



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: CIC2024-00007
Current Zoning: C-2 (General Business District)
Request: Change in Conditions
Address: 447 Athens Highway
Map Number: R5130 004
Site Area: 1.76 acres
Square Feet: 2,870
Proposed Development: Automobile Repair/Service
Commission District: District 3 – Commissioner Watkins
Character Area: Community Mixed-Use

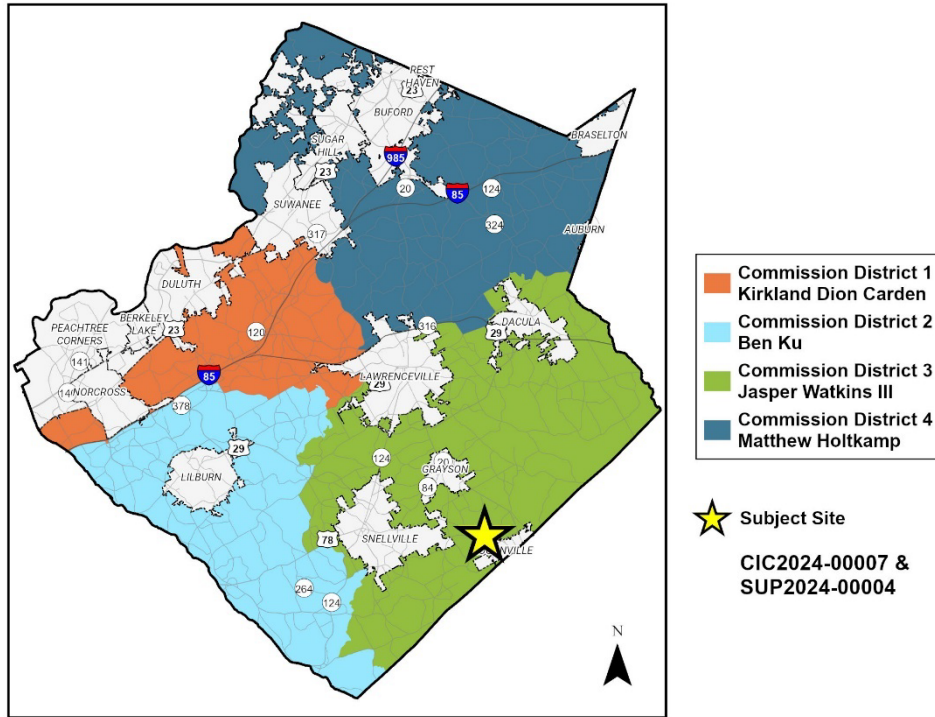
Staff Recommendation: **APPROVAL WITH CONDITIONS**

**Planning Commission
Recommendation:** **APPROVAL WITH CONDITIONS**

Case Number: SUP2024-00004
Current Zoning: C-2 (General Business District)
Request: Special Use Permit
Address: 447 Athens Highway
Map Number: R5130 004
Site Area: 1.76 acres
Square Feet: 2,870
Proposed Development: Automobile Repair/Service
Commission District: District 3 – Commissioner Watkins
Character Area: Community Mixed-Use

Staff Recommendation: **APPROVAL WITH CONDITIONS**

**Planning Commission
Recommendation:** **APPROVAL WITH CONDITIONS**



Applicant: Civil Ace Engineering
 419 East Crossville Rd, Suite 103
 Roswell, GA 30075

Owners: Yuriy Kotenkov
 2305 4th Street
 Tucker, GA 30084

Contact: Michael Guobaitis

Contact Phone: 470.926.0905

Zoning History

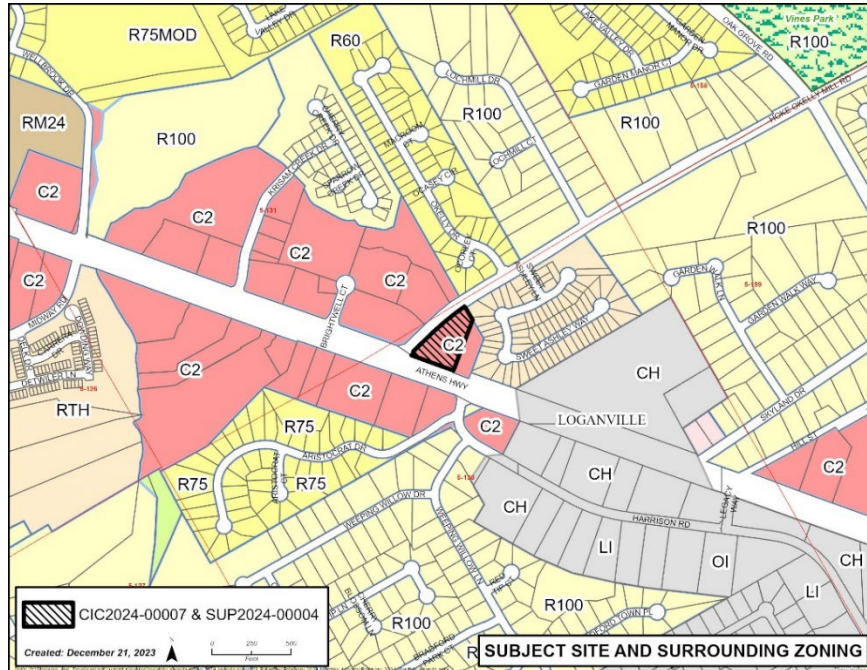
The subject property is zoned C-2 (General Business District). In 1973, the property was rezoned from RA-200 (Agriculture-Residence District) to R-100 (Single-Family Residence District) as part of an areawide rezoning. In 2014, the property was rezoned from R-100 to C-2 and granted a special use permit for automobile sales, pursuant to RZC2014-00008 and SUP2014-00020.

Existing Site Condition

The subject property is a 1.76-acre parcel located at the northeast corner of the Athens Highway and Hoke O'Kelly Mill Road intersection. The site is developed with an existing 1,080 square foot building constructed in 1959. The building was constructed as a single-family residence but is now used as the office for the existing automobile sales facility. A paved parking area for customers and inventory is in front of and on either side of the building. Topographically, the property gradually slopes upwards from west to east by approximately 10 feet. There are existing sidewalks located along both road frontages with one full access driveway onto Athens Highway. The nearest Gwinnett County Transit stop is approximately 4.9 miles from the subject property.

Surrounding Use and Zoning

The subject property is surrounded by commercial uses and single-family detached residences within subdivisions. To the north are the Kelly Mill and Hoke O’Kelly Mill single-family detached subdivisions. A single-family residence which has been converted into a pest control office is located to the east. Further east on Athens Highway is the city limits of Loganville. A newly constructed self-storage facility is located to the west, across Hoke O’Kelly Mill Road. Undeveloped, commercially zoned property is located to the south, across Athens Highway. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Automobile Repair	C-2	N/A
North	Single-Family Residential	R-ZT	5.37 units per acre
East	Commercial	C-2	N/A
South	Undeveloped	C-2	N/A
West	Commercial	C-2	N/A

Project Summary

The applicant requests a change in conditions and special use permit on a 1.76-acre property zoned C-2 for an automobile repair shop, including:

- A change in conditions from zoning case RZC2014-00008. The applicant is requesting to modify the following condition.
 - Condition A, “Retail, service-commercial, office and accessory uses, which may include automobile sales as a special use.” The applicant is requesting to add “and related services” to automobile sales in order to conduct the vehicle repair on-site.
- Access to the site via a full access driveway on Athens Highway.
- An existing 1,080 square foot building to be used as the office space for the automobile sales

facility.

