

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Lawrenceville Rentals, Inc.</u>	NAME: <u>Monarch River Exchange, LLC</u>
ADDRESS: <u>2100 Riverside Parkway, Suite 126</u>	ADDRESS: <u>4828 Ashford Dunwoody Road, Suite 300</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Atlanta</u>
STATE: <u>GA</u> ZIP: <u>30043</u>	STATE: <u>GA</u> ZIP: <u>30338</u>
PHONE: <u>(770) 822-0025</u>	PHONE: <u>(678)235-3937</u>
CONTACT PERSON: <u>Robert Jackson Wilson</u> PHONE: <u>(770) 962-9780</u>	
CONTACT'S E-MAIL: <u>jwilson@rjwpclaw.com</u>	

\*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
EXISTING/PROPOSED ZONING: <u>C-2</u>	BUILDING/LEASED SQUARE FEET: <u>1200 s.f. and courtyard</u>
PARCEL NUMBER(S): <u>R7-033-107</u>	ACREAGE: <u>Suite 126</u>
ADDRESS OF PROPERTY: <u>2100 Riverside Parkway, Suite 126, Lawrenceville, GA 30043</u>	
SPECIAL USE REQUESTED: <u>Truck rental</u>	

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

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BK53561 PG0130

EXHIBIT "A"

**LEGAL DESCRIPTION**

LAND DESCRIPTION

*River Exchange Shopping Center*

Tract One

River Exchange I

All of that tract or parcel of land lying and being in Land Lot 33 of the 7<sup>th</sup> Land District of Gwinnett County, Georgia, containing 22.97 acres of land, more or less, and being more particularly described as follows:

