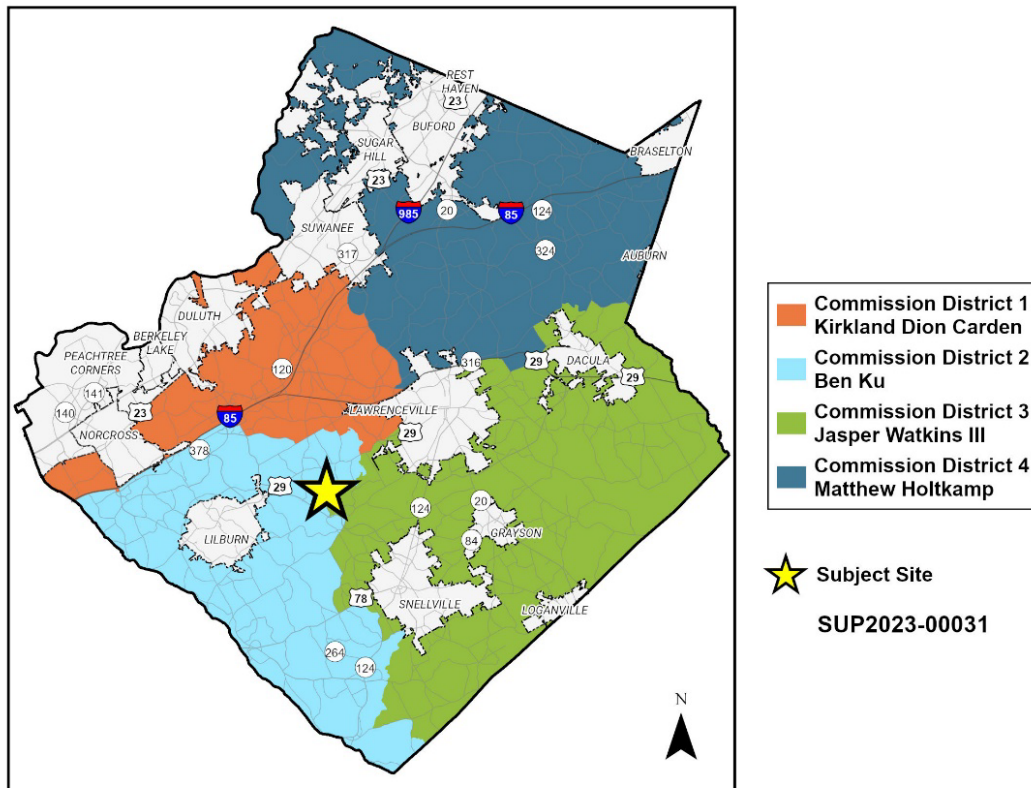


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** SUP2023-00031  
**Current Zoning:** M-1 (Light Industry District)  
**Request:** Special Use Permit  
**Additional Requests:** Variances and Waivers  
**Address:** 2716 Oak Road  
**Map Number:** R5014 042  
**Site Area:** 8.45 acres  
**Proposed Development:** Wood Chipping, Shredding, and Log Splitting  
**Commission District:** District 2 – Commissioner Ku  
**Character Area:** Established Neighborhoods  
  
**Staff Recommendation:** DENIAL  
  
**Planning Commission Recommendation:** DENIAL



**Applicant:** ArborForce Tree Services, LLC  
1588 Atkinson Road, Suite 104  
Lawrenceville, GA 30043

**Owners:** DRW Enterprises, LLC  
2716 Oak Road, SW  
Lawrenceville, GA 30044

**Contact:** Richard J. Dreger, Esq.

**Contact Phone:** 678.566.6901

## **Zoning History**

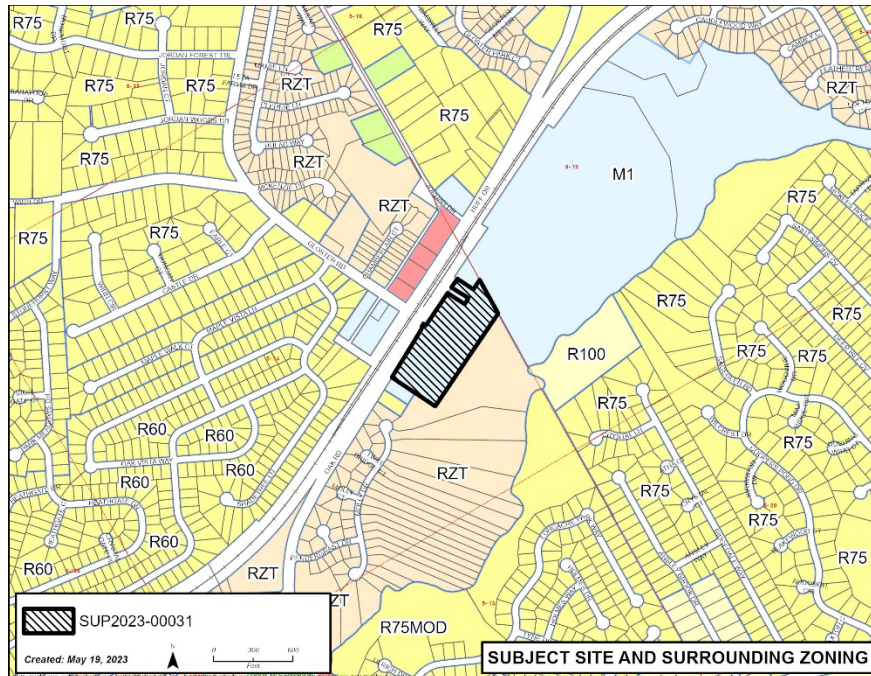
The subject property is zoned M-1 (Light Industry District). A request to rezone the northern half of the property from M-1 to M-2 (Heavy Industry District) for a recycling facility was denied in 1977, pursuant to RZ-19-77.

## **Existing Site Condition**

The subject property is an 8.45-acre parcel located on Oak Road, east of its intersection with Huff Drive and Gloster Road. The property contains a 1,600 square-foot brick and metal frame building constructed in 1930 and a 10,550 square foot warehouse. The property is used by two different businesses. The existing buildings are occupied by a building material wholesale company. Which uses the portion of the property north and east of the existing buildings for outdoor storage. All outdoor storage is screened by an opaque chain-link fence. The applicant currently uses the portion of the property south of the buildings for all wood chipping, shredding, and log splitting activities. The 100-year floodplain is located at the southeastern corner of the property. The portion of the property used by the applicant contains an unpaved area with machinery, materials including logs and wood chips, and employee parking located throughout the worksite. The perimeter of the site is screened by a chain-link fence with barbed wire, including what appears to be an opaque plastic screening system along the southern boundary. The site sits at the same grade as Oak Road and slopes downward approximately 6 feet towards the southeast corner of the site. Overhead powerlines are located along Oak Road. Sidewalks are not present along the road frontage, and railroad tracks across Oak Road span the remainder of the property frontage used for the building material wholesale company. The nearest Gwinnett County Transit stop is approximately 3.7 miles from the subject property.

## **Surrounding Use and Zoning**

The subject site is surrounded by a mixture of uses and undeveloped parcels. Several contractor offices are located northwest of the site across the railroad tracks on Gloster Road and Huff Drive. The Yellow River is located to the south and east of the subject property. As a result, the adjacent property to north and east is undeveloped and contains large amounts of the 100-year floodplain. Development of this property is unlikely due to the presence of the floodplain and the required no-impervious buffers along the Yellow River. Riverstone, a single-family detached subdivision is located south and east of the site along Oak Road. A single-family detached home is located on the adjacent property to the south. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Wood Chipping, Shredding, and Log Splitting	M-1	N/A
North	Commercial Light Industry	C-1 M-1	N/A N/A
East	Light Industry Single-Family Residential	M-1 R-ZT	N/A 1.03 units per acre
South	Light-Industry Single-Family Residential	M-1 RZT	1.03 units per acre N/A
West	Commercial Light Industry	C-1 M-1	N/A N/A

## Project Summary

The applicant requests a special use permit for the continued use of a wood chipping, shredding, and log splitting business on an 8.45-acre property zoned M-1, including:

- An existing 1,600 square-foot, brick and metal frame building and a 10,550 square foot, one-story warehouse used for a building material and wholesale company.
- No existing or new structures are proposed for use by the wood chipping, shredding, and log splitting business which began operating on the site without a required Special Use Permit in 2021.
- A proposed 6-foot-tall opaque wooden fence surrounding the perimeter of the area used for wood chipping, shredding, and log splitting. This area extends from the Oak Road (western) property boundary to a point approximately 85 feet from the eastern property boundary and extends from the existing metal building to the southern property boundary.
- A proposed gravel parking area to accommodate 14 parking spaces for employees and customers. 8 existing parking spaces for the building material and wholesale company.
- A notice of violation was issued May 2021 for the operation of a tree service and log splitting

business without a Special Use Permit per CEU2021-03952.

