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5/30/2024

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 Email: <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 District(s): <u>C-2</u> Prior Zoning Case No.: <u>CIC2024-00007 / SUP2024-00004</u>	
Parcel Number(s): <u>5-130-004</u> Acreage: <u>1.763</u>	
Property Address(es): <u>447 ATHENS HWY, LOGANVILLE, GA 30052</u>	
Proposed Change in Conditions: <u>LARGER REPAIR SHOP BUILDING</u>	
Variance(s): <u>NA</u> Waiver(s): <u>NA</u>	
RESIDENTIAL DEVELOPMENT: No. of Dwelling Units: <u>NA</u> Dwelling Unit Sq. Ft.: _____ Density: _____ Floor Area Ratio (LRR, MRR, HRR): _____	NON-RESIDENTIAL DEVELOPMENT No. of Buildings: <u>2</u> Total Building Sq. Ft.: <u>5910</u> Floor Area Ratio: <u>0.077</u>
MIXED-USE DEVELOPMENT	
No. of Dwelling Units: <u>NA</u> Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____	

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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 & Development

PROPERTY NOTES:
 PARCEL ID: 5-130-004
 ADDRESS: 447 ATHENS HWY, LOGANVILLE, GA 30052
 ZONING: C-2 W/ CONDITIONS
 PROPERTY AREA= 1.763 AC
 BUILDING HEIGHT= 15' - 10 1/2"
 TOTAL DISTURBED AREA= 43,400 SF OR 0.996 AC

VEHICLE PARKING REQUIREMENTS:
AUTOMOBILE SALES (USED CAR DEALERSHIP)
 TOTAL BUILDING AREA: 1,050 SF
 MIN 1 SPACE PER 400 SF / MAX 1 SPACE PER 150 SF
 MIN / MAX REQUIRED: 1,050 / 400 = 3 SPACES MIN & 1,050 / 150 = 7 SPACES MAX
 NO MAX FOR INVENTORY
PROVIDED: 6 SPACES (INCLUDING 1 HANDICAP VAN SPACE)

AUTOMOBILE SERVICE CENTER
 TOTAL NUMBER OF BAYS: 4
 MIN 1 / MAX 3 PER BAY
 MIN / MAX REQUIRED: 4 X 1 = 4 SPACES MIN & 4 X 3 = 12 SPACES MAX
 NO MAX FOR INVENTORY
PROVIDED: 5 SPACES