- A proposed one-story 2,870 square foot automobile service building constructed of brick veneer with three bays to serve inventory vehicles.
- A 75-foot-wide undisturbed buffer to remain along the northern property line adjacent to the R-ZT zoned properties.
- An expansion of the parking area to approximately 65 spaces for vehicle inventory and customer parking for the sales portion of the property, and 17 spaces with gate access primarily in front of the automobile service building.
- The automobile service portion of the property to be enclosed by an 8-foot-tall wood fence along the perimeter and an 8-foot-tall iron gate accessing the parking area.
- An existing 5-foot-wide sidewalk along the Athens Highway and Hoke O’Kelly Mill Road frontages.
- A stormwater management facility located at the southwest corner of the property.

Zoning and Development Standards

The applicant is requesting a change in conditions and a special use permit for automobile service on a property zoned C-2 (General Business 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’	15’	YES
Front Yard Setback	Minimum 15’	>15’	YES
Side Yard Setback	Minimum 10’	>10’	YES
Rear Yard Setback	Minimum 30’	>30’	YES
Parking (Auto Repair)	Minimum 3 Spaces Maximum 9 spaces	17 Spaces	NO*
Interior Driveway Width	Minimum 22’-24’	20’	NO**
Landscape Strip	Minimum 10’	N/A	NO***
Zoning Buffer	Minimum 75’	75’	YES
Structure Setback	Minimum 5’ from buffer	>5’	YES

* Applicant will need to clarify which spaces are for the repair use at the permitting stage and bring the site into conformance with the UDO or seek a variance from the Zoning Board of Appeals.

** A minimum 22-foot-wide drive aisle is required for two-way traffic.

*** Applicant must provide 10-foot-wide landscape strips along the entire length of both road frontages during the permitting stage.

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 G). 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

Change in Condition and Special Use Permit Requests Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, 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. For special use permits, the Department shall also 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 this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether a proposed change in conditions and special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The subject property is located at the edge of a commercial cluster along Athens Highway. There is an existing automobile sales facility on the property. Adding an automobile service building for the service of vehicles to be sold on the property is suitable in view of the use and development of adjacent and nearby property.

B. Whether a proposed change in conditions and special use permit will adversely affect the existing use or usability of adjacent or nearby property.

The automobile sales facility is located on Athens Highway, a major thoroughfare, and has been operating on the subject property since 2014. The proposed automobile service building will be located in the rear of the property enclosed by an 8-foot-tall iron and wooden fence. Despite the additional building and parking area, the required 75-foot-wide zoning buffer adjacent to residential property to the north is being maintained. The applicant is also proposing improvements to the existing automobile sales portion of the property including landscaping and stormwater detention. Therefore, the proposed change in conditions and special use permit will not adversely affect the existing use or usability of adjacent or nearby property.

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

The property has a reasonable economic use as currently zoned.

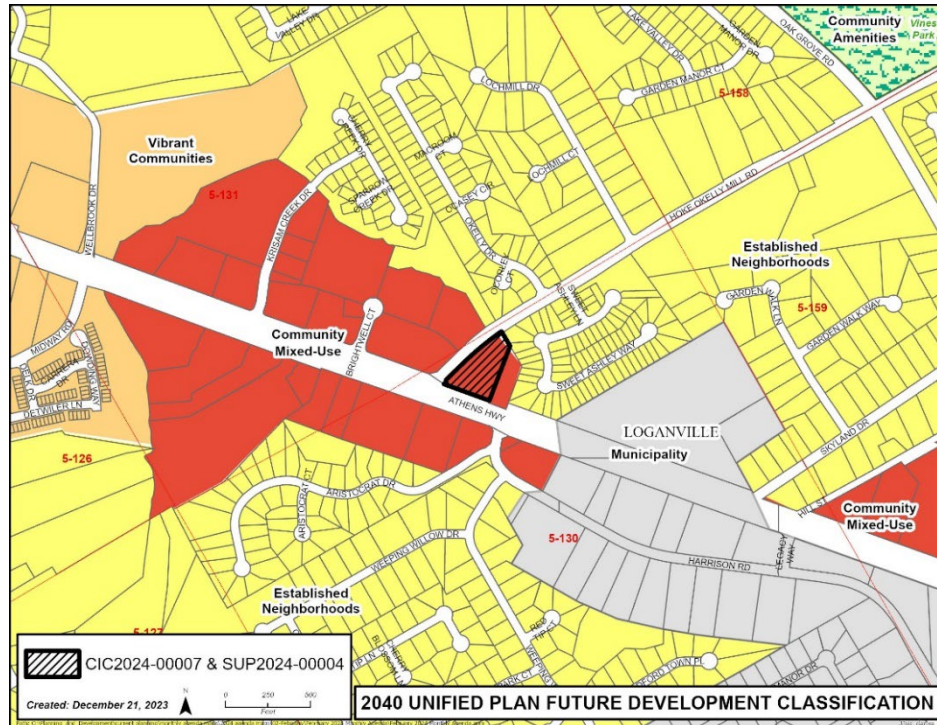
D. Whether the proposed change in conditions and special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

A slight increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning and special use permit request are attached (Exhibit G).

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

The site is located in the Community Mixed-Use Character Area. According to the Unified Plan, these areas should develop and redevelop with a mixture of uses Integrating high quality

aesthetics and site design. This project is redeveloping a site to bring the property up to modern code standards. In addition to adding the automobile service building, the applicant is proposing to improve the automobile sales portion of the property resulting in an improved overall development. These changes would be in conformity 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 change in conditions and special use permit.

The addition of automobile service repair to an existing automobile sales business along Athens Highway is appropriate at this location. The business is located along a major thoroughfare near other commercial uses. The service building would only be used for the repair and maintenance of vehicle inventory, therefore not significantly increasing vehicular use of the site. The applicant is proposing site improvements including stormwater detention, landscaping, and an 8-foot-tall iron and wooden fence to screen the automobile service building and vehicle parking. Appropriate conditions will limit any potential impacts to the adjacent residential properties to the north.

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 **APPROVAL WITH CONDITIONS** of the special use permit and change in conditions requests.

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 **APPROVAL WITH CONDITIONS** of the change in conditions and special use permit requests.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions)

CIC2024-00007

NOTE: The conditions below are those from RZC2014-00008 with suggested change in bold or strikethrough.

Approval of a change in conditions for automobile service, subject to the following conditions.