- In April 2023 the applicant was fined, and an additional court inspection was scheduled for June 30, 2023, and July 12, 2023.
- Since beginning operation, it appears that major land disturbance has taken place on the site impacting buffers and floodplains without a permit.

### Zoning and Development Standards

The applicant is requesting a Special Use Permit in M-1, Light-Industry District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 45'	<45'	YES
Front Yard Setback	Minimum 50'	<50'	NO <sup>1</sup>
Side Yard Setback	Minimum 25'	25'	YES
Rear Yard Setback	Minimum 50'	50'	YES
Parking	Minimum: 1 spaces Maximum: 2 spaces	22 spaces	NO <sup>2</sup>
Landscape Strip	Minimum 10'	0'	NO <sup>3</sup>
Zoning Buffer	Minimum 75'	0'	NO <sup>4</sup>
Structure Setback	Minimum 5' from buffer	0'	NO <sup>4</sup>
Supplemental Regulations	Such facilities shall not be located closer than 200 feet from residentially zoned property	0'	NO <sup>5</sup>

1. The construction of the existing structures preceded adoption of the zoning regulations and are considered legally non-conforming.
2. 8 existing parking spaces used by the building material wholesale business, and 14 additional gravel parking spaces indicated within the LOI.
3. The applicant requests a variance to maintain the existing site condition to not install a landscape strip.
4. The applicant requests a buffer reduction for the required 75-foot buffer and 5-foot structure setback to allow for outdoor storage and existing concrete pavement near the eastern and southern property lines.
5. The applicant requests a variance for the required supplemental regulations due to the adjacent residential subdivision.

### Variance Requests

In addition to the rezoning request, the applicant is seeking variances from the following provisions of Title II of the UDO:

1. *Section 240-70.1.B Interior Driveways.*

***Inter-parcel driveway connection or provision of a future inter-parcel driveway stub shall be required between adjacent non-residential properties.***

The applicant is proposing to not provide connections to the two adjacent non-residential properties north and south of the site.

2. *Section 230-130.3.TT.1 Wood Chipping and Shredding, Log Splitting Facility Supplemental Regulations*

**Such facilities shall not be located closer than 200 feet from residentially-zoned property.**

The tree service activity area is located adjacent to a residential neighborhood and the applicant is requesting relief from the required supplemental regulation.

### **Waiver Requests**

In addition to the rezoning request, the applicant is seeking waivers from the following provisions of Title III of the UDO:

1. *Section 620-10.1.A. Landscape Regulations*

**A Landscape Strip at least 10 feet in width adjacent to any street right-of-way abutting the property and running the length of the entire property frontage.**

The applicant is proposing to maintain the site's current street frontage due to the existing buildings encroaching into the required front yard setback up to 10-feet from the property line.

2. *Section 610-20.5 Minimum Buffer Requirements*

**The minimum buffer for new M-1 development shall be 50-feet when adjacent to an R-ZT development and shall increase to 75 feet in width when adjacent to truck docks or outdoor storage areas.**

The applicant is proposing to maintain the site as it is and allow for the concrete slab shown on the site plan to be located within the minimum 75-foot-wide buffer adjacent to the R-ZT, zoned property to the east. This portion of the property is occupied by a different business, the building material wholesale company. The applicant requests to eliminate the buffer along a portion of the southern property line and reduce it along the eastern property by varying widths.

3. *Section 610-20.4.B Structure Setback*

**All proposed improvements including, but not limited to, driveways, dumpsters, parking facilities, pavement, or retaining walls will be located a minimum of 5 feet from any buffer.**

The applicant is proposing to maintain the site as it is which includes encroachments within the structure setback area. The applicant requests to eliminate the structure setback requirement.

### **Internal and External Agency Review**

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

## Staff Analysis

**Special Use Permit Analysis:** According to the UDO, the staff analysis and recommendation on each application for a Special Use Permit shall follow the same procedures as those contained in Section 270-20. Emphasis shall be given to the evaluation of characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings. For Special Use Permits, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After the evaluation, staff makes the following findings based on the standards of the UDO:

**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.**

The proposed special use permit is intended for an existing wood chipping, shredding, and log splitting business that been operating illegally on the site since opening. This existing facility is surrounded by a mix of uses, including small-scale commercial/industrial, single-family residential subdivisions, and undeveloped land located within the 100 year-floodplain. The use is not compatible with the surrounding properties.

**B. Whether a proposed special use permit will adversely affect the existing use or usability of adjacent or nearby property.**

The property has been in operation as a wood chipping, shredding, and log splitting facility for approximately two years. Single-family residences are located to the west and south. The proposed special use permit would allow an industrial use with increased noise, dust, and other harmful activities in close proximity to the single-family residential subdivision located to the south. The use has shown to impact zoning buffers that are established to protect adjacent residents. In addition, the property is in disrepair and detracts from the visual quality of the area.

**C. Whether the property to be affected by a proposed special use permit has a reasonable economic use as currently zoned.**

The property has a reasonable economic use as currently zoned.

**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.**

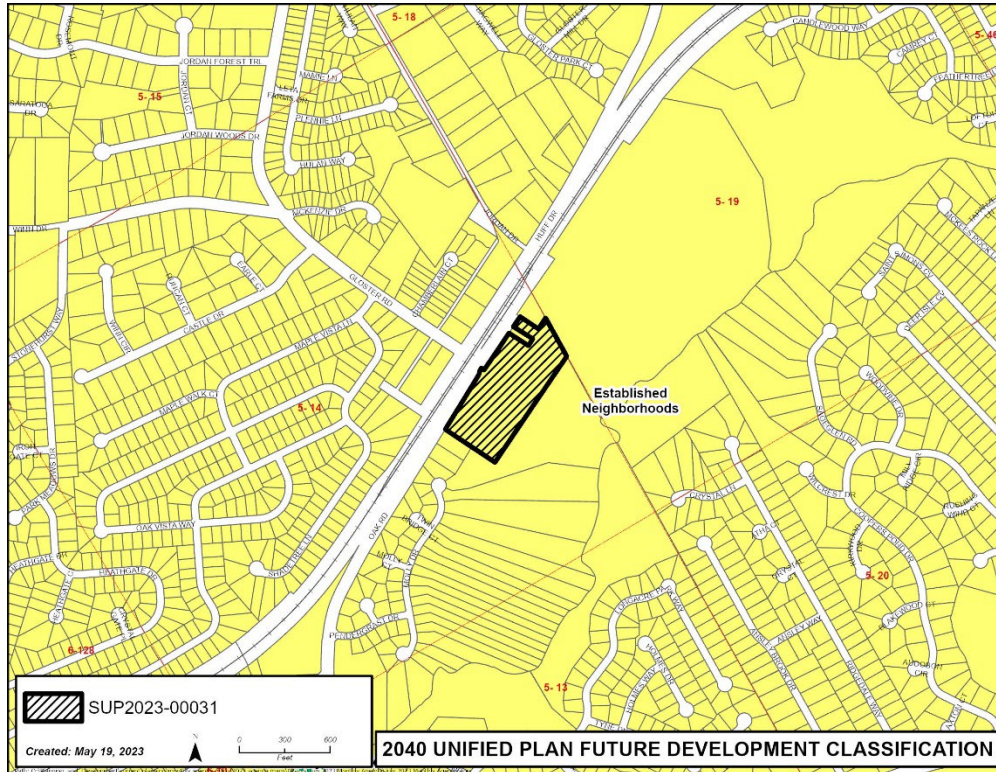
Impact on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, any impacts would be mitigated with appropriate conditions, site development requirements, and planning. Agency review comments related to any potential improvements concerning this special use permit request are attached (Exhibit F).

**E. Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map; and**

The subject property is located within the Established Neighborhoods character area, which is characterized by well-established neighborhoods and single-family residential areas that are unlikely to undergo any significant changes or redevelopment in the next 20 years. This Character Area includes those areas where changes in land use are not anticipated or

encouraged, and any new development - including residential infill properties - should be consistent in scale, architecture, and use with surrounding properties.

The site's legal industrial use precedes the development of the adjacent residential neighborhoods. However, the proposed wood chipping, shredding, and log splitting facility was added without a special use permit in 2021. Therefore, the use does not align with the policy and intent of the Unified Plan and Future Development Map.



**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.**

The subject property has been operating illegally as a wood chipping, shredding, and log splitting business for approximately two years. Approval of the special use permit would allow the negative impacts of the use on neighboring residential properties to continue. Additional residential development in the area has occurred or is under construction which provides supporting grounds for disapproval due to the negative external impacts of the proposed use.

**Variance Request Analysis:** When considering variances from Title II of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the variance requests:

The applicant requests relief from the inter-parcel connection requirement to the adjacent non-residential lots to the north and south of the site. The lot to the south contains a single-family residence and an undeveloped parcel which is almost entirely in the 100 year-floodplain. It is

unlikely that any development will occur on these properties, making an inter-parcel connection unnecessary. The second variance is from the supplemental regulations which requires all wood chipping, shredding, and log splitting to be located 200 feet away from all residentially zoned properties. The site is located near residentially zoned properties. The additional separation is necessary to protect residences from the proposed use. Approval of these variances would be detrimental to neighboring properties and they conflict with the intent of the UDO.