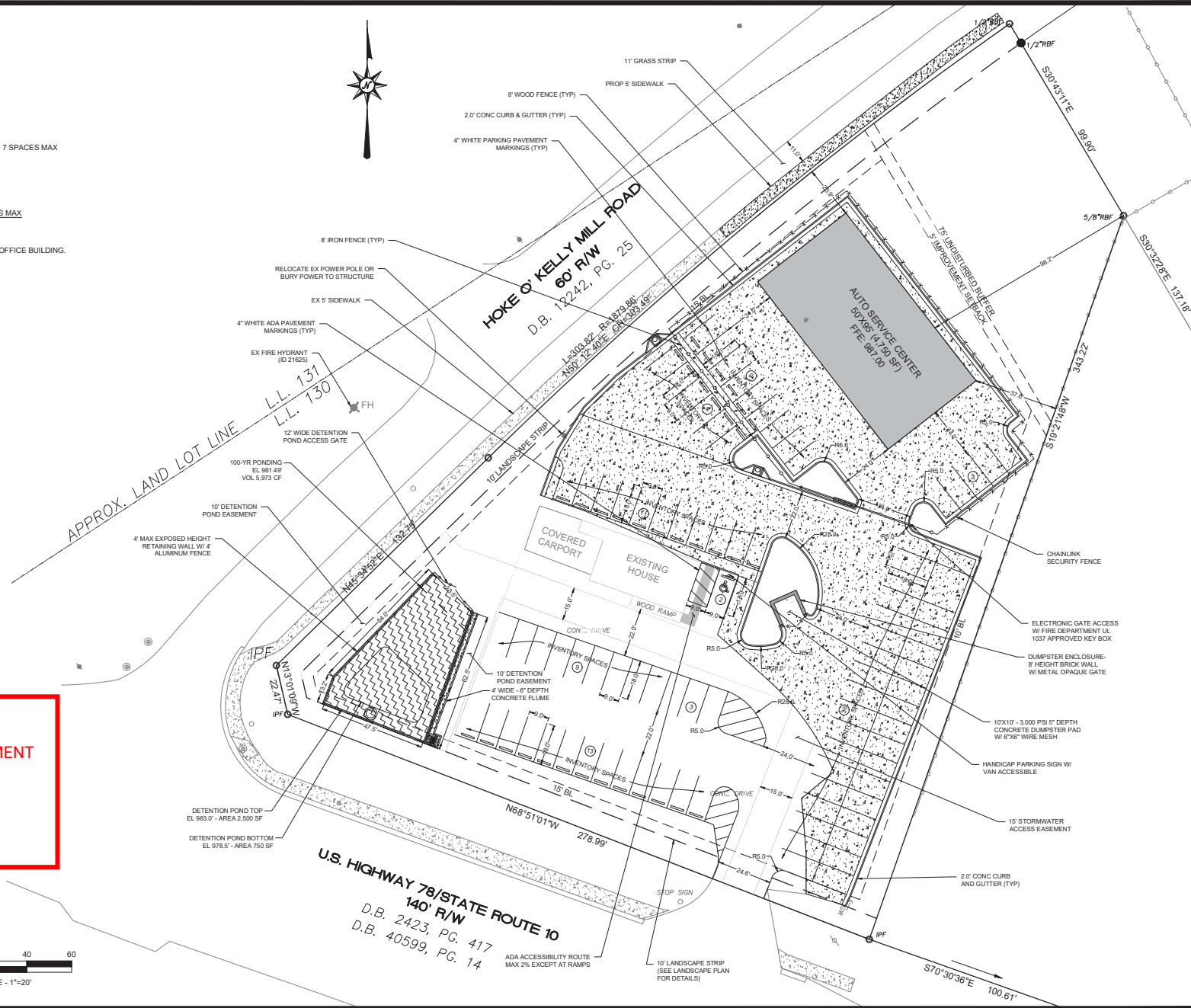
NOTE: 1 HANDICAP SPACE PROVIDED ADJACENT TO EXISTING OFFICE BUILDING.

INVENTORY PARKING SPACES
PROVIDED: 66 SPACES

IMPERVIOUS AREA REQUIREMENTS:
EXISTING IMPERVIOUS AREA
 DRIVEWAY/PARKING: 14,148 SF
 OFFICE BUILDING AND CARPORT: 1,694 SF
 TOTAL: 15,842 SF

PROPOSED IMPERVIOUS AREA
 BUILDING: 4,500 SF
 DRIVEWAY/PARKING: 21,600 SF
 TOTAL: 26,100 SF

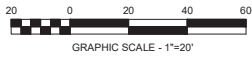
FENCE LEGEND	
-X-X-	8' WOOD FENCE
○-○-	8' IRON FENCE
□-□-	4' METAL PICKET FENCE



**GWINNETT COUNTY
 PLANNING AND DEVELOPMENT**

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**CIVIL ACE
 ENGINEERING**
 Engineering | Planning | Traffic | Landscaping
 419 E Crossville Rd, Suite 103
 Roswell, GA 30075
 (470) 468-4146

SITE PLAN

**RIDE PLAZA VEHICLE
 DEALERSHIP EXPANSION**
 447 ATHENS HWY
 GWINNETT COUNTY, GA

NO.	REVISIONS	DATE

PROJECT NO. 24025
 DESIGNED BY: MG
 CHECKED BY: MG
 DATE: 05/28/2024

**SHEET
 C2.0**

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STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to requirements 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 attachment as necessary:

- (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:

- (B) Whether a proposed change in conditions will 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 has reasonable economic use as currently zoned:

- (D) Whether the proposed change in conditions will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

- (E) Whether the proposed change in conditions is 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:

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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 larger 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 larger 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 UNIFIED PLAN AND FUTURE DEVELOPMENT MAP:

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 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 larger 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.

