

RECEIVED

5/17/2024

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Todd Shoemaker</u> Address: <u>1440 Dutch Valley Place, Suite 600</u> City: <u>Atlanta</u> State: <u>GA</u> ZIP: <u>30324</u> Phone: <u>678-485-2922</u> Email: <u>todd@toddschoemaker.com</u>	Name: <u>Rohit Ramjhattan, Devetrie Ramjhattan</u> Address: <u>6050 Lawrenceville Hwy</u> City: <u>Tucker</u> State: <u>GA</u> ZIP: <u>30045</u> Phone: <u>404-520-2743</u> Email: <u>lovenadr@icloud.com</u>
Contact Person: <u>Todd Shoemaker</u> Phone: <u>678-485-2922</u> Contact's Email: <u>todd@toddschoemaker.com</u>	
APPLICANT IS THE: <input checked="" type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
Existing/Proposed Zoning District(s): <u>C-2</u> Parcel Number(s): <u>R6139-026</u> Acreage: <u>1.04</u> Property Address(es): <u>6050 Lawrenceville Hwy</u> Proposed Development: <u>Current use as auto body repair</u> Variance(s): <u>Operation of a automotive repair shop</u> Waiver(s): _____ Building/Leased Sq. Ft.: <u>35500</u> Floor Area Ratio: <u>45.8%</u>	

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STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to requirements of the United 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 special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property:

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No, there is no adverse effects as they have been operating quietly, peacefully and in agreement with adjacent properties as this classification of business for over 20 years.

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(E) Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map:

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 property has been conducting this type of business for over 30 years with 2 different companies.

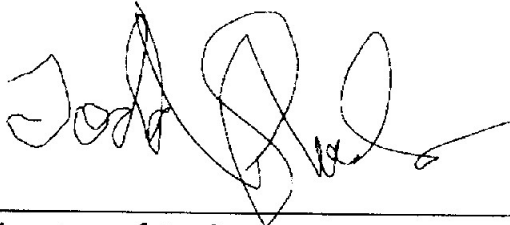
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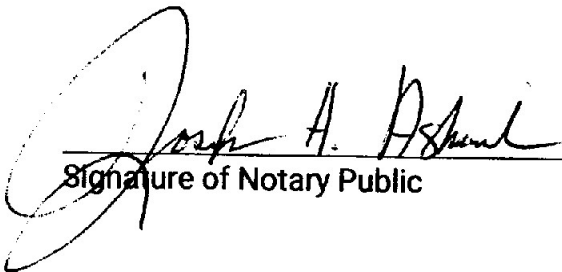
1/28/24

Signature of Applicant

Date

Todd Shoemaker, Applicant

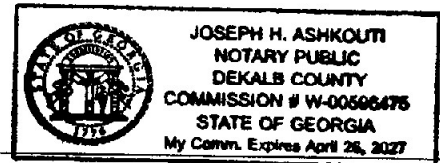
Type or Print Name and Title



Signature of Notary Public

1/28/24

Date



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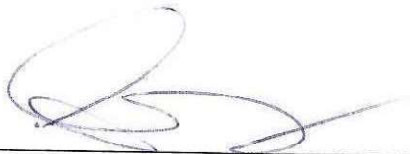

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Date

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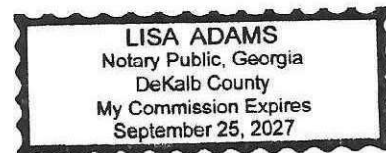
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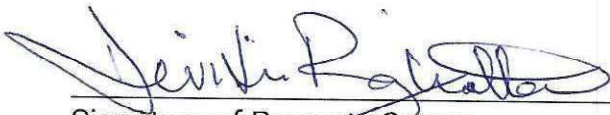
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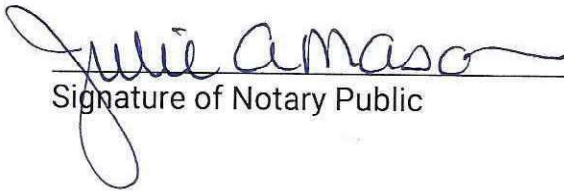
1/28/24

2/5/24 ^{DE}

Date

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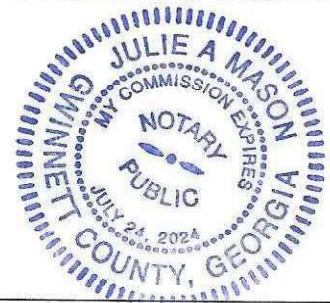
Type or Print Name and Title



Signature of Notary Public

2/5/2024
1/28/24

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.



1/28/24

Todd Shoemaker, Applicant

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Date

Type of Print Name and Title



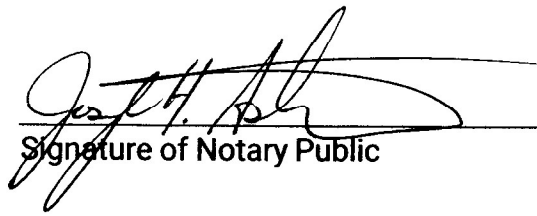
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Todd Shoemaker, Applicant

Signature of Applicant's
Attorney or Representative

Date

Type or Print Name and Title

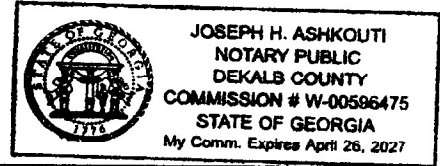


~~1/28/24~~ 3/7/24

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?

Yes No Todd Shoemaker, Rohit Ramjhattan, Devetrie Ramjhattan (Your Name)

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

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Parcel I.D. Number: R6139-026
(Map Reference Number)



01/28/24

Signature of Applicant

Date

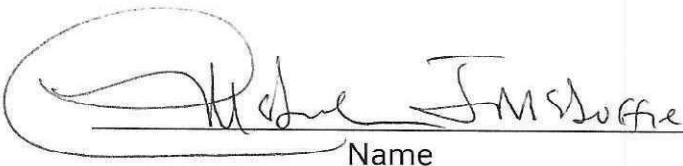
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TAX COMMISSIONERS USE ONLY

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Name

TSA
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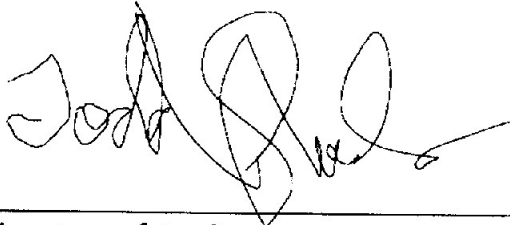
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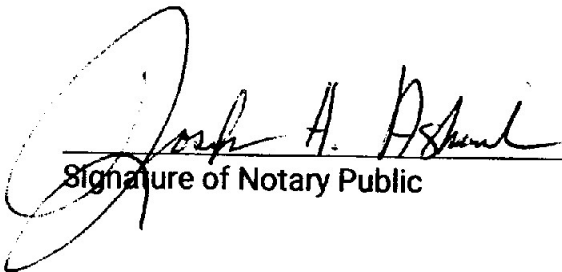
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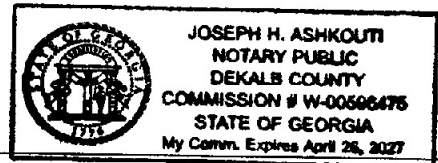
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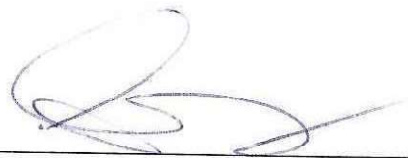

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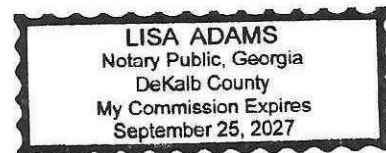
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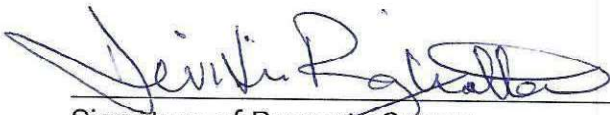
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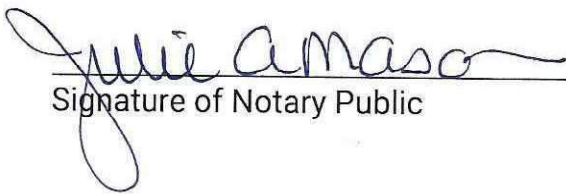
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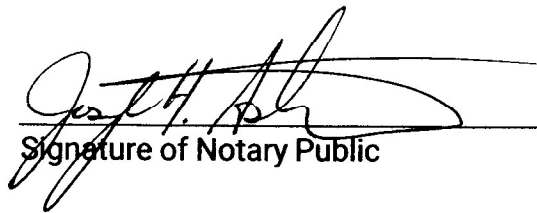
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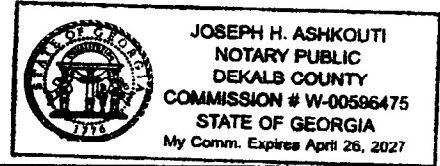


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(Map Reference Number)



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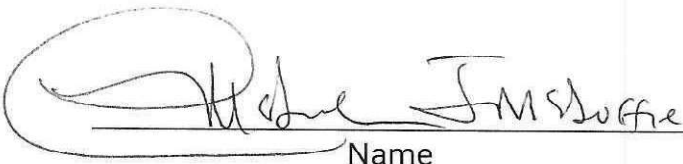
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LETTER OF INTENT

6050 Lawrenceville Hwy, Tucker, GA 30084

6050 Lawrenceville Hwy, Tucker GA 30084 is an autobody repair shop which repairs approximately 45 cars per week, with 9 full time employees that operates Monday to Friday from 8am to 5:30pm and Saturday from 9am-1pm. and property purchased by CUS Autobody repair in 2012 from Macco Corporation, who had been operating the business since its inception in 1985.

The building has 5 bays for cars, which is one of the reasons they need outdoor storage. It is simply impossible to store all the vehicles inside every night they are working on due to the number of cars that are being repaired. The outdoor storage is for cars that are either waiting to be picked up by owners after repair or cars that are in que for repair. The owners understand that no scrap cars or cars not being repaired are to be stored, they simply need the space, which is inside a locked screened gate, where someone on the street cannot see. They repair approximately 45 cars per week, sometime up to 50 and the bays and inside of the building do not allow for all cars to be parked inside, they would prefer that cars would be inside for safety however it's just not possible. They want the outdoor storage so they can have the cars that are ready to be picked up or for immediate repair (within 72 hours or less) behind a locked private gate, instead of out front of the building where they have had incidents of passer buy individuals attempt to break into cars. Again, however, they do park them behind a privacy screen that does not allow visibility from the street. My owners wish to be granted a Special Use Permit to continue their business operation as they have been for over 11 years without a lawful incident. Until recently (approximately 1 year ago) they have been operating a successful autobody repair shop. They were not aware until a year ago that there was to be or a need to have a special use permit as they purchased it from Macco who was operating for many as autobody. They have been a licensed business, however, were not aware in addition to being granted a business license they would have to obtain a special use permit. It was their assumption that a business license was a license to conduct business on the property as it has been while a Macco establishment.

The requested special use permit does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.

The grant of the special use permit will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship. If the owners are not allowed to

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conduct as they have been in the location on the site plan, it will cause irreparable damage to them financially.

The requested special use permit would be consistent with the spirit and purpose of this chapter. We will do whatever is necessary to help comply with the ordinances and have already taken many steps for minor infractions they were not aware of or that have ever been brought to their attention until the code enforcement officers brought them to their attention. The proposed use will not create a negative shadow impact on any adjoining lot or building because of the special use permit.

Respectfully,

Todd Shoemaker

Todd Shoemaker

Agent for the Owner

678-485-2922

todd@toddschoemaker.com

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LEGAL DESCRIPTION, PARCEL ID: R 6139 026

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 139 OF THE 6TH DISTRICT OF GWINNETT COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT FORMED BY THE INTERSECTION OF THE RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY (100' RIGHT OF WAY) AND THE RIGHT OF WAY OF LANKFORD RD (80' RIGHT OF WAY) THENCE TRAVEL IN AN EASTERLY DIRECTION ALONG THE RIGHT OF WAY OF LANKFORD RD APPROXIMATELY 33.88; TO A REBAR SET AND THE POINT OF BEGINNING; THENCE S 50°13'00" E A DISTANCE OF 80.65' TO A REBAR SET; THENCE S 45°05'20" E A DISTANCE OF 124.59' TO A REBAR SET; THENCE S 50°52'15" W A DISTANCE OF 228.08' TO A REBAR SET; THENCE N 45°49'39" W A DISTANCE OF 62.44' TO A REBAR SET; THENCE N 39°47'00" E A DISTANCE OF 20.00' TO A REBAR SET; THENCE N 45°49'39" W A DISTANCE OF 130.00' TO A REBAR SET; THENCE N 39°74'00" E DISTANCE OF 175.38' TO A REBAR SET; THENCE N 88°55'59" E A DISTANCE OF 39.73' TO A REBAR SET AND THE REBAR SET OF BEGINNING. SAID TRACT BEING KNOWN AS 6050 LAWRENCEVILLE HIGHWAY, ACCORDING TO THE CURRENT METHOD OF NUMBERING IN GWINNETT COUNTY. SAID TRACT CONTAINING 45,399 SF (1.04 ACRE) AS PER SURVEY PREPARED BY GERALD H. BERNHARD, RLS #2688, DATE 1-31-2024.

FLOOD HAZARD STATEMENT

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL 13135C0124F EFFECTIVE DATE: 09/29/2006
 ZONE 'X'

LINE	LENGTH	BEARING
L1	39.73'	S 88°55'59"E
L2	20.00'	N 39°47'00"E

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.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS. ~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIFLINE). NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

**GWINNETT COUNTY
 PLANNING AND DEVELOPMENT**

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*** LEGEND ***

NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
 AKA ALSO KNOWN AS N/F NOW OR FORMERLY
 APD AS PER DEED NAIL NAIL FOUND
 APP AS PER PLAT P 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
 D DEED (BOOK/PAGE) R/W RIGHT-OF-WAY
 DW DRIVEWAY RBF REINFORCING BAR FOUND
 EP EDGE OF PAVEMENT (1/2" UNO)
 FFE FINISH FLOOR ELEVATION RBS 1/2" REINFORCING BAR SET
 FKA FORMERLY KNOWN AS SW SIDEWALK
 IPF IRON PIN FOUND SSE SANITARY SEWER EASEMENT
 L ARC LENGTH SSCO SANITARY SEWER CLEANOUT
 LL LAND LOT -X- FENCE LINE
 LLL LAND LOT LINE CB CATCH BASIN
 N NEIGHBOR'S SWCB STORM WATER CATCH BASIN
 WALL



EXISTING FENCE IS 100% OPAQUE

C-2 ZONING SETBACK
 FRONT YARD: 0 FEET
 SIDE YARD: 0 FEET
 REAR YARD: 0 FEET

FLOOR AREA RATIO IS 0.16 SQ FT

PARKING
 MINIMUM REQUIREMENT:
 1 SPACE PER 300 SQ. FT
 MAXIMUM:
 1 SPACE PER 200 SQ. FT
 24-36 SPACES ALLOWED
 29 SPACES PROVIDED

IMPERVIOUS (IN SQUARE FEET)	
HOUSE	7278
SHED	454
CONCRETE AREA	1832
CONC. SW	680
ASPHALT	25246
TOTAL IMPERVIOUS	35500

TREE TABLE		
TR.NO.	DIAMETER	TYPE
1	15	PINE
2	12	PINE
3	12	PINE
4	12	PINE
5	8	OAK
6	18	OAK
7	12	OAK
8	8	OAK
9	7	OAK
10	8	OAK

PROPERTY ADDRESS:
6050 LAWRENCEVILLE HWY,
TUCKER, GA 30084

LAND AREA:
42,399 SF
1.04 AC

IMPERVIOUS AREA:
EXIST= 35,500 SF= 78.2%

ZONING= C-2

PLAT PREPARED FOR:
6050 LAWRENCEVILLE HWY

LOT XX BLOCK XXX SUBDIVISION

LAND LOT 136 6th DISTRICT PARCEL ID: R6139 026 BY:

GWINNETT COUNTY, GEORGIA FIELD DATE: 01-29-2024 GR

DRAWN DATE: 01-31-2024 AE

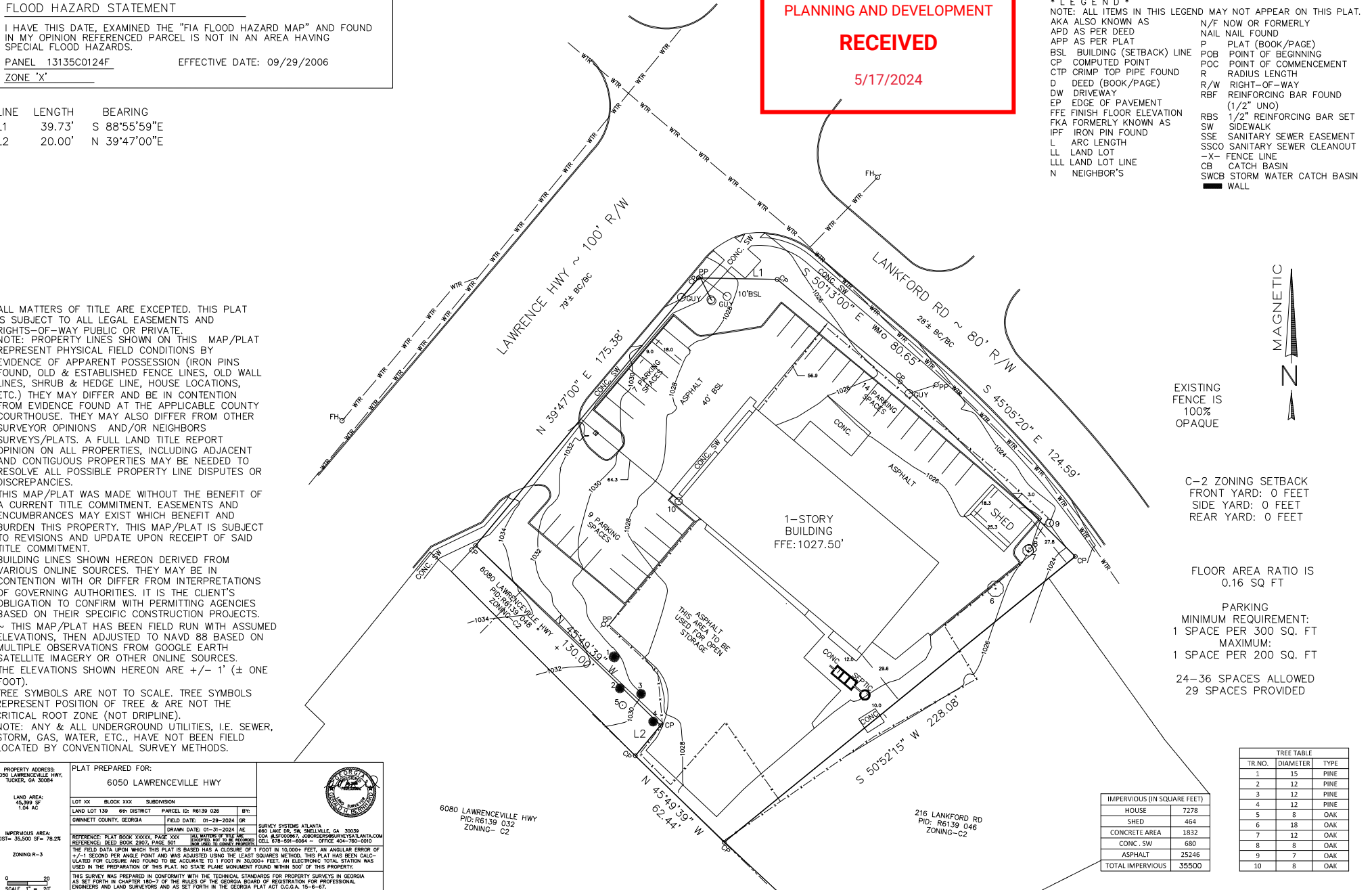
REFERENCE: PLAT BOOK XXXXX, PAGE XXX (ALL MATTERS OF TITLE ARE EXCEPTED)
 REFERENCE: DEED BOOK 2907, PAGE 291 (RECORDED BY 2014 RECORDS)

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF 1/4 SECOND PER ANGULAR POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 30,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT 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. 15-4-67.

6080 LAWRENCEVILLE HWY
 PID: R6139 032
 ZONING= C2

216 LANKFORD RD
 PID: R6139 046
 ZONING= C2



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