1. To restrict the use of the property as follows:

A. Retail, service-commercial, office and accessory uses, which may include automobile sales **and accessory service** as a special use. The following uses shall be prohibited:

- adult bookstores or entertainment
- recovered materials processing facilities
- smoke shops/novelty stores
- yard trimmings composting facilities

B. Any new building(s) shall be finished with architectural treatments of glass, brick and/or stacked stone (stucco may only be used as an accent material). Final building elevations shall be submitted for review and approval by the Director of Planning and Development. Portable office trailers shall be prohibited.

C. If the existing building is converted for business use, it shall be brought up to code, and shall be residential in appearance. Final building elevations shall be submitted for review and approval by the Director of Planning and Development.

D. Outdoor sales, storage or display of merchandise other than automobiles (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited. Servicing of vehicles outdoors shall be prohibited.

2. To satisfy the following site development considerations:

A. Provide a 75-foot-wide natural undisturbed buffer adjacent to residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated.

B. Provide a ten-foot wide landscaped strip adjacent to all rights-of-way.

C. Ground signage shall be limited to a single monument type sign(s) with a minimum two-foot high brick or stacked stone base.

- D. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
- E. Outdoor loudspeakers shall be prohibited.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- H. Peddlers shall be prohibited.
- I. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

SUP2024-00004

Approval of a special use permit for automobile repair accessory to automobile sales, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan and Exhibit C: Building Elevations dated received, October 26, 2023, with revisions required by conditions of approval and the Unified Development Ordinance. The final site design shall be subject to the review and approval of the Department of Planning and Development.
2. Natural vegetation shall remain on the property until the issuance of a development permit.
3. Outdoor storage shall be prohibited.
4. Junked or inoperable vehicle storage shall be prohibited.
5. Vehicles serviced shall be limited to inventory vehicles to be sold on the subject property.
6. All repair/maintenance/detailing shall be done inside the service building.
7. Hours of operation shall be limited to Monday through Saturday, 8 a.m. to 6 p.m.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. RZC2014-00008 Resolution
- E. Letter of Intent and Applicant's Response to Standards
- F. Application and Disclosure of Campaign Contributions
- G. Internal and External Agency Review Comments
- H. Maps

Exhibit A: Site Visit Photos



View of Athens Highway, facing west



View of property entrance on Athens Highway



Approximate location of the automobile service building site



View of Hoke O'Kelly Mill Road, facing north

Exhibit B: Site Plan

[attached]

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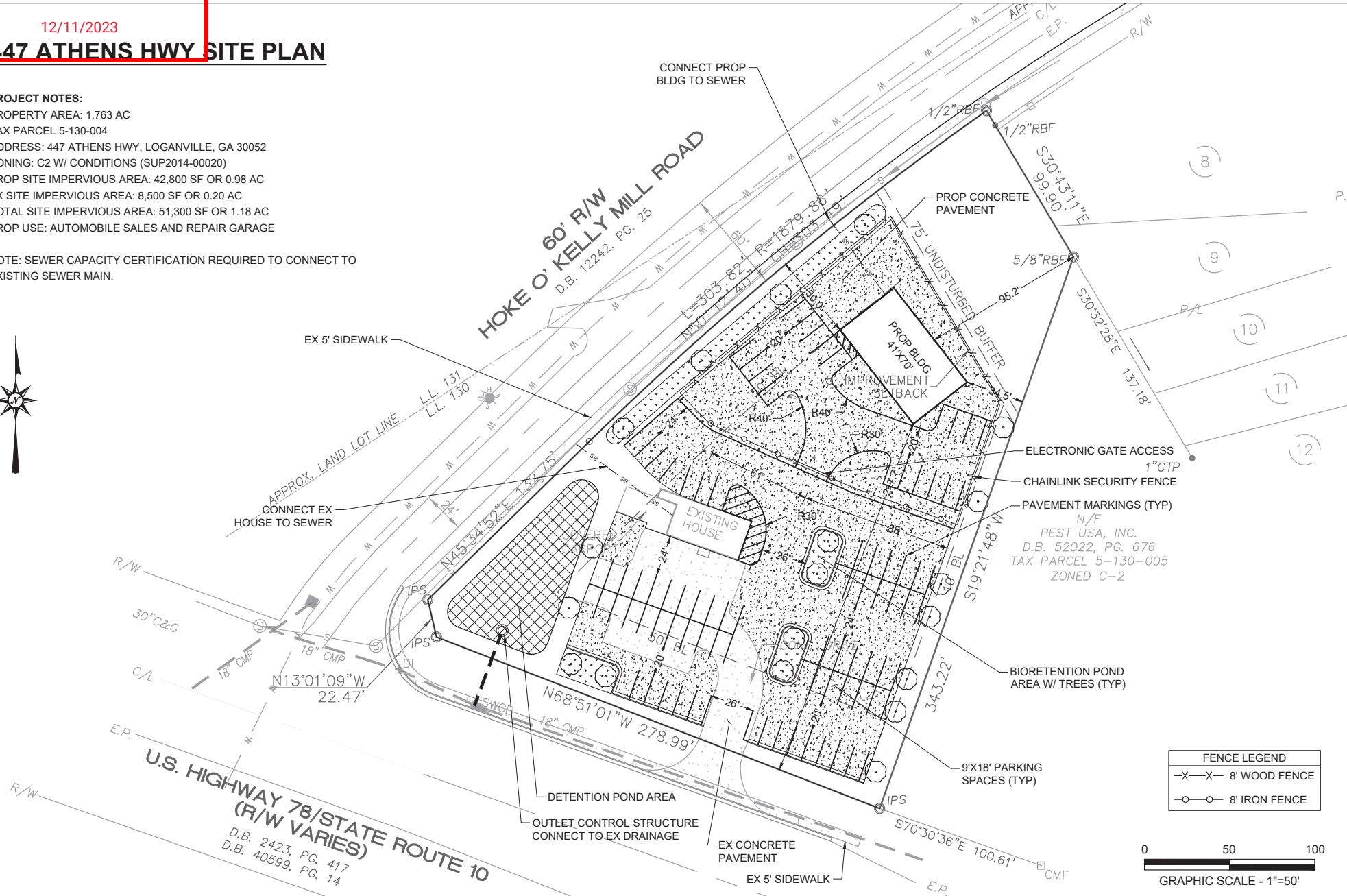
12/11/2023

447 ATHENS HWY SITE PLAN

PROJECT NOTES:

PROPERTY AREA: 1.763 AC
 TAX PARCEL 5-130-004
 ADDRESS: 447 ATHENS HWY, LOGANVILLE, GA 30052
 ZONING: C2 W/ CONDITIONS (SUP2014-00020)
 PROP SITE IMPERVIOUS AREA: 42,800 SF OR 0.98 AC
 EX SITE IMPERVIOUS AREA: 8,500 SF OR 0.20 AC
 TOTAL SITE IMPERVIOUS AREA: 51,300 SF OR 1.18 AC
 PROP USE: AUTOMOBILE SALES AND REPAIR GARAGE

NOTE: SEWER CAPACITY CERTIFICATION REQUIRED TO CONNECT TO EXISTING SEWER MAIN.