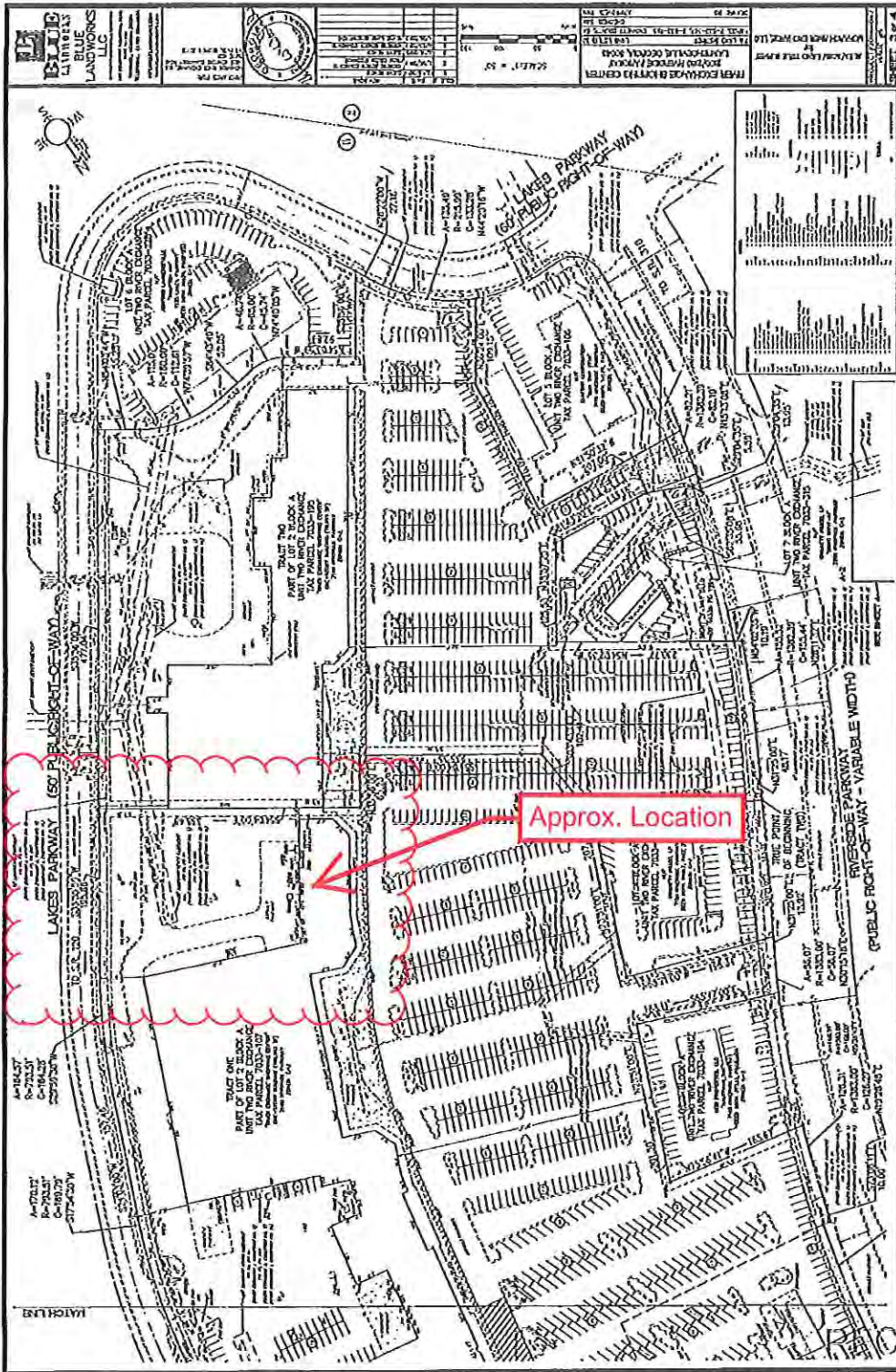
BEGINNING at an iron pin found (1/2" rebar) at the eastern end of the 20.00 foot radius return at the intersection of the southern margin of the right-of-way of Georgia Highway 120 (right-of-way varies) and the eastern margin of the right-of-way of Riverside Parkway (right-of-way varies); thence along the southern margin of the right-of-way of Georgia Highway 120, 192.56 feet along the arc of a curve to the right having a radius of 5659.58 feet and a chord bearing and distance of North 77 degrees 58 minutes 04 seconds East 192.55 feet to an iron pin found (1/2" rebar) being the TRUE POINT OF BEGINNING; thence continuing along said right-of-way 505.37 feet along the arc of a curve to the right having a radius of 5659.58 feet and a chord bearing and distance of North 81 degrees 30 minutes 02 seconds East, 505.20 feet to an iron pin found (1/2" rebar) on the southern margin of the right-of-way of Georgia Highway 120 and the western margin of the right-of-way of Lakes Parkway (right-of-way varies); thence continuing along the western margin of right-of-way of Lakes Parkway 31.59 feet along the arc of a curve to the right having a radius of 20.00 feet and a chord bearing and distance of South 50 degrees 41 minutes 14 seconds East, 28.41 feet to an iron pin set (1/2" rebar with cap); thence continuing along the western margin of the right-of-way of Lakes Parkway the following courses and distances: South 05 degrees 26 minutes 00 seconds East, 453.27 feet to an iron pin found (1/2" rebar); thence 238.21 feet along the arc of a curve to the right having a radius of 793.51 feet and chord bearing and distance of South 03 degrees 10 minutes 00 seconds West, 237.32 feet to a point; thence South 11 degrees 46 minutes 00 seconds West, 267.14 feet to a point; thence 170.12 feet along the arc of a curve to the right having a radius of 793.51 feet and a chord bearing and distance of South 17 degrees 54 minutes 30 seconds West, 169.79 feet to a point; South 24 degrees 03 minutes 00 seconds West, 157.46 feet to a point; 164.57 feet along the arc of a curve to the right having a radius of 793.51 feet and a chord bearing and distance of South 29 degrees 59 minutes 30 seconds West, 164.28 feet to a point; thence South 35 degrees 55 minutes 59 seconds West, 195.86 feet to an iron pin found (1/2" rebar); thence departing said right-of-way North 54 degrees 04 minutes 00 seconds West, 338.48 feet to a point; thence South 35 degrees 56 minutes 00 seconds West, 65.23 feet to a point; thence North 54 degrees 04 minutes 00 seconds West, 235.35 feet to a nail found; thence North 03 degrees 43 minutes 14 seconds West, 102.41 feet to an iron pin found (1/2" rebar); thence North 23 degrees 51 minutes 00 seconds East, 207.24 feet to an iron pin set (1/2" rebar with cap); thence North 68 degrees 21 minutes 00 seconds West, 196.34 feet to a nail found on the eastern margin of the right-of-way of Riverside Parkway; thence along said right-of-way North 31 degrees 25 minutes 00 seconds East, 13.92 feet to a point; thence continuing along said right-of-way 56.07 feet along the arc of a curve to the left having a radius of 1383.00 feet and chord bearing and distance of North 30 degrees 15 minutes 18 seconds East, 56.07 feet to a nail found; thence departing said right-of-way South 65 degrees 47 minutes 00 seconds East, 188.11 feet to an iron pin found (1/2" rebar); thence North 23 degrees 51 minutes 00 seconds East, 201.50 feet to an iron pin found (1/2" rebar); thence North 75 degrees 56 minutes 41 seconds West, 185.67 feet to an iron pin set (1/2" rebar with cap) on the eastern margin of the right-of-way of Riverside Parkway; thence along the eastern margin of said right-of-way the following courses and distances: 126.31 feet along the arc of a curve to the left having a radius of 1383.00 feet and a chord bearing and distance of North 19 degrees 28 minutes 48 seconds East, 126.27 feet to an iron pin found (1/2" rebar); thence South 73 degrees 08 minutes 11 seconds East, 10.00 feet to an iron pin found (1/2" rebar); thence 282.52 feet along the arc of a curve to the left having a radius of 1393.00 feet and a chord bearing and distance of North 11 degrees 03 minutes 12 seconds East, 282.04 feet to an iron pin found (1/2" rebar); thence departing said right-of-way South 87 degrees 35 minutes 00 seconds East, 199.99 feet to an iron pin found (1/2" rebar); thence North 02 degrees 25 minutes 00 seconds East, 254.34 feet to an iron pin found (1/2" rebar) and the TRUE POINT OF BEGINNING.

