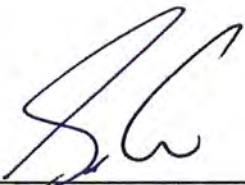
RECEIVED BY

APR 03 2020

SUP '20 033

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.



4-2-20

Signature of Property Owner

Date

Stephen Ashworth

Vice President of Sales

Type or Print Name and Title



4/2/2020

Signature of Notary Public

Date

Notary Seal

RECEIVED BY

APR 03 2020

Planning&Development

SUP '20 033

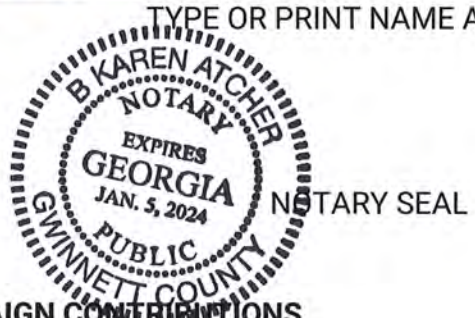
CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

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.

Robert Jackson Wilson 4/2/2020 Robert Jackson Wilson
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

Robert Jackson Wilson 4/2/2020 Robert Jackson Wilson
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
 ATTORNEY OR REPRESENTATIVE

B. Karen Atcher
 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 Robert Jackson Wilson
 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.

RECEIVED BY

APR 03 2020

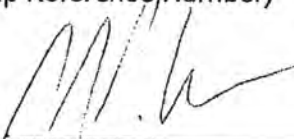
SUP '20 033

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 - 200 - 004
(Map Reference Number) District Land Lot Parcel

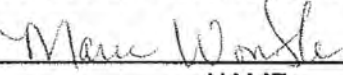
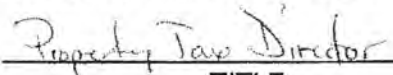
 3/31/2020
Signature of Applicant Date

Robert Jackson Wilson, Applicant
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)

 
NAME TITLE

3-31-20
DATE

RECEIVED BY

SUP '20 033

03 2020