N/F
 PEST USA, INC.
 D.B. 52022, PG. 676
 TAX PARCEL 5-130-005
 ZONED C-2

FENCE LEGEND	
-X-X-	8' WOOD FENCE
○-○-	8' IRON FENCE

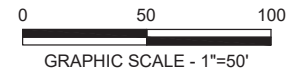
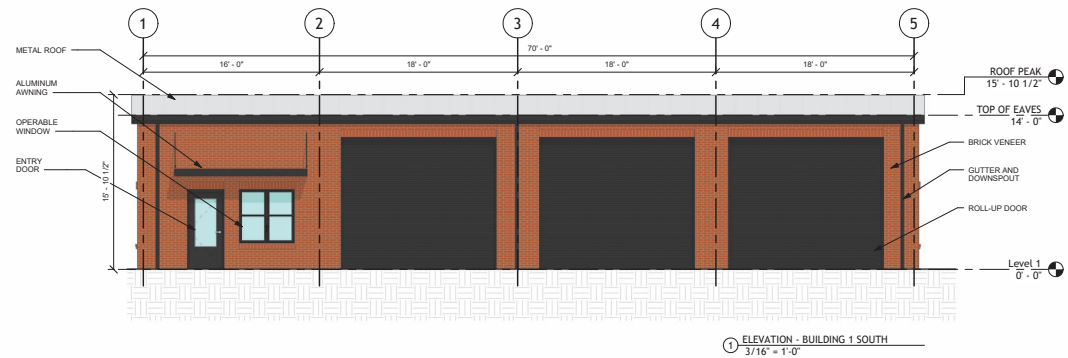
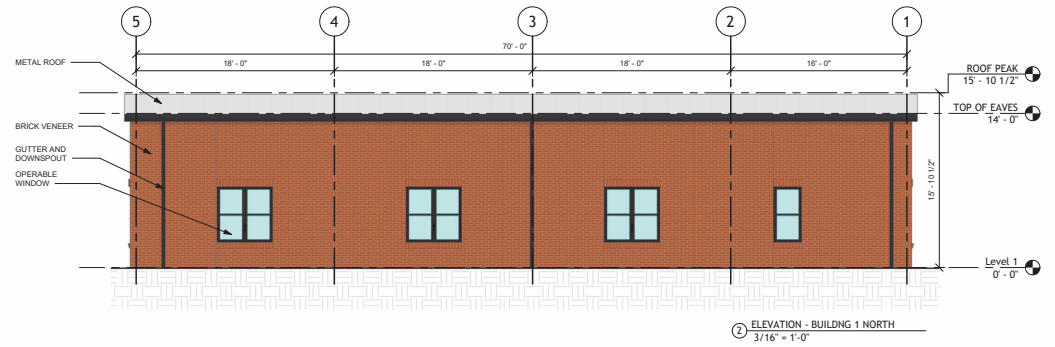
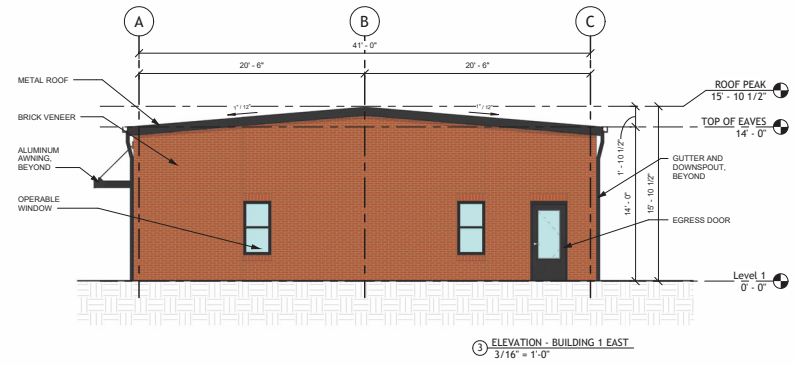
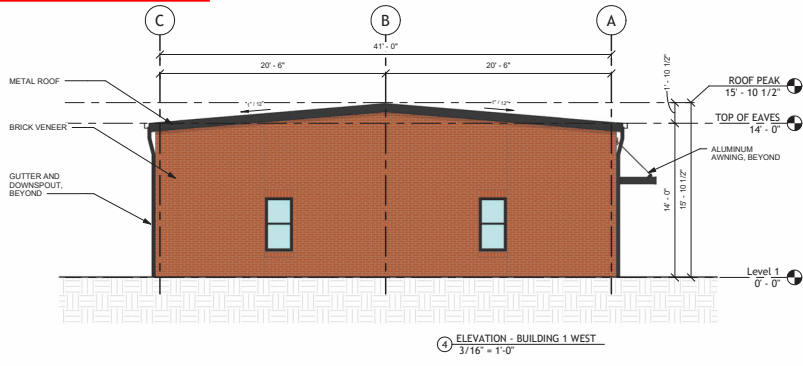


Exhibit C: Building Elevations

[attached]

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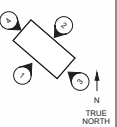
DUNCAN DESIGN LLC
DP.JDUNCAN6@GMAIL.COM

447 ATHENS HIGHWAY
LOGANVILLE, GA 30052
BIDNDRIVE, INC

No.	Description	Date

Project Number 2307
Date 11/16/2023
Drawn By DD

KEY PLAN



ELEVATIONS -
BUILDING 1

A301

11/16/23

NOT RELEASED FOR CONSTRUCTION

Exhibit D: RZC2014-00008

[attached]

CASE NUMBER RZC2014-00008
GCID 2014-0270

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HUNTER, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from R-100 to C-2 by ATL MOTORS, LLC for the proposed use of AUTOMOBILE SALES on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 22, 2014 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 22nd day of APRIL 2014, that the aforesaid application to amend the Official Zoning Map from R-100 to C-2 is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail, service-commercial, office and accessory uses, which may include automobile sales as a special use. The following uses shall be prohibited:
 - adult bookstores or entertainment
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - yard trimmings composting facilities
 - B. Any new building(s) shall be finished with architectural treatments of glass, brick and/or stacked stone (stucco may only be used as an accent material). Final building elevations shall be submitted for review and approval by the Director of Planning and Development. Portable office trailers shall be prohibited.
 - C. If the existing building is converted for business use, it shall be brought up to code, and shall be residential in appearance. Final building elevations shall be submitted for review and approval by the Director of Planning and Development.
 - D. Outdoor sales, storage or display of merchandise other than automobiles (such as trailers, utility buildings, rental trucks, automotive parts, junked vehicles, etc.) shall be prohibited. Servicing of vehicles outdoors shall be prohibited.
2. To satisfy the following site development considerations:
 - A. Provide a 75-foot wide natural undisturbed buffer adjacent to residentially-zoned properties. The buffer shall be enhanced where sparsely vegetated.
 - B. Provide a ten-foot wide landscaped strip adjacent to all rights-of-way.

- C. Ground signage shall be limited to a single monument type sign(s) with a minimum two-foot high brick or stacked stone base.
- D. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
- E. Outdoor loudspeakers shall be prohibited.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- H. Peddlers shall be prohibited.
- I. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.


GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 5/2/14

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 130 of the 5th Land District of Gwinnett County, Georgia, being more particularly described as follows:

Beginning at an iron pin set at the intersection of the northeasterly right-of-way of U.S. Highway 78/State Route 10 (right-of-way varies) and the southeasterly right-of-way of Hoke O'Kelly Mill Road (60 foot right-of-way), said point being the TRUE POINT OF BEGINNING;
THENCE along said right-of-way of Hoke O'Kelly Mill Road North 13 degrees 01 minutes 09 seconds West for a distance of 22.47 feet to an iron pin set;
THENCE continuing along said right-of-way North 45 degrees 34 minutes 52 seconds East for a distance of 132.75 feet to a point;
THENCE continuing along said right-of-way along a curve to the right having a radius of 1879.86 feet, with an arc length of 303.82 feet, being subtended by chord bearing of North 50 degrees 12 minutes 40 seconds East for a chord distance of 303.49 feet to a ½ inch rebar found;
THENCE leaving said right-of-way South 30 degrees 43 minutes 11 seconds East for a distance of 99.90 feet to a 5/8 inch rebar found;
THENCE South 19 degrees 21 minutes 48 seconds West for a distance of 343.22 feet to an iron pin set on the aforesaid right-of-way of U.S. Highway 78/State Route 10;
THENCE along said right-of-way North 68 degrees 51 minutes 01 seconds West for a distance of 278.99 feet to an iron pin set at the TRUE POINT OF BEGINNING.

Said property contains 1.763 acres.

RZC 14 0 0 8

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FEB 11 2014

Planning Department

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

[attached]

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12/11/2023

CIVIL ACE ENGINEERING

419 E Crossville Rd, Suite 103

Roswell, Georgia 30075

Phone: 470-448-4146

michael@civilaceeng.com

November 27, 2023

To whom it may concern,

For your consideration, we are requesting a special use permit and change in conditions to modify **Condition 1A** in the zoning conditions from the previously approved 2014 Special Use case (SUP2014-00020) as follows:

Retail, service-commercial, office and accessory uses, which may include automobile sales **and related services** as a special use. The following uses shall be prohibited:

- adult bookstores or entertainment
- recovered materials processing facilities
- smoke shops/novelty stores
- yard trimmings composting facilities.

The purpose of this change in condition is to allow the owner to construct a garage building and perform on-site vehicle repairs for re-sale on the lot. As noted in the existing conditions, no servicing of vehicles will be performed outside of the garage.

Sincerely,

Vincent M Guobaitis, PE

Vincent Guobaitis

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STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

A. WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The surrounding area is characterized by similar commercial uses along Athens Highway. These properties include an automobile repair, tire shop, and self-storage facility. The proposed addition of the repair garage accessory structure to the rear of the property will not affect the use and development of nearby and adjacent properties.

B. WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The existing use and usability of adjacent or nearby properties would not be adversely impacted by the approval of the structure. The repair garage will have the appropriate exterior finish and will keep any vehicle repairs out of sight of the highway.

C. WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The property has a reasonable economic use as currently zoned.

D. WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, or stormwater runoff. No increased impact is anticipated on school enrollment.

E. WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Community Mixed-Use area. The Community Mixed-Use Character Area is intended for connecting areas outside of Regional Activity Centers and Community Nodes and typically located along major corridors. The proposed change is in conformity with the policy and intent of the comprehensive plan. The proposed change in conditions will not alter the approved use of the site, it will only enhance the existing site and facilitate a community in line with the goals of the Gwinnett County Comprehensive Plan.

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 CHANGE IN CONDITIONS:

The proposed rezoning and change in conditions would be appropriate given the development of the surrounding area. The proposed use of the property from previous approvals has not changed. The repair shop will allow for vehicle repair for the existing dealership. Located on the North end of the property, the shop will not be in direct sight of the property and will conform to aesthetic requirements and enhance the existing mixed-use community.

Exhibit F: Application and Disclosure of Campaign Contributions

[attached]

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12/11/2023

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>CIVIL ACE ENGINEERING</u>	NAME: <u>YURIY KOTENKOV</u>
ADDRESS: <u>419 E CROSSVILLE RD, SUITE 103</u>	ADDRESS: <u>2305 4TH ST</u>
CITY: <u>ROSWELL</u>	CITY: <u>TUCKER</u>
STATE: <u>GA</u> ZIP: <u>30075</u>	STATE: <u>GA</u> ZIP: <u>30084</u>
PHONE: <u>470-926-0905</u>	PHONE: <u>(850) 532-0892</u>
EMAIL: <u>MICHAEL@CIVILACEENG.COM</u>	EMAIL: <u>BIDNDRIVE@GMAIL.COM</u>
CONTACT PERSON: <u>MICHAEL GUOBAITIS</u> PHONE: <u>(470) 926-0905</u>	
CONTACT'S E-MAIL: <u>MICHAEL@CIVILACEENG.COM</u>	

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICTS(S): <u>C-2</u>	PRIOR ZONING CASE: <u>SUP2014-00020</u>
PARCEL NUMBER(S): <u>5-130-004</u>	ACREAGE: <u>1.763</u>
ADDRESS OF PROPERTY: <u>447 ATHENS HWY, LOGANVILLE, GA 30052</u>	
PROPOSED CHANGE IN CONDITIONS: <u>ALLOWED USE: REPAIR SHOP</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>2 Buildings</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>4,280</u>
GROSS DENSITY: _____	DENSITY: <u>5.6%</u>
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

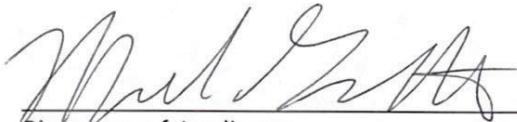
RECEIVED

12/11/2023

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 7/2023

CHANGE IN CONDITIONS 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.



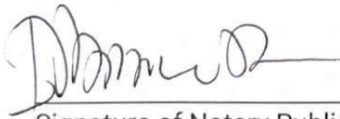
Signature of Applicant

11/27/23

Date

Vincent M Guobaitis

Type or Print Name and Title



Signature of Notary Public

Iliyana Brewer

11/27/2023

Date

ILİYANA BREWER

NOTARY PUBLIC

Cherokee County

State of Georgia

My Comm. Expires Jan. 23, 2026

Notary Seal


RECEIVED

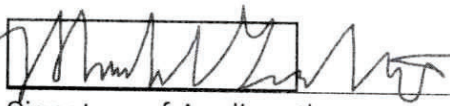
12/11/2023

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 7/2023

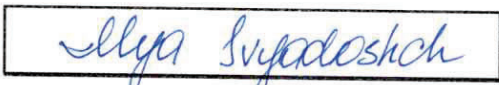
CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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.