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CIVIL ACE ENGINEERING

419 E Crossville Rd, Suite 103

Roswell, Georgia 30075

Phone: 470-448-4146

michael@civilaceeng.com

May 29, 2024

To whom it may concern,

For your consideration, we are requesting a change in conditions to modify **Condition 1** in the zoning conditions from the previously approved 2024 Special Use case (SUP2024-00004) which is noted as follows:

The proposed development shall be constructed in general conformance with Exhibit B: Site Plan and Exhibit C: Building Elevations dated received, December 11, 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.

We are proposing a new site plan and building elevations. The purpose of this change in condition is to allow the owner to construct a larger repair garage building which will have 4-bays at 4,500 SF. The previously approved repair garage building was 3-bays at 2,870 SF.

If you have any questions, you may contact Vincent M. Guobaitis by phone at (470) 448-4146 or by email at michael@civilaceeng.com.

Sincerely,

Vincent M Guobaitis, PE

Vincent Guobaitis

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Gwinnett County Planning Division
Change in Conditions Application
Last Updated 12/2023

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 six (6) months from the date of last action by the Board of Commissioners.



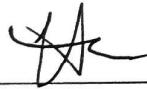
05/29/2024

Signature of Applicant

Date

Vincent Michael Guobaitis

Type or Print Name and Title



5/30/2024

Signature of Notary Public

Date



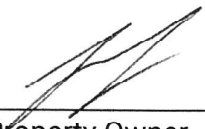
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Gwinnett County Planning Division
Change in Conditions Application
Last Updated 12/2023

CHANGE IN CONDITIONS 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 six (6) months from the date of last action by the Board of Commissioners.




Signature of Property Owner

05/30/2024

Date

YURIY KOFENKOV OWNER


Type or Print Name and Title



Signature of Notary Public

5/30/2024

Date



Notary Seal

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS**

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 Gwinnett County Tax Commissioner. In no case shall an application or reapplication for change in conditions be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE CHANGE IN CONDITIONS REQUEST.

Parcel I.D. Number: 5-130-004

(Map Reference Number)

[Signature]
Signature of Applicant

05/30/2024
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. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.

TAX COMMISSIONERS USE ONLY

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

Kathy Hyles
Name

TSA
Title

5/30/2024
Date

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CASE NUMBER SUP2024-00004

CGID 2024-0790

REDLINED RESOLUTION

GWINNETT COUNTY

BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: GRANT OF SPECIAL USE PERMIT

ADOPTION DATE: FEBRUARY 27, 2024

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

	<u>Present</u>	<u>Vote</u>
Nicole L. Hendrickson, Chairwoman	Yes	Aye
Kirkland Carden, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Jasper Watkins, III, District 3	Yes	Aye
Matthew Holtkamp, District 4	Yes	Aye

On motion of Commissioner Watkins, which carried a 5-0 vote, the following Resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

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 for a Special Use Permit by Civil Ace Engineering for the proposed use of Automobile Repair/Service on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

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CASE NUMBER SUP2024-00004
GCID 2024-0190

WHEREAS, notice to the public regarding said Special Use Permit Application 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 February 27, 2024, and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, on this the 27th day of February 2024, that the aforesaid application for a Special Use Permit is hereby **APPROVED** with 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, ~~December 11, 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.

TBD

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CASE NUMBER SUP2024-00004
GCID 2024-0190

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: *Nicole L. Hendrickson*
Nicole L. Hendrickson, Chairwoman

Date Signed: 3/19/2024

ATTEST:

By: *Dina M King* (Seal)
County Clerk/Deputy County Clerk