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TO S.R. 120

S35°55'59" W  
195.86'

ASPHALT PAVEMENT

GA PWD 441

LP

GA PWD 442

24" DIA

PLAY BOOK TO PAGE 203

20' SE

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338.48'

S54°04'00" E

Penske truck  
staging area

Suite 126

COVERED  
AREA

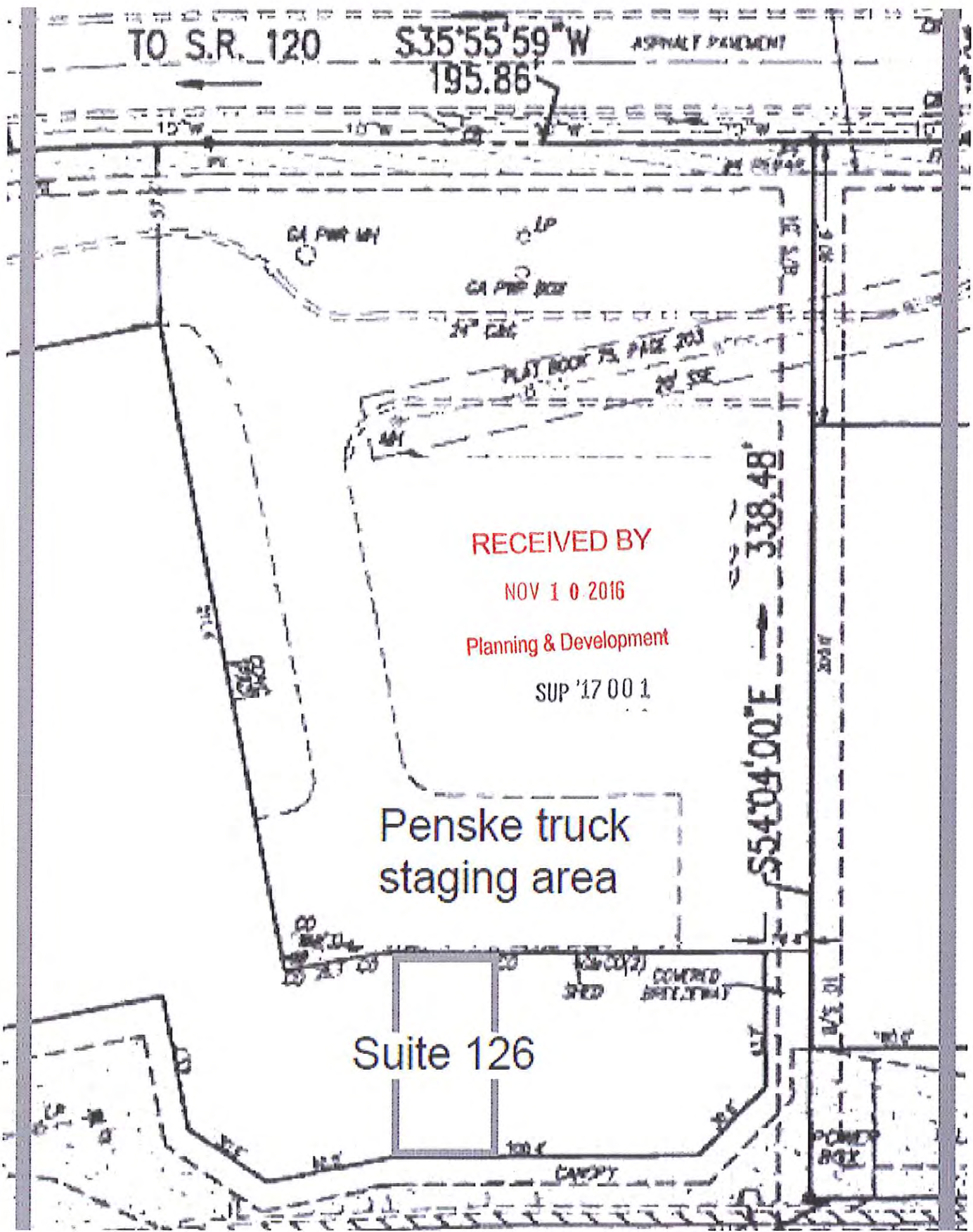
30' x 20'

CANOPY

20' x 10'

10' x 10'

COVERED  
AREA



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

PURSUANT TO REQUIREMENT OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. The use is suitable in view of other intense commercial uses in the shopping center.