 11/20/23 Yuriy Kotenkov / owner
Signature of Applicant Date Type of Print Name and Title

 Vincent M Guobaitis, Engineer
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

I Svyadoshch
NOTARY PUBLIC
WINNETT COUNTY, GEORGIA
My Commission Expires
03/21/2024

 11/20/23
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

Yuriy Kotenkov
Your Name

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

NAME AND OFFICIAL 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

12/11/2023

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>CIVIL ACE ENGINEERING</u>	NAME: <u>YURIY KOTENKOV</u>
ADDRESS: <u>419 E CROSSVILLE RD, SUITE 103</u>	ADDRESS: <u>2305 4TH ST</u>
CITY: <u>ROSWELL</u>	CITY: <u>TUCKER</u>
STATE: <u>GA</u> ZIP: <u>30075</u>	STATE: <u>GA</u> ZIP: <u>30084</u>
PHONE: <u>(470) 926-0905</u>	PHONE: <u>(850)532-0892</u>
EMAIL: <u>MICHAEL@CIVILACEENG.COM</u>	EMAIL: <u>BIDNDRIVE@GMAIL.COM</u>
CONTACT PERSON: <u>MICHAEL GUOBAITIS</u> PHONE: <u>(470) 926-0905</u>	
CONTACT'S E-MAIL: <u>MICHAEL@CIVILACEENG.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>C-2</u>	BUILDING/LEASED SQUARE FEET: <u>4,280</u>
PARCEL NUMBER(S): <u>5-130-004</u>	ACREAGE: <u>1.763</u>
ADDRESS OF PROPERTY: <u>447 ATHENS HWY, LOGANVILLE, GA 30052</u>	
SPECIAL USE REQUESTED: <u>ALLOWED USE: REPAIR SHOP</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

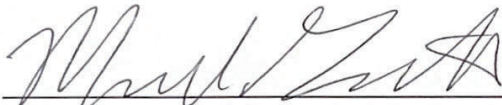
RECEIVED

12/11/2023

Gwinnett County Planning Division
Special Use Permit Application
Last Updated 7/2023

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.



Signature of Applicant

11/27/23

Date

Vincent M Guobaitis

Type or Print Name and Title

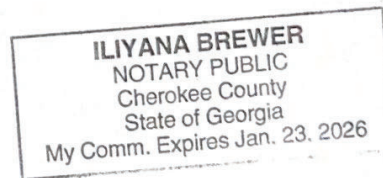


Signature of Notary Public

Iliyana Brewer

11/27/2023

Date




Notary Seal

RECEIVED

12/11/2023

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.



[Signature Box]

11/20/23

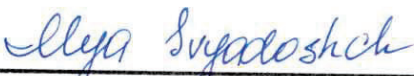
Signature of Property Owner

Date

Yuriy Kotenkov / owner

Type or Print Name and Title

I Svyadoshch
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
My Commission Expires
03/21/2024



[Signature Box]

11/22/2023

Signature of Notary Public

Date


Notary Seal

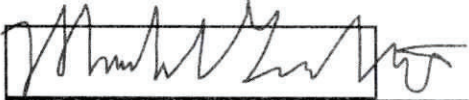
RECEIVED

12/11/2023

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.

 11/20/23 Yuriy Kotenkov / owner
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 Vincent M Guobaitis, Engineer
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

 11.22.2023
SIGNATURE OF NOTARY PUBLIC DATE

I Svyadoshch
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
My Commission Expires
03/21/2024

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 Yurig Kotenkov
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

12/11/2023

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 - 130 - 004
(Map Reference Number) District Land Lot Parcel

[Signature] 11/20/23
Signature of Applicant Date

Yuriy Kotenkov / owner
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)

Victoria Schokry TSA II
NAME TITLE

11/22/2023
DATE

Exhibit G: Internal and External Agency Review Comments

[attached]



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

TRC Meeting Date:		01.10.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		CIC2024-00007 and SUP2024-00004	
Case Address:		447 Athens Highway, Loganville, 30052	
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
1	Athens Highway is a principal arterial. ADT = 33,000.		
2	4.9 miles to the nearest transit facility located at E. Main Street and Wisteria Drive.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