**Waiver Request Analysis:** When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The applicant requests a reduction in required buffers and setbacks, as well as relief from the landscape buffer regulations. The site has been developed without permits with impacts to setbacks and buffer areas. Buffers are intended to protect nearby residential uses. Reducing the buffers would nullify the intent of the Department Regulations.

### **Staff Recommendation**

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **DENIAL** of the special use permit request.

In addition, staff recommends **DENIAL** of the following Variances:

1. To not provide inter-parcel driveway connection or provision of a future inter-parcel driveway stub between adjacent non-residential properties.
2. To conduct a wood chipping, shredding, and log splitting business within 200 feet of a residentially zone property.

In addition, staff recommends **DENIAL** of the following Waivers:

1. To allow existing buildings and asphalt encroach within the required 10-foot-wide landscape strip, and to not provide a 10-foot-wide landscape strip along the property frontage.
2. To allow the existing concrete surface to be located within the 75-foot-wide residential zoning buffer and eliminate the buffer, and to eliminate the 75-foot-wide buffer to the adjacent R-ZT zoned properties.
3. To allow the existing concrete surface to be located within the required structure setback and eliminate the setback, and to eliminate the 5-foot-wide structure setback.



## Staff Recommended Conditions

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

Approval of a Special Use Permit for Wood Chipping, Shredding, and Log Splitting, subject to the following conditions:

1. An 8-foot-tall opaque wooden fence shall be erected and surround all wood chipping, shredding, and log splitting activities on the site. All Wood Chipping, Shredding, and Log Splitting shall be confined within the fencing and shall not take place within the designated floodplain.
2. All existing structures, including mobile buildings and storage containers, shall be brought into compliance with current building regulations or removed from the site.
3. All employees and customers shall park within the designated parking spaces. If additional parking is needed an employee parking area shall be created within the fenced area that meets all County requirements for off-street parking. All employee vehicles shall be located within striped spaces, and no junk vehicles shall be permitted on site.
4. A 25-foot-wide landscaped buffer with existing vegetation and supplemental plantings where needed shall be provided between the fenced area and the property line along Oak Road as well as the southern property line. The required buffer shall meet the Gwinnett County UDO landscaped buffer requirements subject to the review and approval by the Department of Planning and Development.
5. Outdoor storage shall meet all standards of the UDO.
6. Hours of operation shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Friday.
7. The Special Use Permit shall be valid for a 12-month period, at which time the use shall cease, or an application shall be made for renewal of the Special Use Permit.

## Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **DENIAL** of the special use permit request.

In addition, Planning Commission recommends **DENIAL** of the following Variances:

1. To not provide inter-parcel driveway connection or provision of a future inter-parcel driveway stub between adjacent non-residential properties.
2. To conduct a wood chipping, shredding, and log splitting business within 200 feet of a residentially zone property.

In addition, Planning Commission recommends **DENIAL** of the following Waivers:

1. To allow existing buildings and asphalt encroach within the required 10-foot-wide landscape strip, and to not provide a 10-foot-wide landscape strip along the property frontage.

2. To allow the existing concrete surface to be located within the 75-foot-wide residential zoning buffer and eliminate the buffer, and to eliminate the 75-foot-wide buffer to the adjacent R-ZT zoned properties.
3. To allow the existing concrete surface to be located within the required structure setback and eliminate the setback, and to eliminate the 5-foot-wide structure setback.

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Applicant's Response to Standards
- D. Application and Disclosure of Campaign Contributions
- E. Code Enforcement Case (CEU2021-03952)
- F. Internal and External Agency Review Comments
- G. Maps

**Exhibit A: Site Visit Photos**



**View of Site Entrance**



**View of Site Interior**



**View of Site Interior**



**View of Site Interior**



**View of Site Interior**



**View of Interior and Adjacent Commercial Property**



**View of Screening System Used by the Site**

**Exhibit B: Site Plan**

**[attached]**



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5/9/2023

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.  
NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.  
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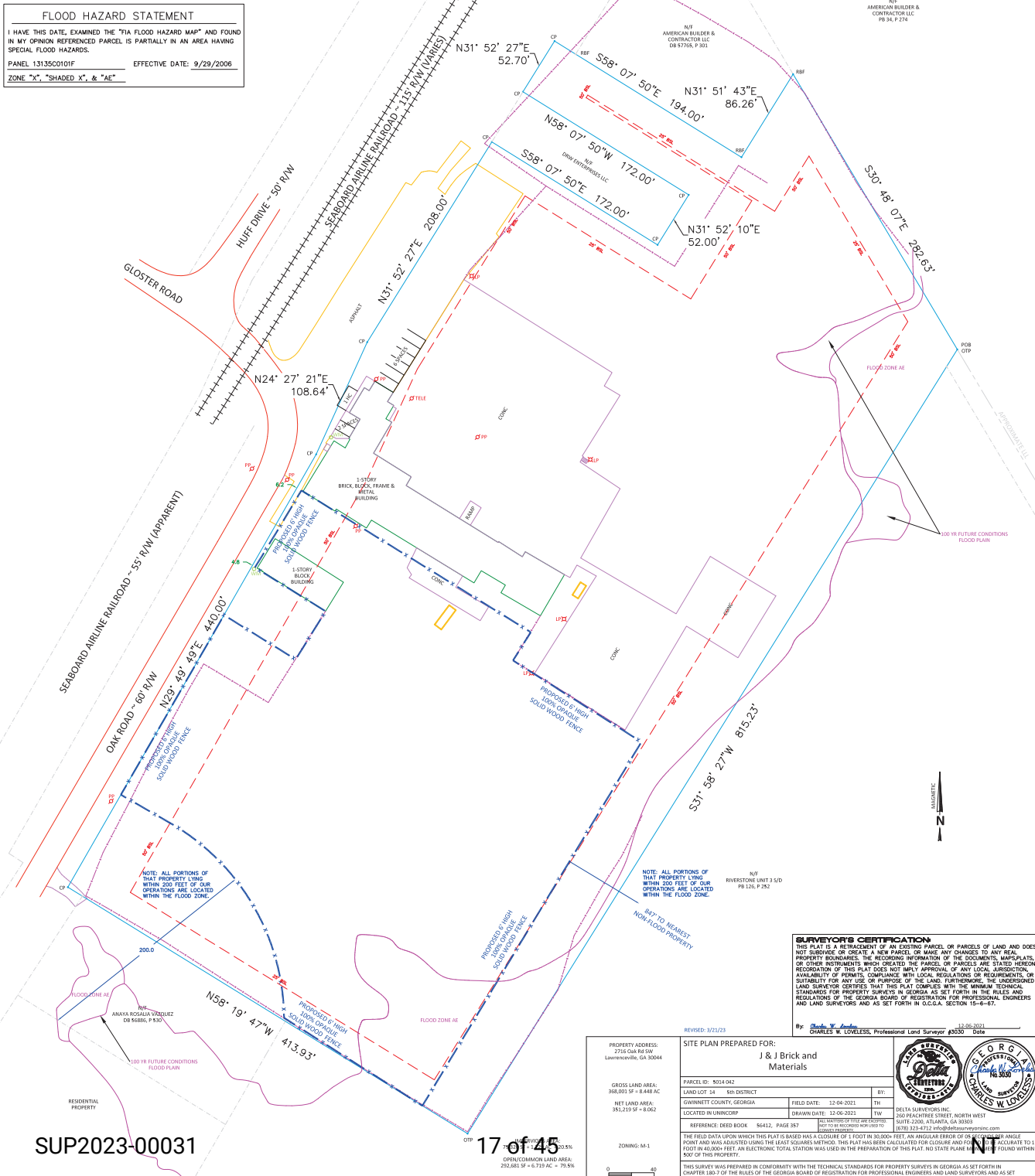
NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

FLOOD HAZARD STATEMENT

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS PARTIALLY IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL 13135C0101F EFFECTIVE DATE: 9/29/2006  
ZONE "X", "SHADED X", & "AE"

- \*LEGEND\*
- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
  - AKA ALSO KNOWN AS
  - APD AS PER DEED
  - APP AS PER PLAT
  - BSL BUILDING (SETBACK) LINE
  - CP COMPUTED POINT
  - CIP CRIMP TOP PIPE FOUND
  - DB DEED (BOOK/PAGE)
  - DW DRIVEWAY
  - EP EDGE OF PAVEMENT
  - FFE FINISH FLOOR ELEVATION
  - FKA FORMERLY KNOWN AS
  - IPF IRON PIN FOUND
  - L ARC LENGTH
  - LL LAND LOT
  - LLL LAND LOT LINE
  - N NEIGHBORS
  - N/F NOW OR FORMERLY
  - NAIL FOUND
  - PB PLAT (BOOK/PAGE)
  - POB POINT OF BEGINNING
  - POC POINT OF COMMENCEMENT
  - R RADIUS LENGTH
  - R/W RIGHT-OF-WAY
  - RBF REINFORCING BAR FOUND (1/2" UNO)
  - RBS 1/2" REINFORCING BAR SET
  - SW SIDEWALK
  - SSE SANITARY SEWER EASEMENT
  - SSCO SANITARY SEWER CLEANOUT
  - F- FENCE LINE
  - WALL



**SURVEYOR'S CERTIFICATION**  
THIS PLAT IS A RESTATEMENT 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 WHO CREATED THE PARCEL, OR PARCELS ARE STATED HEREON. RECORDING 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.