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

No. Neighboring tenants in the shopping center support this application.

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

No. The property is vacant for several years with no tenant prior to the applicant's leasing the property.

(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. Approval would ease such burden by providing a necessary service in a convenient and accessible location.

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

Yes.

(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 commercial space was vacant for many months before the applicant signed the lease. The applicant misunderstood the requirements of the zoning ordinance. This special use permit will correct that error.

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# ROBERT JACKSON WILSON, PC

ATTORNEY AT LAW

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

ROBERT JACKSON WILSON

[jwilson@rjwpcclaw.com](mailto:jwilson@rjwpcclaw.com)

October 25, 2016

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

Re: Lawrenceville Rentals, Inc.  
2100 Riverside Parkway, Suite 126, Lawrenceville, GA 30043

Dear Chairman Nash and Members of the Board:

This firm represents the Applicant, Lawrenceville Rentals, Inc. The applicant operates a rental car facility in the River Exchange Shopping Center. That use is permitted as a matter of right. The Applicant also operates a Penske truck rental facility at the same location. When the applicant investigated leasing the subject property, it reviewed the County's ordinance in place at the time. The Applicant listed its business as "car and truck rental." The Applicant understood car and truck rental to include the rental of its Penske trucks. The Applicant signed a ten year lease in March 2016 with the understanding that the use was permitted in C-2. The County's business license staff granted a business license in the location based on the same understanding. The Applicant later learned that the term "car and truck rental" included only light duty trucks for rent and did not include typical box trucks for short-term rental. When the Code Enforcement staff notified the Applicant of this interpretation, the Applicant moved immediately to file this Application. The Applicant requests approval of the Special Use Permit to allow truck rental on the site. Most of the trucks are stored in the rear of the shopping center. This commercial space was vacant for a number of months prior to the Applicant's signing a lease for it. The shopping center's owner and neighboring tenants are in support of the Applicant's use. For all these reasons, the Applicant requests the Special Use Permit be approved for its leased space to allow a productive use of the space and a convenient, readily accessible location for this necessary service. If you have any questions or need any additional information, please do not hesitate to contact me.

With best regards, I am

Very truly yours,

  
Robert Jackson Wilson

RJW/bka

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**SPECIAL USE PERMIT APPLICANT'S CERTIFICATION**

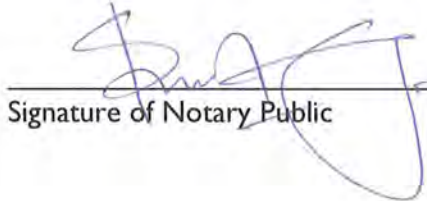
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL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

  
Signature of Applicant

10/10/16  
Date

Helen Joyce, Lawrenceville Rentals, Inc.

Type or Print Name and Title

  
Signature of Notary Public

10.10.2016  
Date



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**SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION**

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

*Jonathan Weinberg* 10-7-16  
Signature of Property Owner Date

JONATHAN WEINBERG - DIRECTOR OF PROPERTY MGT.  
Type or Print Name and Title

*Stephanie Grant* 10-7-16  
Signature of Notary Public Date



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**SPECIAL USE PERMIT IN A  
RESIDENTIAL DISTRICT**

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.

*Helen V. Joyce*  
\_\_\_\_\_  
Signature of Applicant

*Helen V. Joyce, Lawrenceville Rentals, Inc*  
\_\_\_\_\_  
Type or Print Name

*10/10/16*  
\_\_\_\_\_  
Date

*[Signature]*  
\_\_\_\_\_  
Signature of Notary Public

*10/10/2016*  
\_\_\_\_\_  
Date



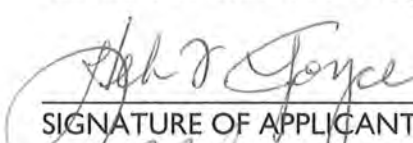

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**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

	10/10/16	Helen Joyce
SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
	10/10/16	Robert Jackson Wilson, Attorney at Law
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE	DATE	TYPE OR PRINT NAME AND TITLE

	10/10/16		NOTARY SEAL
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 Helen V. Joyce  
 YOUR NAME

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

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

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

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT**

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

**\*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.**

**PARCEL I.D. NUMBER:** 7 - 033 - ~~105~~ 107  
(Map Reference Number) District Land Lot Parcel

  
Signature of Applicant Date 10/10/16

Helen Joyce, Lawrenceville Rentals, Inc.

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)

Debra Smith tax service associate  
NAME TITLE  
10.14.2016  
DATE

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