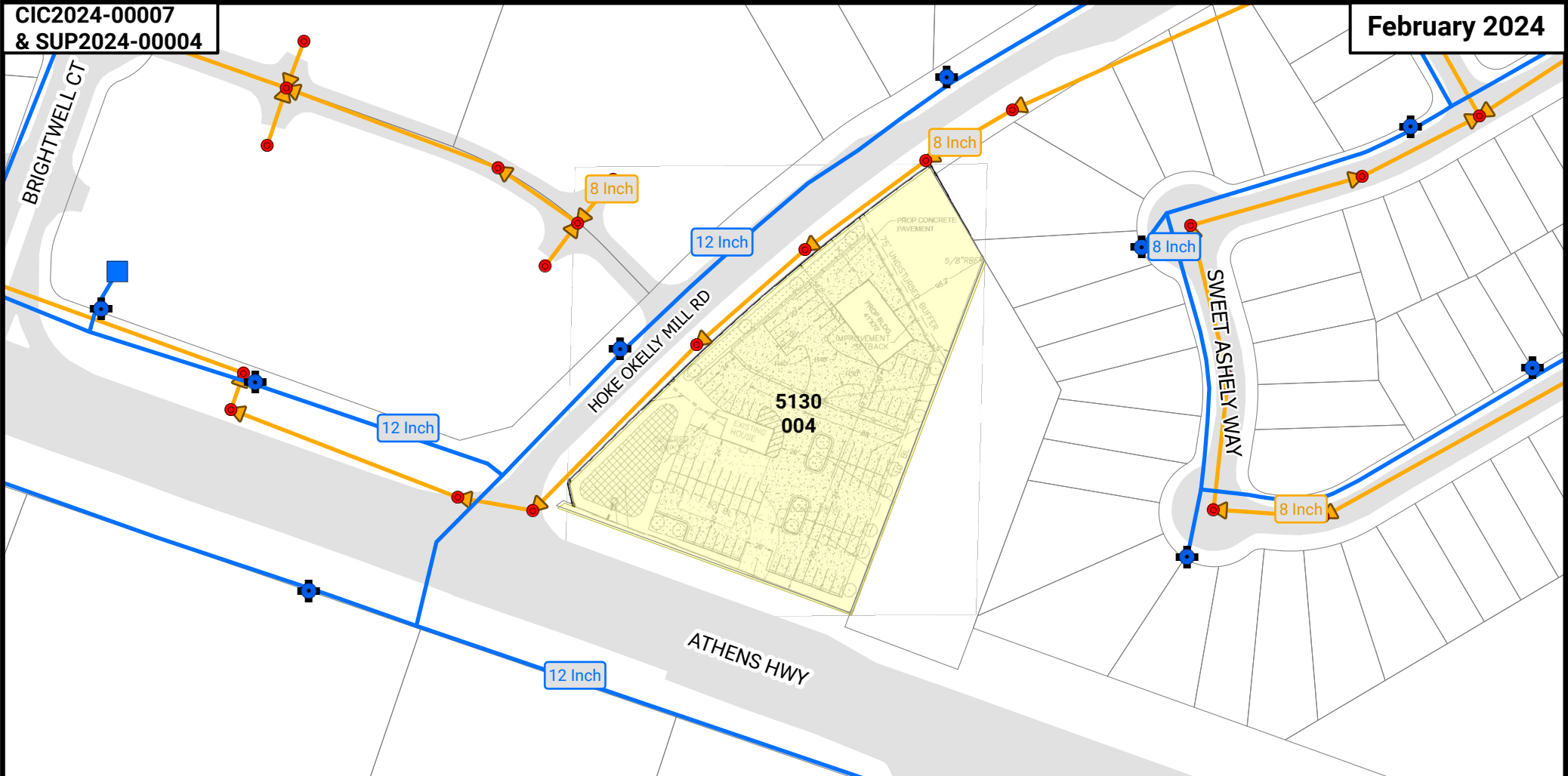


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		CIC2024-00007 & SUP2024-00004		
Case Address:		447 Athens Hwy		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The existing building is currently connected to public water. If an additional water connection is needed, the development may connect to an existing 12-inch water main on the western right-of-way of Hoke Okelly Mill Road.			
2	Sewer: The existing building is currently served by a septic system. The proposed building may connect to an existing 8-inch gravity sewer on the eastern right-of-way of Hoke Okelly Mill Road. If the public sewer connection is preferred, a Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				

Note: Attach additional pages, if needed

Revised 7/26/2021

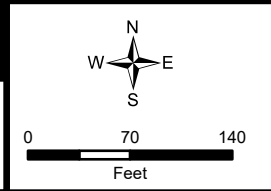


LEGEND

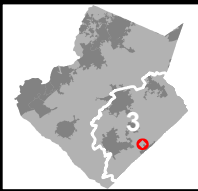
-  Water Main
-  Hydrant
-  Master Vault
-  Manhole
-  Sewer Collector

447 Athens Hwy
C-2

Water & Sewer Utility Map



LOCATION



Water Comments: The existing building is currently connected to public water. If an additional water connection is needed, the development may connect to an existing 12-inch water main on the western right-of-way of Hoke Okelly Mill Road.

Sewer Comments: The existing building is currently served by a septic system. The proposed building may connect to an existing 8-inch gravity sewer on the eastern right-of-way of Hoke Okelly Mill Road. If the public sewer connection is preferred, a Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit.

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.

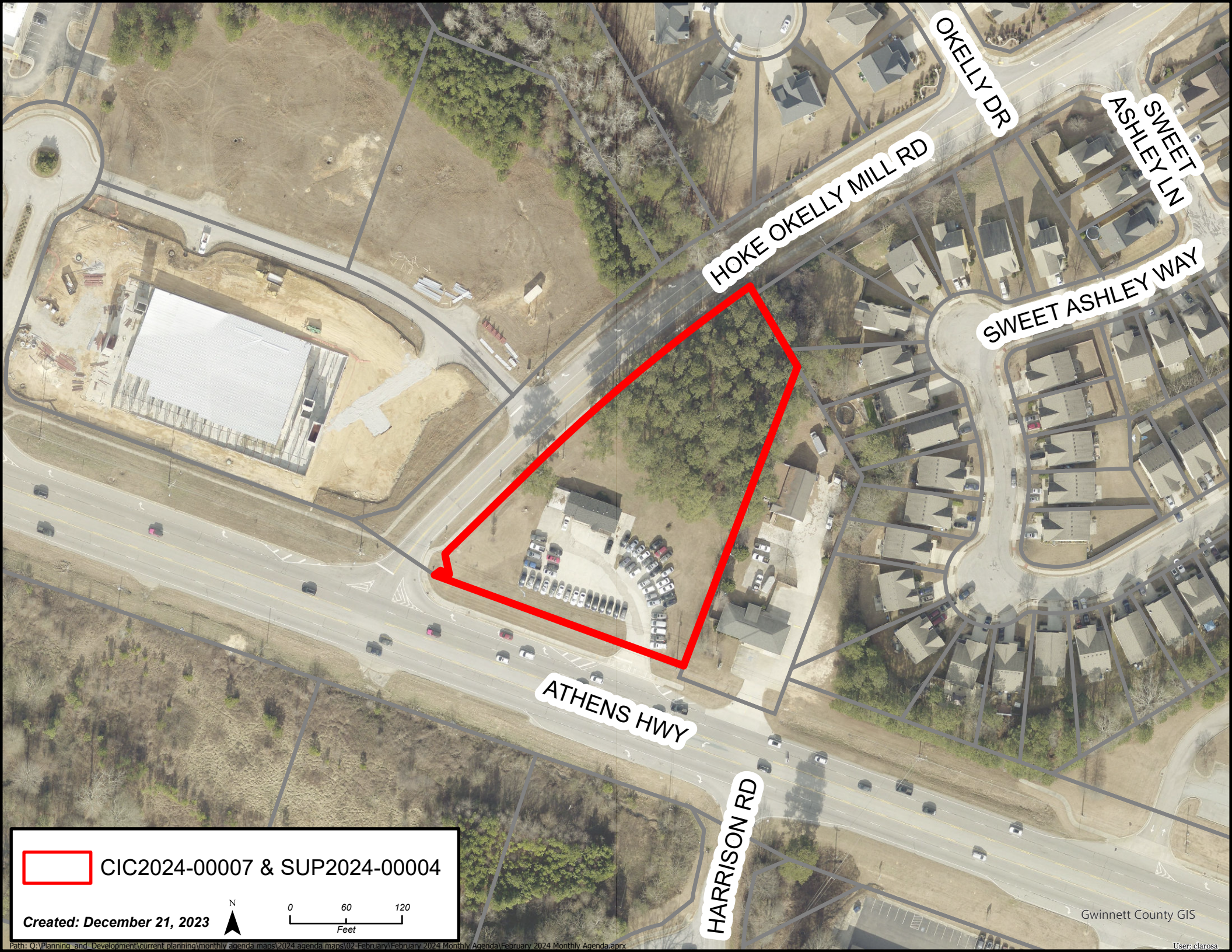
Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, 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.