By: *Charles W. Lovless*, Professional Land Surveyor #8300 12-30-2021  
REVISED: 9/23/23

PROPERTY ADDRESS: 2715 Oak Rd SW Lawrenceville, GA 30044

GROSS LAND AREA: 368,001 SF = 8.448 AC  
NET LAND AREA: 393,219 SF = 9.062 AC

ZONING: M-1  
GWINNETT COUNTY, GEORGIA  
202,681 SF = 6.719 AC = 79.9%

REVISIONS: 12-06-2021  
DRAWN DATE: 12-06-2021  
REFERENCE: DEED BOOK: 86412, PAGE 187

FILED DATE: 12-06-2021  
DRAWN DATE: 12-06-2021  
REFERENCE: DEED BOOK: 86412, PAGE 187

SITE PLAN PREPARED FOR:  
**J & J Brick and Materials**

LAND SURVEYOR'S SEAL: CHARLES W. LOVLESS, No. 8300

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000 FEET, AN ANGULAR ERROR OF 05" PER HORIZONTAL ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOR AN ACCURACY TO 1 FOOT IN 40,000 FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT AND STATE PLANS ARE NOT FOUND WITHIN ANY OF THIS PROPERTY.

THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

SUP2023-00031

17 of 45

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4/4/2023

• L E G E N D •

AKA ALSO KNOWN AS	N/F NOW OR FORMERLY
APD AS PER DEED	NAI NAIL FOUND
APP AS PER PLAT	PB PLAT (BOOK/PAGE)
BSL BUILDING (SETBACK) LINE	POB POINT OF BEGINNING
CP COMPUTED POINT	POC POINT OF COMMENCEMENT
CTP CRIMP TOP PIPE FOUND	R RADIUS LENGTH
DB DEED (BOOK/PAGE)	R/W RIGHT-OF-WAY
DW DRIVEWAY	RBF REINFORCING BAR FOUND
EP EDGE OF PAVEMENT	RBS 1/2" REINFORCING BAR SET (1/2" UNO)
FFE FINISH FLOOR ELEVATION	SW SIDEWALK
FKA FORMERLY KNOWN AS	SSE SANITARY SEWER EASEMENT
IPF IRON PIN FOUND	SSCO SANITARY SEWER CLEANOUT
LL LAND LOT	-X- FENCE LINE
LLL LAND LOT LINE	WALL
N NEIGHBOR'S	

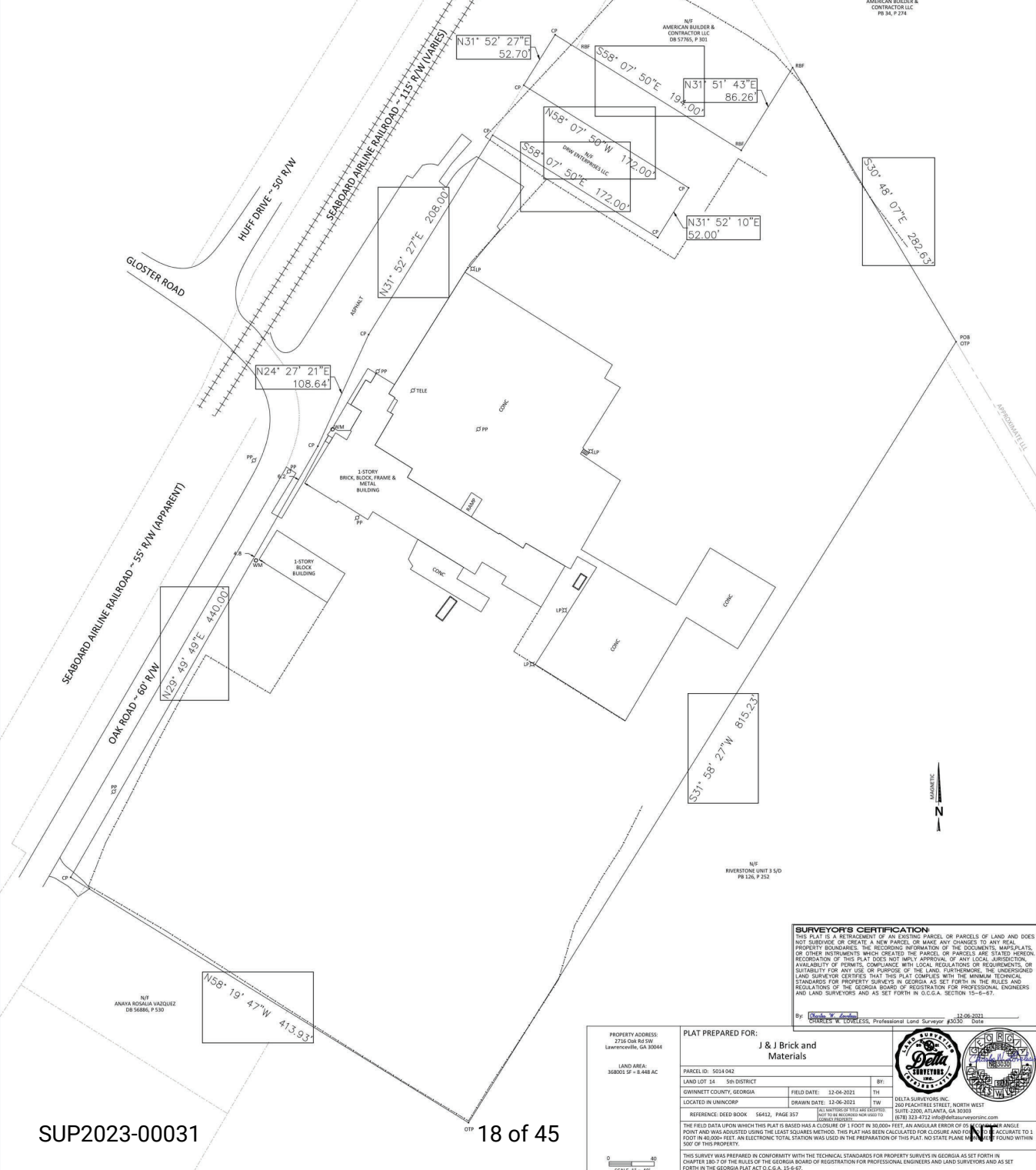
NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

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By: Charles W. Lowress, Professional Land Surveyor #6326  
12-06-2023

PROPERTY ADDRESS:  
2718 Oak Rd SW  
Lawrenceville, GA 30044

LAND AREA:  
36800.57 ± 8.448 AC

PLAT PREPARED FOR:  
**J & J Brick and Materials**

PARCEL ID: 5014 042  
LAND LOT 14 5th DISTRICT  
GWINNETT COUNTY, GEORGIA  
LOCATED IN UNINCORP

FIELD DATE: 12-04-2021  
DRAWN DATE: 12-06-2023  
REFERENCE: DEED BOOK 56412, PAGE 357

BY:  
Della Surver, Inc.  
280 PRACHTERS STREET, NORTH WEST  
SUITE 2000, ATLANTA, GA 30393  
(878) 223-4732 info@Dellastarverinc.com



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 55 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOR AN ACCURACY TO 1 FOOT IN 40,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANS OR NAD 83 POINTS WERE FOUND WITHIN 500' OF THIS PROPERTY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

SUP2023-00031



**Exhibit C: Letter of Intent and Applicant's Response to Standards**

**[attached]**

**RECEIVED**

4/4/2023

**RICHARD J. DREGER, ATTORNEY AT LAW, P.C.**  
ATTORNEYS AT LAW

295 W. CROSSVILLE ROAD  
BUILDING 100, SUITE 110  
ROSWELL, GEORGIA 30075  
TELEPHONE (678) 566-6900  
FACSIMILE (678) 566-6938  
EMAIL Rick@rdregerlaw.com

RICHARD J. DREGER

WRITER'S DIRECT DIAL (678) 566-6901

April 4, 2023

Gwinnett County  
Department of Planning & Development  
Planning Division  
446 West Crogan Street, Suite 300  
Lawrenceville, Georgia 30046

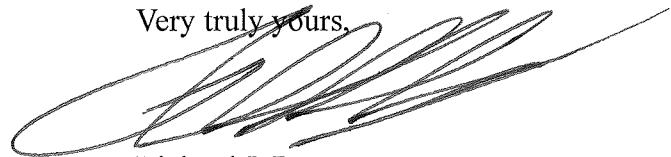
RE: Special Use Permit Application  
ArborForce Tree Services, LLC (the "Applicant")  
Property: at 2716 Oak Road, SW, a/k/a 2716 Huff Drive, Lawrenceville, GA 30044

Dear Sir/Madam:

This office represents ArborForce Tree Services, LLC, the Applicant named in the Special Use Permit Application filed contemporaneously herewith. Applicant has filed the Special Use Permit Application seeking a special use permit to allow Applicant to carry on wood chipping and shredding and log splitting at the subject property. The subject property is currently zoned M-I (light industrial). The wood chipping operation will be conducted only on that portion of the subject property located within the proposed fenced area shown on the site plan submitted herewith. As noted on the site plan, the fenced area is located at least 200 feet from any residential property not located within a flood plain.

The subject property contains 8.448 acres. Applicant does not seek to increase the number of lots on the subject property, does not seek an increase in density, does not seek to increase parking or change the height of existing buildings located on the subject property (currently maximum height of 16 feet) or change any existing buffer requirements regarding the subject property.

Very truly yours,



Richard J. Dreger

RJD:mla

cc: ArborForce Tree Services, LLC (via email)

**RECEIVED**

5/1/2023

**RICHARD J. DREGER, ATTORNEY AT LAW, P.C.**  
ATTORNEYS AT LAW

295 W. CROSSVILLE ROAD  
BUILDING 100, SUITE 110  
ROSWELL, GEORGIA 30075  
TELEPHONE (678) 566-6900  
FACSIMILE (678) 566-6938  
EMAIL Rick@rdregerlaw.com

RICHARD J. DREGER

WRITER'S DIRECT DIAL (678) 566-6901

May 1, 2023

**Sent Via Email (P&D-PlanningZoning@gwinnettcountry.com)**

Gwinnett County  
Department of Planning & Development  
Planning Division  
446 West Crogan Street, Suite 300  
Lawrenceville, Georgia 30046

RE: Special Use Permit Application  
ArborForce Tree Services, LLC (the "Applicant")  
Property: at 2716 Oak Road, SW, a/k/a 2716 Huff Drive, Lawrenceville, GA 30044

Dear Sir/Madam:

On behalf of our client, ArborForce Tree Services, LLC, and per your request, this shall constitute the supplement to our Letter of Intent (the "LOI") written on April 4, 2023 in the above matter. In response to the items listed in your email of April 28, 2023, we submit the following:

- 1.a. A statement regarding the proposed use of the property.

As stated in our LOI of April 4, 2023, the proposed use is a wood chipping and shredding and log splitting operation which is allowed on the property as currently zoned (M-1) with a special use permit.

- 1.b. The acreage or size of the tract.

As further stated in our LOI of April 4, 2023, the property contains 8.448 acres.

- 1.c. The zoning classification requested.

As further stated in our LOI of April 4, 2023, the property is zoned M-1 and our clients are not seeking a re-zoning, only a special use permit within the current zoning.

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5/1/2023

May 1, 2023  
Gwinnett County  
Department of Planning and Development  
Page Two

- 1.d. The number of lots or number of dwelling units proposed house size proposed.

As further stated in our LOI of April 4, 2023, there are zero lots or dwelling units proposed for this property.

- 1.e. The density in terms of gross square footage per acre for proposed commercial, industrial, office or institutional use.

The current density in terms of gross square footage per acre is 189.39 square feet per acre. As further stated in our LOI of April 4, 2023, our client is not seeking to change the current density as it seeks only to conduct a wood chipping and shredding and log splitting operation. Therefore, that density will not change with the grant of a special use permit.

- 1.f. The number of parking spaces.

The property does not contain, and if the special use permit is granted, will not contain, parking spaces as it is a graveled lot. My client estimates the current parking area accommodates fourteen vehicles and that the number of vehicles which the lot will accommodate will not change if the special use permit is granted.

- 1.g. The height of buildings.

The only building on the property is 16 feet high. That will not change with the grant of the special use permit.

- 1.h. Any requested change in buffer.

No buffer changes are requested.

Very truly yours,

Richard J. Dreger

RJD:mla

cc: ArborForce Tree Services, LLC (via email)

**RECEIVED**

5/9/2023

**RICHARD J. DREGER, ATTORNEY AT LAW, P.C.**  
ATTORNEYS AT LAW

295 W. CROSSVILLE ROAD  
BUILDING 100, SUITE 110  
ROSWELL, GEORGIA 30075  
TELEPHONE (678) 566-6900  
FACSIMILE (678) 566-6938  
EMAIL Rick@rdregerlaw.com

RICHARD J. DREGER

WRITER'S DIRECT DIAL (678) 566-6901

May 9, 2023

**Sent Via Email (P&D-PlanningZoning@gwinnettcountry.com)**

Gwinnett County  
Department of Planning & Development  
Planning Division  
446 West Crogan Street, Suite 300  
Lawrenceville, Georgia 30046

RE: Special Use Permit Application (the "Application")  
ArborForce Tree Services, LLC (the "Applicant")  
Case Number: SUP2023-00031  
Property: at 2716 Oak Road, SW, a/k/a 2716 Huff Drive, Lawrenceville, GA 30044  
(the "Parcel")

Dear Sir/Madam:

This shall constitute Applicant's second supplement to its Letter of Intent in support of the Application. In accordance with your Application Incomplete Letter of May 4, 2023, we show the following (required revisions listed in order raised in your May 4, 2023 correspondence):

- 1. Revise site plan and show inter-parcel driveway connection with the adjacent non-residential properties.**

Applicant requests a variance from the inter-parcel driveway connection requirement of Code Section 240-70.1.B. To Applicant's knowledge, the Parcel is adjacent to only two commercial properties, one of which is owned by the owner of the Parcel. Neither of the neighboring commercial properties adjoin the portion of the Parcel occupied by Applicant. Applicant occupies only those portions of the Parcel enclosed by the proposed fence as shown on the site plan of the Parcel and the southwest corner of the Parcel bordering Oak Road. As the only proposed use the Applicant's portion of the Parcel is for the operation of a tree service and chipping operation, there will be few, if any, visits by the public to the portion of the Parcel occupied by Applicant.

**RECEIVED**

5/9/2023

May 9, 2023  
Gwinnett County  
Department of Planning & Development  
Page 2

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**2. Revise site plan to show required 10-foot-wide landscape strip along property road frontage on Oak Road and Huff Drive.**

Applicant seeks a variance from Code Section 620-10.1.A. In support of this request, Applicant shows two existing buildings (only one of which is located on that portion of the Parcel occupied by Applicant) encroach within the 10-foot landscaping buffer and that Applicant wishes to erect the fence required for its special use permit within the 10-foot landscaping buffer of its portion of the Parcel located along Oak Road.

**3. Revise site plan to show required 75-foot-wide zoning buffer requirement along all property lines that are adjacent to residential zoned properties.**

Applicant seeks a waiver of the 75-foot-wide buffer requirement of Code Section 620-20.5.A. In support of this request, Applicant shows that the site plan submitted with its application demonstrates that the portion of the Parcel occupied by Applicant for the operation of its wood chipping facility (the area enclosed by the proposed fence as delineated on the site plan) is located more than 200 feet (measured at 874 feet) from any buildable residential properties (i.e those portions of residential properties which are outside of the flood plain). Additionally, as shown on the site plan for the Parcel, the entire southeast property line of the Parcel (approximately 815 feet in length), including the concrete slab (which is not located on the portion of the Parcel occupied by Applicant), is located over 200 feet from any buildable property---i.e. property not located within a flood zone.

**4. Revise site plan to show the required 5-foot-wide structure setback requirement due to the location of the concrete slab from the buffer location.**

Applicant seeks a waiver of the 5-foot-wide structure setback as required by Code Section 620-20.4.B due to the existence of the concrete slab encroaching upon same. In support of this request, Applicant shows that the portion of the Parcel occupied by Applicant for its wood chipping operation does not include the existing concrete slab which encroaches over this buffer. That portion of the Parcel is occupied by a third party. Applicant further states that as shown on the site plan for the Parcel, the entire southeast property line of the Parcel (approximately 815 feet in length), including the concrete slab, is located over 200 feet from any buildable property---i.e. property not located within a flood zone.

**5. Revise site plan to show the required 200-foot distance from the site to any residentially zoned property. This includes the RZT zoned property east of the site.**



**RECEIVED**

5/9/2023

May 9, 2023  
Gwinnett County  
Department of Planning & Development  
Page 3

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Applicant seeks a variance of the strict requirements of Code Section 230-130.3.TT.1. The site plan as submitted shows that the entire wood chipping operation will be enclosed within the proposed fence shown on the site plan and that all areas located within the proposed fence are at least 200 feet from any buildable residential properties as all residential properties located within 200 feet of the fence are located within the flood plain.

6. **Revise site plan to show the off-street parking area for customers and employees and show the driveway-width between parking spaces.**

Please see the revised site plan showing all parking spaces located on the Parcel. Please note the driveway areas serving such parking exceed the 24 foot width required by Code Section 240-70.1.C.

7. **Please pay the \$1500 application fee and \$150 sign fee using your zoning case number SUP2023-00031 at the following link.**  
**<https://eddspermits.gwinnettcounty.com/citizenaccess/> Instructions on how to pay online are attached.**

All required payments are being made contemporaneously herewith.

We would also like to clarify a statement made in the Supplemental Letter of Intent dated May 1, 2023. In that letter we stated there are no parking spaces located within the Parcel. In fact, the Parcel contains eight parking spaces. However, those spaces are located on a portion of the Parcel occupied by a third party. The portion of the Parcel occupied by Applicant (the portion to be enclosed on the proposed fence as shown on the site plan) does not contain any parking spaces.

Very truly yours,



Richard J. Dreger

RJD:mla

cc: ArborForce Tree Services, LLC (via email)

RECEIVED

6/13/2023

**RICHARD J. DREGER, ATTORNEY AT LAW, P.C.**  
ATTORNEYS AT LAW

295 W. CROSSVILLE ROAD  
BUILDING 100, SUITE 110  
ROSWELL, GEORGIA 30075  
TELEPHONE (678) 566-6900  
FACSIMILE (678) 566-6938  
EMAIL Rick@rdregerlaw.com

RICHARD J. DREGER

WRITER'S DIRECT DIAL (678) 566-6901

June 13, 2023

**Sent Via Email (P&D-PlanningZoning@gwinnettcountry.com)**

Gwinnett County  
Department of Planning & Development  
Planning Division  
446 West Crogan Street, Suite 300  
Lawrenceville, Georgia 30046

RE: Special Use Permit Application (the "Application")  
ArborForce Tree Services, LLC (the "Applicant")  
Case Number: SUP2023-00031  
Property: at 2716 Oak Road, SW, a/k/a 2716 Huff Drive, Lawrenceville, GA 30044  
(the "Parcel")

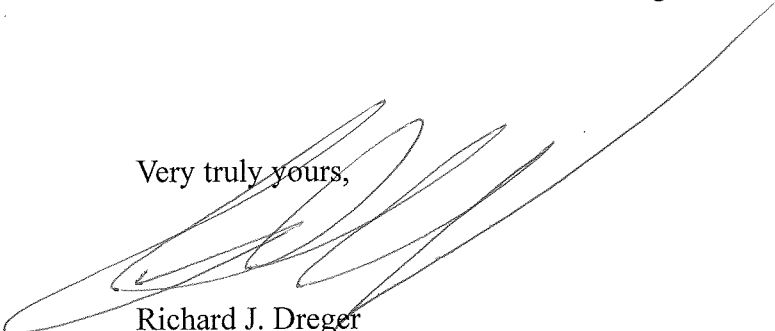
Dear Sir/Madam:

This shall constitute a further supplement to Applicant's Letter of Intent. The purpose of this letter is to clarify that while the Parcel, as defined in Applicant's Application in this matter, includes the entire 8.448 acres as shown on the site plan submitted with the Application, the Applicant only occupies, and will only be conducting a wood chipping/shredding operation within the fenced in area of the Parcel as shown on the site plan. The remaining portion of the Parcel is occupied by an unrelated third party.

The requested use sought for this special use permit is conformity with Gwinnett County's zoning codes. Failure to grant this application would constitute an unconstitutional taking of Applicant's property.

Thank you for your consideration.

Very truly yours,

  
Richard J. Dreger

RJD:mla

cc: ArborForce Tree Services, LLC (via email)

**RECEIVED**

4/4/2023

**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. As shown on the site plan submitted with this Application, the wood chipping operation will be carried out only on that portion of the subject property which is located at least 200 feet from any portion of residentially zoned properties not located within a flood plain.

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

No. See A above.

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

No. There are no suitable uses for the subject property for which a special use permit is not required.

- (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 issuance of a special use permit allowing for wood chipping by the current occupant will not increase traffic, burden transportation facilities, utilities or increase the population of existing schools.

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

Yes. The Applicant operates a tree service and will utilize the property to conduct wood chipping of trees cut by Applicant on other lands.

- (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:

No

**Exhibit D: Application and Disclosure of Campaign Contributions**

**[attached]**

RECEIVED

4/4/2023

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>ArborForce Tree Services, LLC</u>	NAME: <u>DRW Enterprises, LLC</u>
ADDRESS: <u>1588 Atkinson Road, Suite 104</u>	ADDRESS: <u>2716 Oak Road, SW</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30044</u>
PHONE: <u>(404) 509-1075</u>	PHONE: <u>(770) 560-5390</u>
EMAIL: <u>Sales@ArborForceTreeServices.com</u>	EMAIL: <u>waynemcbee@jandjbrickandmaterials.com</u>
CONTACT PERSON: <u>Richard J. Dreger, Esq.</u> PHONE: <u>(678) 566-6901</u>	
CONTACT'S E-MAIL: <u>Rick@rdregerlaw.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-1</u> BUILDING/LEASED SQUARE FEET: <u>1,600 s.f.</u>
PARCEL NUMBER(S): <u>5014 042</u> ACREAGE: <u>8.448 Acres</u>
ADDRESS OF PROPERTY: <u>2716 Oak Rd., SW, a/k/a 2716 Huff Dr., Lawrenceville, GA 30044</u>
SPECIAL USE REQUESTED: <u>Wood chipping and shredding, log splitting</u>

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

RECEIVED

4/4/2023

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.

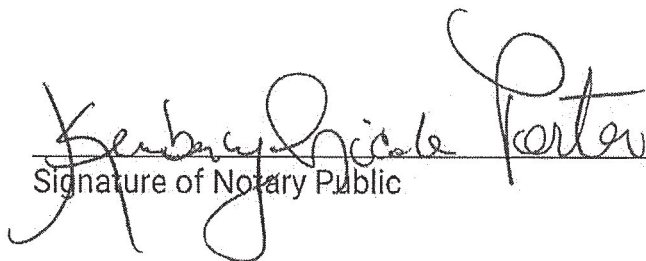
ARBORFORCE TREE SERVICES, LLC

By:   
Signature of Applicant

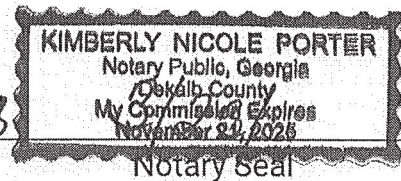
3/23/23  
Date

Cesar Sesmas Ponce, Manager

Type or Print Name and Title

  
Signature of Notary Public

3/23/23  
Date



RECEIVED

4/4/2023

**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.

DRW ENTERPRISES, LLC

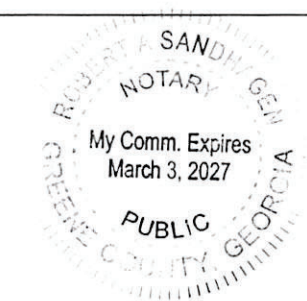
By:   
Signature of Property Owner

3-30-2023  
Date

B. Wayne McBee, CEO  
Type or Print Name and Title

  
Signature of Notary Public

3-30-2023  
Date



Notary Seal

RECEIVED

4/4/2023

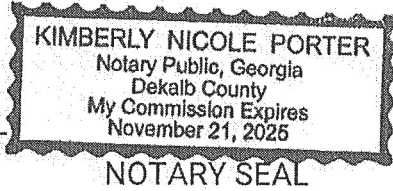
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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.  
ARBORFORCE TREE SERVICES, LLC

By: Cesar Sesmas Ponce 3/28/23 Cesar Sesmas Ponce, Manager  
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

[Signature] 3/28/23 [Signature]  
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE  
ATTORNEY OR REPRESENTATIVE

Kimberly Nicole Porter 3/28/23  
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 ArborForce Tree Services, LLC  
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

4/4/2023

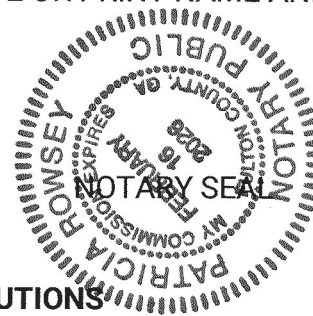
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

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.

\_\_\_\_\_  
SIGNATURE OF APPLICANT      DATE      TYPE OR PRINT NAME AND TITLE  
*[Signature]*      4/3/23      Richard J. Dreger, Attorney

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

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC      DATE      4/3/2023



**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    Richard J. Dreger, Esq. of Richard J. Dreger, Attorney at Law, P.C.  
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

4/4/2023

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:                          5     -   014   -   042    
(Map Reference Number)                      District                      Land Lot                      Parcel

ARBORFORCE TREE SERVICES, LLC

By: [Signature]  
Signature of Applicant

3/23/23  
Date

Cesar Sesmas Ponce, Manager  
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)

[Signature]  
NAME

TSA  
TITLE

3/23/23  
DATE

**Exhibit E: Code Enforcement Case (CEU2021-03952)**

**[attached]**

# GWINNETT COUNTY

**CASE NUMBER : CEU2021-03952**

<b>PRIMARY ADDRESS:</b>	2716 HUFF DR, LAWRENCEVILLE, GA 30044
<b>RECEIVED DATE:</b>	4/27/2021
<b>APPLICATION STATUS:</b>	Court Hearing - Scheduled
<b>DESCRIPTION:</b>	the business located at this address. It appears they are grinding trees. Although they are zoned M-1 (Light Industry) they will need a Special Use Permit to allow this use.

OWNER NAME	ADDRESS	CITY/STATE/ZIP
DRW ENTERPRISES LLC	4275 EDDIE BYRD LN	LOGANVILLE, GA, 30052-3257

CONTACTS ROLE	NAME	ADDRESS	CITY/STATE/ZIP
Manager/Director	Juan Lopez	2716 Huff Dr.	Lawrenceville GA 30044
Respondent's Attorney	Grace Tillman		Lawrenceville GA 30044

INSPECTIONS						
Inspection	Requested	Scheduled	Completed	Status	Inspector	Comment
Court Hearing	5/26/2023	7/12/2023		Scheduled	Malek Simpson	
Court Inspection	5/26/2023	6/30/2023		Scheduled	Malek Simpson	
Court Hearing	2/16/2023	4/26/2023	4/26/2023	Continued	Shenita Hampton	Def pled nolo.....fined but must bring prop into compliance by 5/11/23 and appear in court 5/19/23
Court Inspection	2/16/2023	4/25/2023	4/25/2023	Not Complied	Shenita Hampton	No SUP approved but applied and submitted
Court Hearing	11/18/2022	2/15/2023	2/16/2023	Continued	Shenita Hampton	Reset for 45 days
Court Inspection	11/18/2022	2/14/2023	2/13/2023	Not Complied	Shenita Hampton	
Court Hearing	10/4/2022	11/16/2022	11/16/2022	Continued	Shenita Hampton	Hearing continued 02/15/2023 Attorney requested reset
Court Inspection	10/4/2022	11/15/2022	11/15/2022	Not Complied	Shenita Hampton	Appears to still be working/ wood chipping at location.
Court Hearing	7/25/2022	9/21/2022	10/4/2022	Continued	Shenita Hampton	Reset for 11/16/2022
Court Inspection	7/25/2022	9/20/2022	9/20/2022	Not Complied	Shenita Hampton	
Court Hearing	5/26/2022	6/15/2022	6/15/2022	Continued	Shenita Hampton	Continued to 9/21/22
Court Inspection	5/25/2022	6/14/2022	6/15/2022	Not Complied	Shenita Hampton	NO SUP
Re-Inspection	4/29/2022	5/16/2022	5/24/2022	Citation Issued	Shenita Hampton	
Re-Inspection	4/29/2022	4/29/2022	4/29/2022	Further Investigation	Shenita Hampton	
Re-Inspection	7/28/2021	8/12/2021		Scheduled	Travis Butler	
Re-Inspection	5/26/2021	6/24/2021	7/27/2021	Further Investigation	Travis Butler	Spoke to manager. said he has told owner about getting SUP. He said that as far as he knows they are applying to get it. Gave him my card and asked to have owner contact me.
Re-Inspection	5/6/2021	5/20/2021	5/25/2021	Field Official Notice	Travis Butler	Spoke to manager about getting an SUP for property to continue work. Said he will work on paperwork to fill it out and send in to get SUP.
Initial Inspection	4/28/2021	4/29/2021	5/5/2021	Further Investigation	Travis Butler	Property zoned M-1, Running a tree cutting service on property.

# GWINNETT COUNTY

**CASE NUMBER : CEU2021-03952**

## WORKFLOW HISTORY

Workflow Task	Assigned	Due	Completed	Status	Inspector	Comment
Enforcement Intake	4/27/2021	4/27/2021	4/27/2021	Complaint Accepted	Thor Neff	

**Exhibit F: Internal and External Agency Review Comments**

**[attached]**



**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		06.14.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>	
Case Number:		SUP2023-00031	
Case Address:		2716 Huff Drive/2716 Oak Road, Lawrenceville, 30044	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Oak Road is a major collector / ADT = 8,421. Huff Drive is a major collector / ADT = 7,493.		
2	3.7 miles to the nearest transit facility (#2335220) Pleasant Hill Road and Lawrenceville Highway.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

Revised 7/26/2021



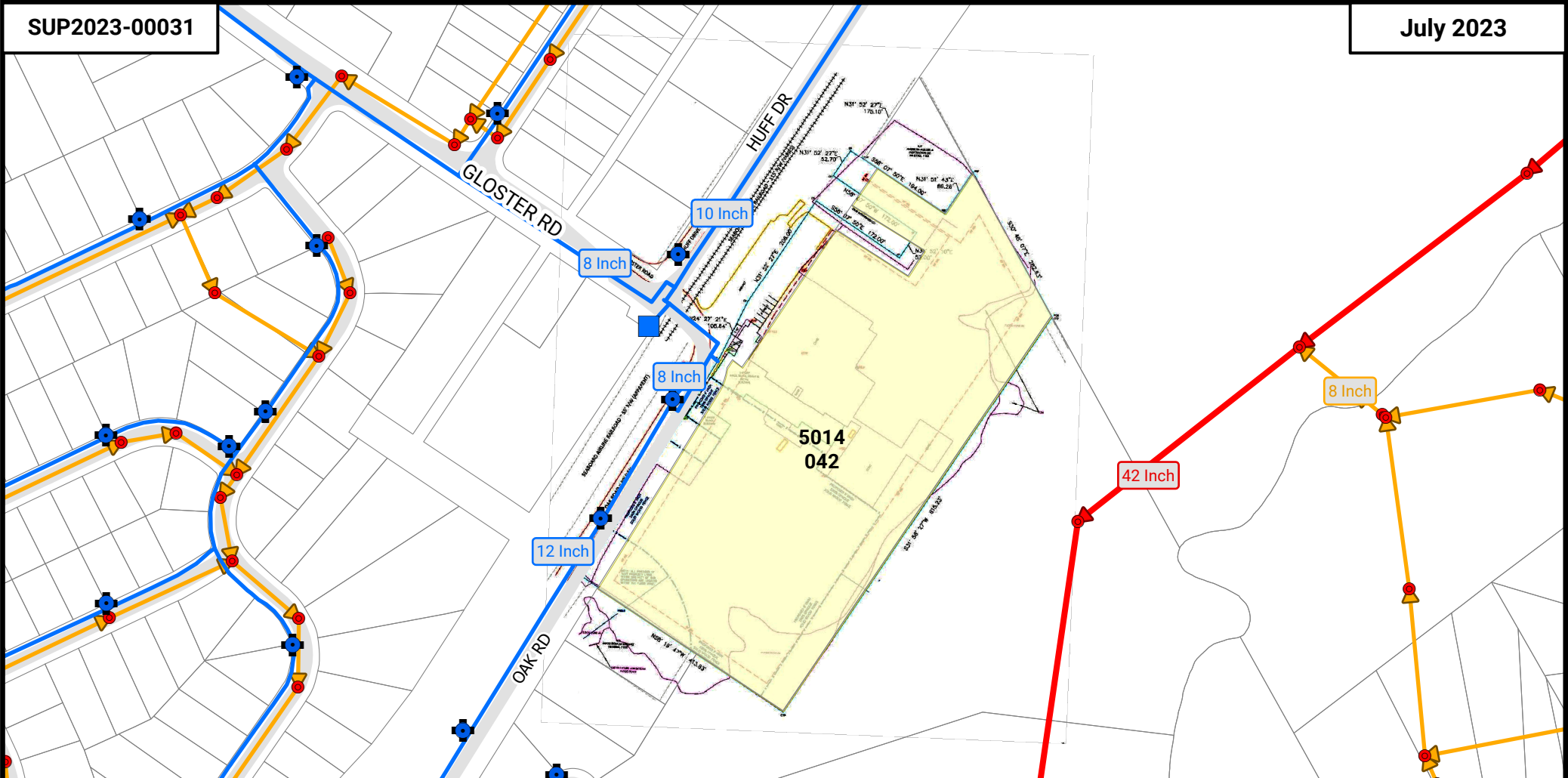
**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcountry.com">Michael.pappas@gwinnettcountry.com</a>			
Case Number:		SUP2023-00031			
Case Address:		2716 Oak Road & 2716 Huff Drive			
<b>Comments:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1	Water: DWR does not have comments for this Special Use Permit. The existing building is connected to public water.				
2	Sewer: DWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.				
3					
4					
5					
6					
7					
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<b>YES</b>	<input checked="" type="checkbox"/>	<b>NO</b>
1					
2					
3					
4					
5					
6					
7					

**Note:** Attach additional pages, if needed







Revised 7/26/2021

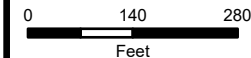




2716 Oak Rd. / 2716 Huff Dr.  
M-1

### Water & Sewer Utility Map

- |   |   |
|---|---|
|  Water Main   |  Manhole           |
|  Hydrant      |  Sewer Collector   |
|  Master Vault |  Sewer Interceptor |



LOCATION

**Water Comments:** DWR does not have comments for this Special Use Permit. The existing building is connected to public water.

**Sewer Comments:** DWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.

**Water Availability:** Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

**Private Road Developments:** Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

**Exhibit G: Maps**

**[attached]**

CHAMBERLAIN CT

GLOSTER RD

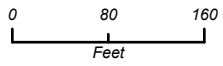
HUFF DR

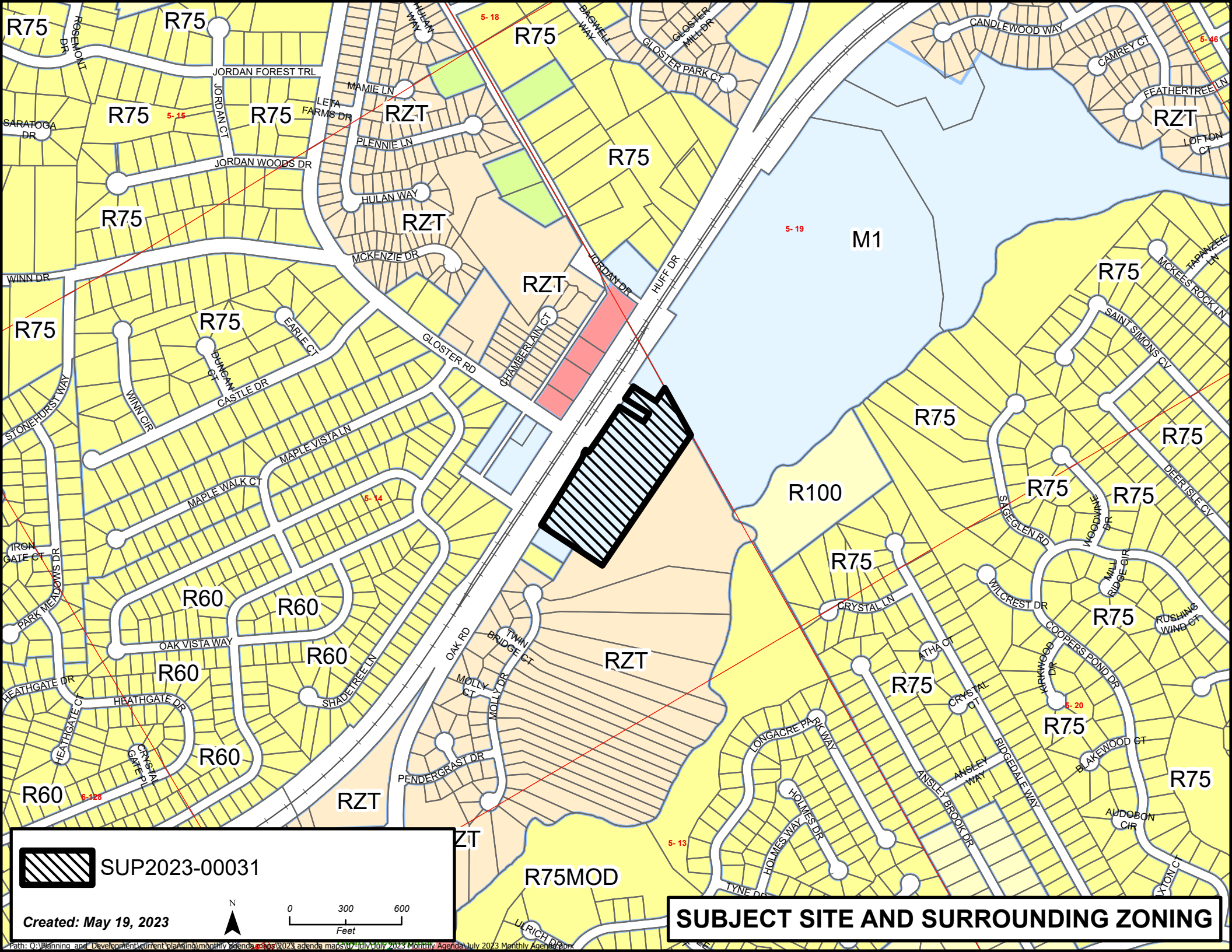
OAK RD



 SUP2023-00031

Created: May 19, 2023



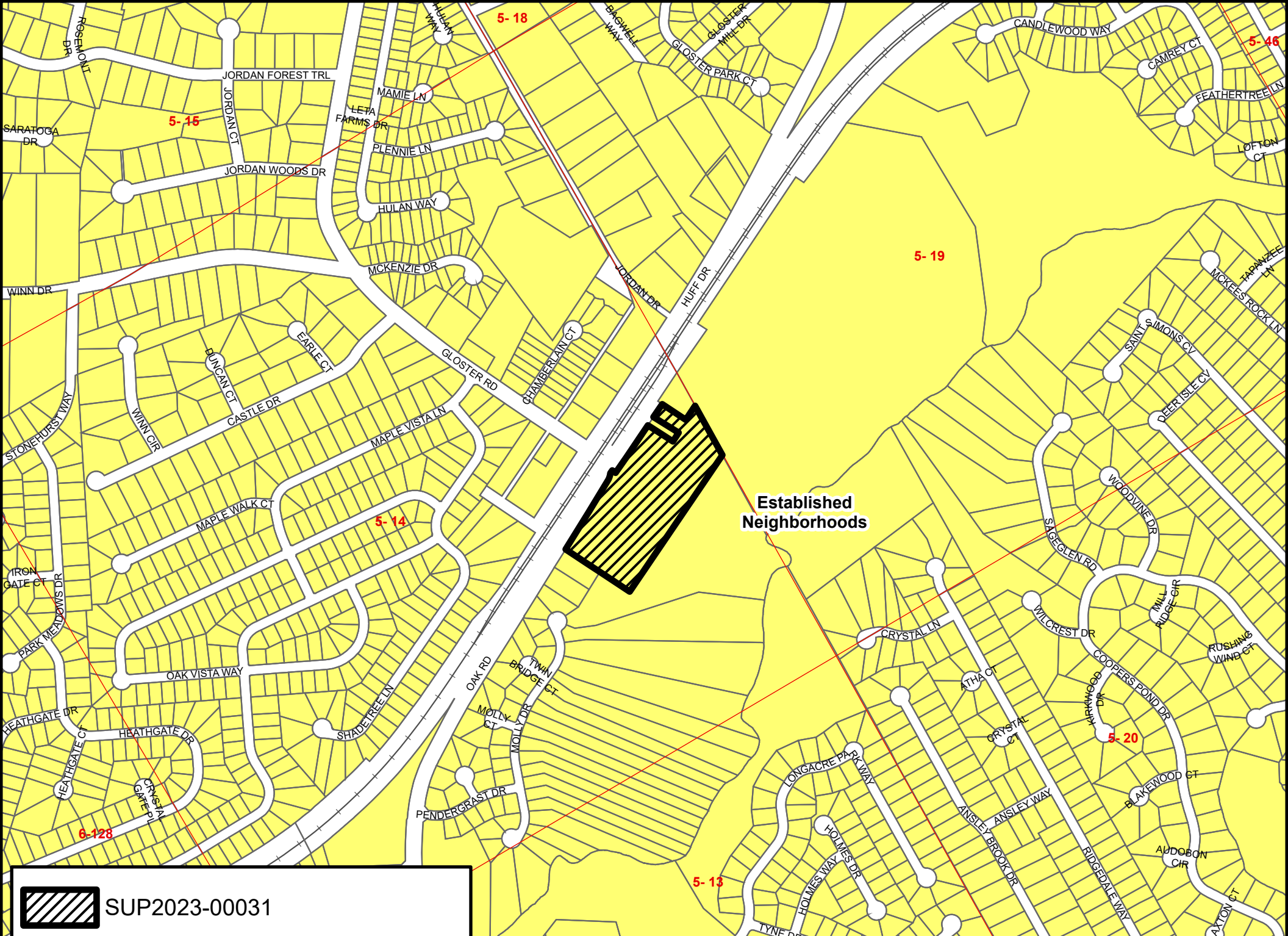



 SUP2023-00031

Created: May 19, 2023

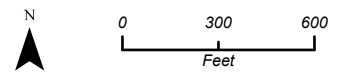
0 300 600  
Feet

**SUBJECT SITE AND SURROUNDING ZONING**



 SUP2023-00031

Created: May 19, 2023



**2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**