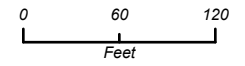
Exhibit H: Maps

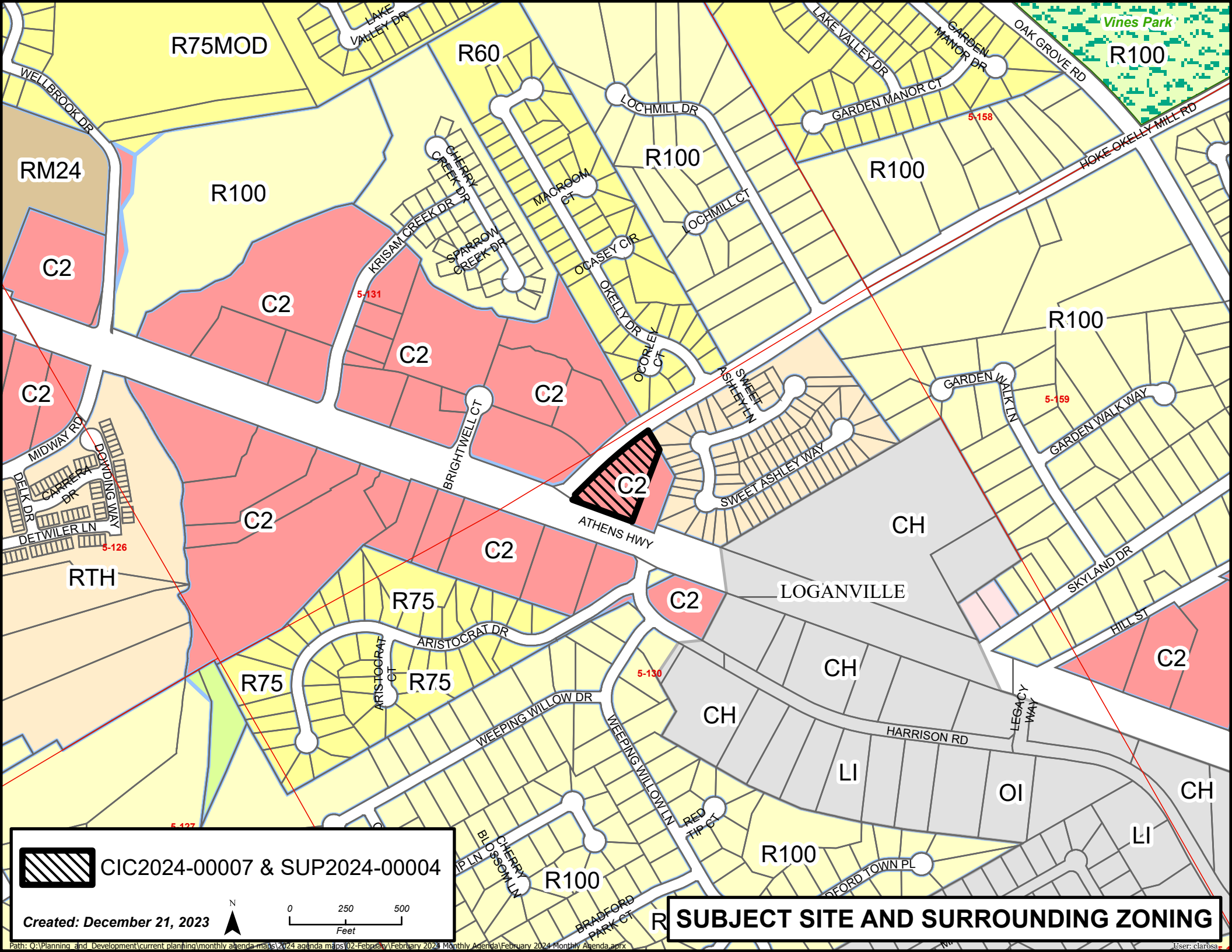
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CIC2024-00007 & SUP2024-00004

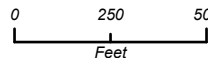
Created: December 21, 2023



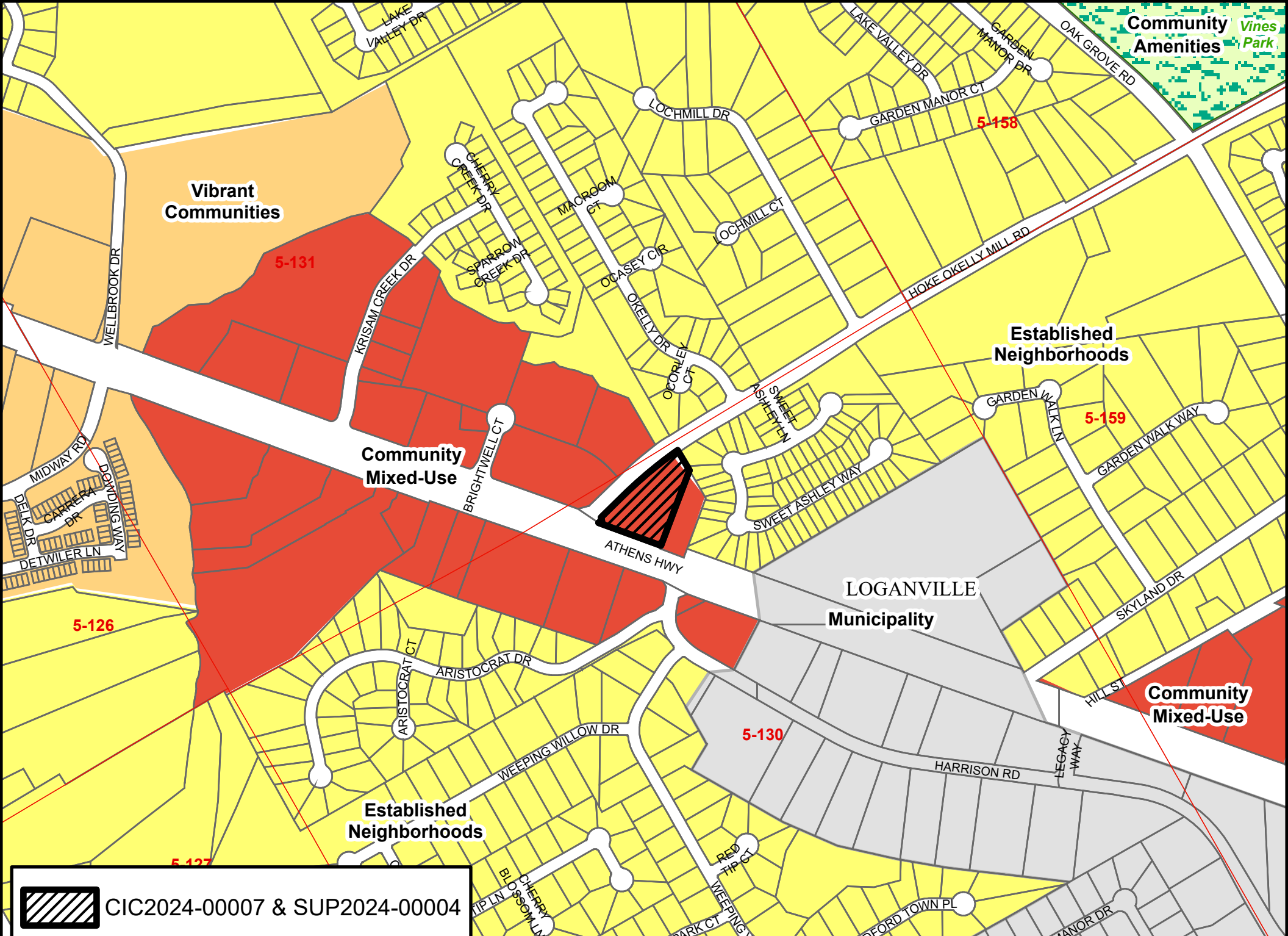


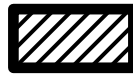
CIC2024-00007 & SUP2024-00004

Created: December 21, 2023



SUBJECT SITE AND SURROUNDING ZONING



 CIC2024-00007 & SUP2024-00004

Created: December 21, 2023




2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION