

ADMINISTRATIVE APPEAL APPLICATION

Applicant Gateway Christian Academy
Mailing Address 1773 Hawthorne Ave
Telephone _____ Mobile # [REDACTED] Email gwchristianacademy@gmail.com
Property Owner(s) First Baptist Hapeville
Mailing Address 412 College Street Hapeville, GA 30354
Telephone 404-767-8211 Mobile # _____
Property Address 412 College Street Hapeville, GA 30354
Square Footage of Property 1.18 acres Building Size _____ Zoning Rm11
Present Land Use Church 14009800210397
Decision Requested To use portion of property as a school
Applicable Code Section 11.5 RMU zone

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to fully comply with all City of Hapeville Ordinances. I hereby acknowledge that all requirements of the City of Hapeville shall be met. I also acknowledge that I am able to read and write the English language or this document has been read and explained to me and I have fully and voluntarily completed this application. I understand that the making of false statements or writings to the City of Hapeville, Georgia is a felony to pursuant to O.C.G.A. 16-10-20 and that I may be prosecuted for a violation thereof.

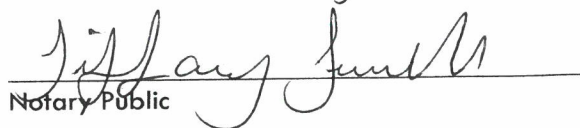


Applicant Signature

Date: 5/23/2019

Sworn to and subscribed before me

This 23rd day of May, 2019.


Notary Public

ADMINISTRATIVE APPEAL APPLICATION

PROPERTY OWNER AUTHORIZATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT THE ADDRESS
BELOW THAT IS THE SUBJECT OF THIS APPLICATION:

FIRST BAPTIST CHURCH
612 College St. Hapeville

City of Hapeville
County of Fulton
State of Georgia

I AUTHORIZE THE INDIVIDUAL NAMED BELOW TO ACT AS APPLICANT IN FILING AN
APPEAL OF A DECISION BY THE BUILDING OFFICIAL OR OTHER OFFICER OF THE CITY
OF HAPEVILLE CONCERNING THE USE OF THIS PROPERTY.

Name of Applicant Betty Roese

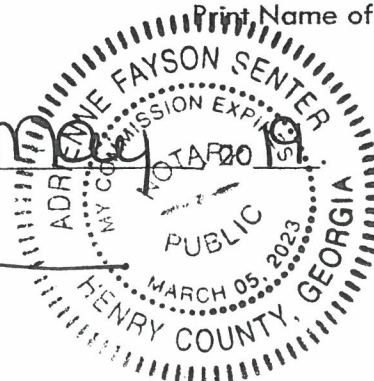
Address 1773 Hawthorne Ave Wiley Park, GA 30337

Telephone [REDACTED]

Mike R
Owner Signature

Michael Rast, Chair, Deacons
Print Name of Owner

Personally appeared before me this 23 day of May
[Signature]
Notary Public



Describe in detail the decision being appealed.

Gateway Christian Academy would like to appeal the zoning decision regarding our school relocating to First Baptist Church of Hapeville. We understand that the church is located in a Residential Mixed Use area where schools are not an approved use. Gateway Christian Academy is a hybrid/non traditional school currently located in College Park. We are looking to move to Hapeville, because we are out growing our current space and felt Hapeville would be the ideal location for our school. We are a small school with approximately 60 students that are in a Mother's Morning Out program -8th grade. Our infants and preschool students are at our facility 2 or 3 days a week from 9am-1pm. Even though these students are learning through play-based activities, we consider this more a service to families in the community than a traditional educational facility. Additionally, we have elementary and middle school students that are in our facility 20 or less hours a week. These students are registered homeschoolers and we have tutors that instruct them during the week. The state allows homeschool families to employ tutors to assist with the education of their children and that is what we provide at Gateway. Therefore, we are technically a business that provides tutoring service to our families and not a traditional school.

Explain how the decision of the Building Official is in error.

The decision is in error because we are not a traditional school. We are a business that provides education services to parents that desire part time care or choose to homeschool their students. By law homeschool families are able to employ a tutor to teach their children. This is primarily the purpose of our business and small businesses are allowed in the RMU district.

Identify the grounds for a determination by the Board of Appeals that the decision of the Building Official should be overturned.

The zoning recommendation should be overturned because the church will continue to be used a place of worship, which is permitted in a RMU district. Our business would like to lease a few rooms in the education wing that are not currently in use, to provide educational services to our students. Additionally, since there is a charter school a block over from the First Baptist and other educational business in the same district, we would like to be granted the ability to operate our small business in this area too.

What decision or action by the Board of Appeals is being requested?

We are requesting that we can use this facility for our business since there will be no major changes to the current property and we will only be in the building on a part time basis. We have heard many wonderful things about the City of Hapeville and would love to be able provide our services to families in your City.

First Baptist Church

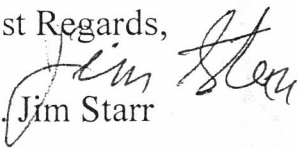
May 20, 2019

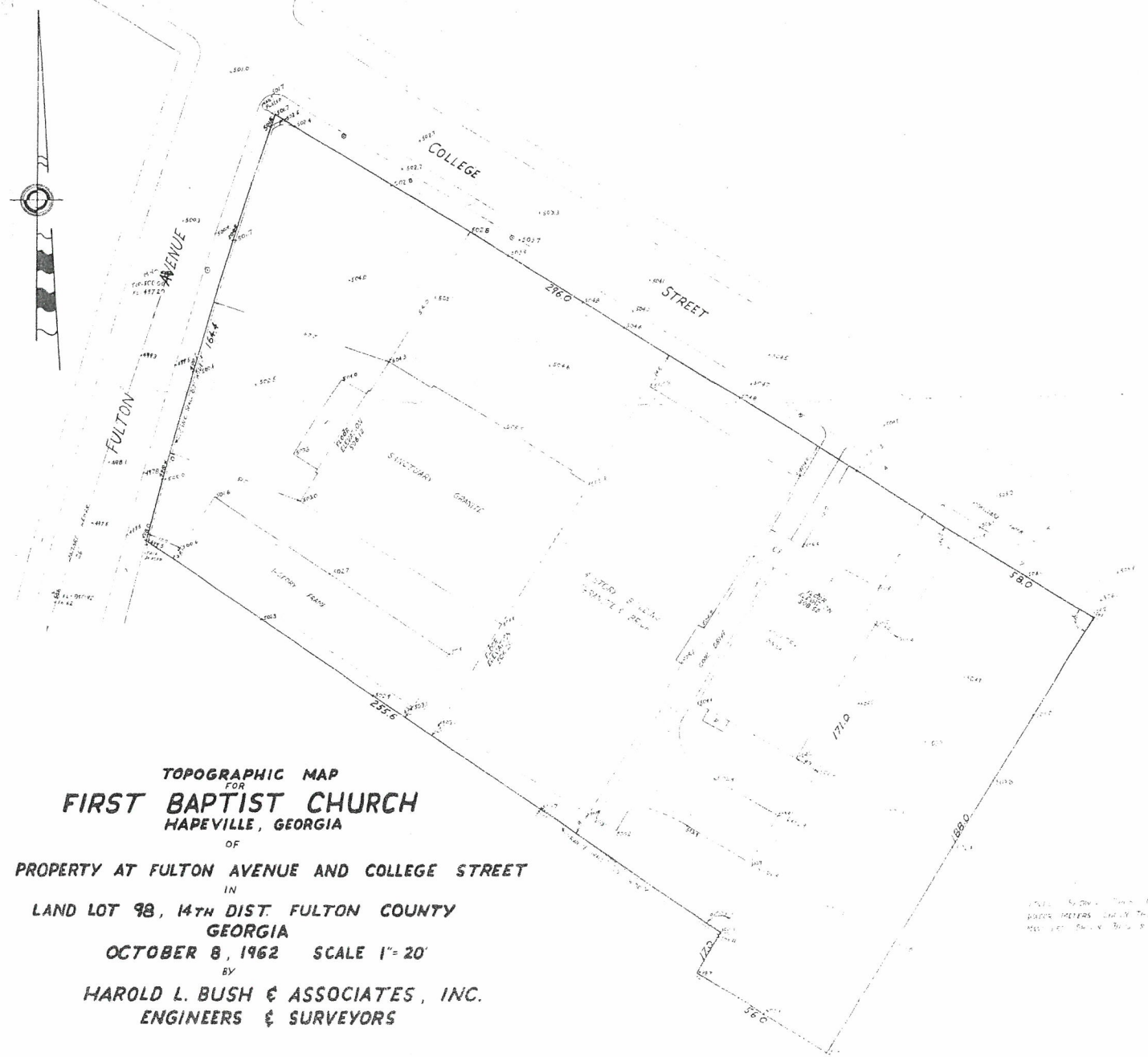
To Appeals Board of Hapeville:

I am writing as the Pastor of First Baptist Church Hapeville in support of the Gateway Christian Academy. First Baptist Church's ongoing ministry is to utilize our facility for the greater good of the community. I ask for your consideration to allow the Gateway Christian Academy to use our facility for the education of students within our neighborhood. The teaching of our children locally strengthens our city.

Best Regards,

Dr. Jim Starr







PRELIMINARY

PROPERTY OF FIRST BAPTIST CHURCH - HAPEVILLE, GA.
WITH SURROUNDING PROPERTY

SCALE 1"=50.0'

HAROLD S. NORRIS, ARCH.
SEPT. 1, 1958

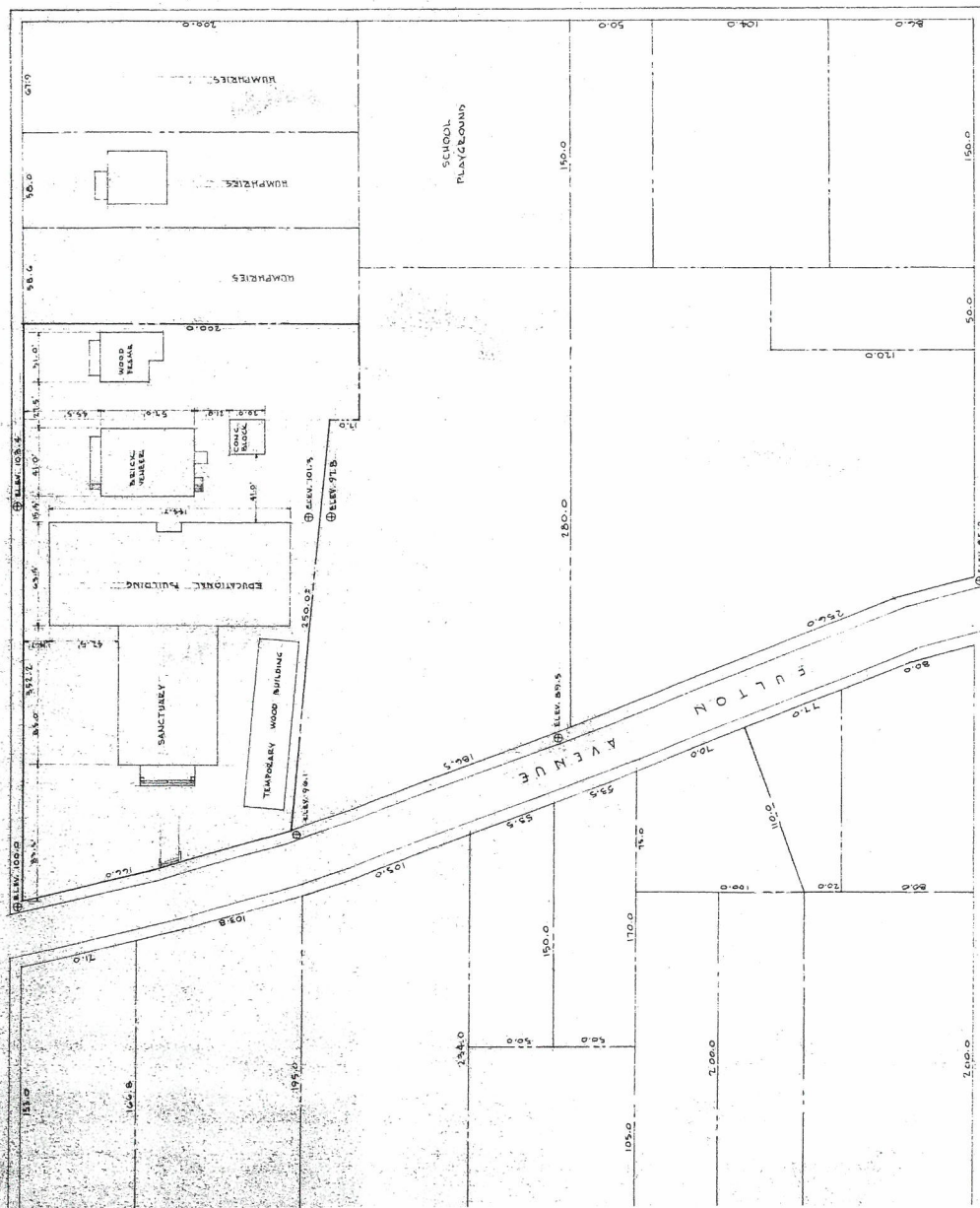
PROPERTY LINE DIMENSIONS TAKEN FROM
DRAWING BY M.D. BARN, DATED JAN. 1957

SCHOOL
PLAYGROUND

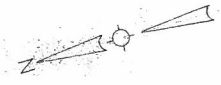
PARKING STABLE

METHODIST CHURCH

C O L L E G E S T R E E T



COLLEGE STREET SCHOOL



P R O P E R T Y L I N E D I M E N S I O N S

PRELIMINARY

PROPERTY OF FIRST BAPTIST CHURCH - HARTSVILLE, GA.
WITH SURROUNDING PROPERTY

SCALE 1"=40.0'

C H E S T N U T S T R E E T

PROPERTY LINE DIMENSIONS TAKEN FROM
DRAWING BY W.D. LEWIS, DATED JAN. 1951

HAROLD S. NOZDRI
SEPT. 1, 1956

**Occupational Tax Certificate
Application Form**

City of Hapeville
P.O. Box 82311
Hapeville, Georgia 30354
(404) 669-2100 -phone
(404) 669-2113 -fax

Office Use Only

NAICS Code _____
Certificate # _____
Date _____
Fee _____

Calendar Year 2019

APR 25 2019

Please complete ALL Sections. Occupational Tax will be based on information supplied on this application.

Copy of Driver's License/Picture ID is required.

Name of Business Gateway Christian Academy
Check one: ☐ Single Proprietor ☐ Corporation (proof required) ☐ Partnership ☒ Non-Profit (proof required) (501-C3)

Type of Business education

Name of Applicant Gateway Christian Academy
Business Location moving to 612 College Street, Hapeville, GA 30354 Suite Number _____

Mailing Address 1773 Hawthorne Avenue, College Park, Ga 30337

Local Phone Numbers: _____ Business _____ Fax _____
_____ Residence _____ Cellular _____

Email address: gwchristianacademy@gmail.com Ashlee Phillips

Federal Tax ID. Number _____ State Tax ID. Number _____

Do You Own or Lease this building? rent (where school is located now)

If Leasing/Renting:
Property Owner (s) Providence Baptist Church

Mailing Address 1773 Hawthorne Avenue College Park, Ga

Telephone _____ Cell Phone/Pager _____

Describe the Primary Function of Business*:

- | | | | |
|--|---|---|--|
| ☐ Agriculture | ☐ Wholesale | ☐ Real Estate | ☐ Health Care |
| ☐ Mining | ☐ Retail | ☐ Professional | ☐ Arts/Entertainment |
| ☐ Utilities | ☐ Transportation/Warehouse | ☐ Management Co. | ☐ Accommodation/Foods |
| ☐ Construction | ☐ Information | ☐ Administrative | ☐ Public Administration |
| ☐ Manufacturing | ☐ Finance/Insurance | ☒ Educational | ☐ Other _____ |

Gross Receipts - Gross Receipts from previous calendar year.

Yearly Total Even Dollar Business Receipts: \$ 120,000.00 tuition approximate \$12,000.00 / 13 month
(New businesses, estimate 1 year total) Number of employees associated with business? 1
(Minimum of 1 - one)

Certain **Practitioners of Professions** may elect to pay \$300.00 per practitioner in lieu paying a tax on gross receipts. If you are eligible, and if you and all members of your firm elect to pay the flat per practitioner tax this year, check below and you will be charged accordingly.

N/A I ELECT TO PAY A FLAT TAX IN LIEU OF REPORTING GROSS RECEIPTS AND PAYING A TAX BASED ON GROSS RECEIPTS.

Please indicate the number of practitioners next to the appropriate type of professional.

____ Lawyer	____ Optometrist	____ Public accountant
____ Physician	____ Psychologist	____ Embalmer
____ Osteopath	____ Veterinarian	____ Funeral Director
____ Chiropractor	____ Landscape architect	____ Engineers, Civil, Mech., Etc.
____ Podiatrist	____ Land surveyor	____ Architects
____ Dentist	____ Practitioner of physiotherapy	____ Therapist/Counselors

Is business carried on under a trade name other than the one shown? No ☒ Yes ☐

Were you required to obtain a certificate in any other location? No ☒ Yes ☐ If yes, where? _____

Name of Business Owners/CEO & Residence Address:

Name

Residence Address

Social Security Number

Betty Roese1	155 E. Plantation Dr Sharpsburg, VA 30277	
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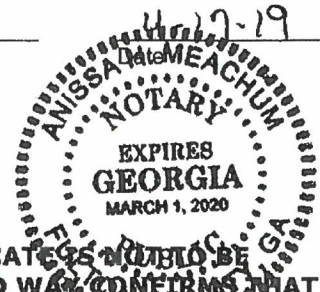
I hereby make application for a renewal of an Occupational Tax Certificate for the City of Hapeville. I do hereby swear or affirm the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that The City of Hapeville reserves the right to enforce any and all ordinances regardless of payment of occupational tax and further that it is my / our responsibility to conform with said ordinances in full. I hereby acknowledge that all requirements shall be adhered to. I agree that should I elect to have a sign at this location, I will make application for a sign permit prior to erecting or placing the same upon the property. I can read the English language and I freely and voluntarily have completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville pursuant to O.C.G.A. 16-10-20

Please verify ALL SECTIONS ARE COMPLETE – any missing information will constitute an incomplete application.

Applicant's Signature

Print Name

Seal:



THE ISSUANCE OF A BUSINESS OCCUPATIONAL TAX CERTIFICATE IS NOT TO BE CONSIDERED AS AN APPROVAL OF SAID BUSINESS USE AND IN NO WAY CONFIRMS THAT SAID BUSINESS MEETS THE ZONING OR OTHER REQUIREMENTS OF THE CITY OF HAPEVILLE. FURTHER, ISSUANCE OF AN OCCUPATIONAL TAX CERTIFICATE NEITHER WAIVES NOR PREVENTS THE APPLICABILITY OF ANY LAW OR ORDINANCE. NOR WILL SUCH CERTIFICATE PREVENT THE ENFORCEMENT OF ANY LAW OR ORDINANCE.

*****SEND NO MONEY. YOU WILL BE BILLED FOR THE AMOUNT DUE.*****

For Office Use Only

Certificate# _____

Amt. Due _____

Amt. Paid _____

Date Paid _____

Issued _____

Notes: _____

**Occupational Tax Certificate
Application Form**

Community Service Information

Will this business occupy an existing building/space? Yes ☒ No ☐
Square footage of building/space 3500 Will any construction be required to make the building suitable for your business?
Yes ☐ No ☒ If so, please describe the renovations you intend to make _____

Rent part of building for school
Will be painting area we will use.

What is the estimated cost for the proposed renovations? \$100-200 (paint)
Will the business operation involve customers visiting the site? Yes ☒ No ☐ If so, how many paved parking spaces do you
have on the site? 50 Will you be sharing parking with another business? Yes ☒ No ☐ If so, give the name of the
business and type of business teachers will need 13 spaces
Normal hours and days of operation? 9:00-2:00

Prior use of this building/site? Church
Business Name First Baptist - Hopeville

What other business activities are operating in this building? Church

What additional business activities other than those described above will take place?
NO

Is anyone living in any portion of the building? Yes ☐ No ☒ If yes, where? _____
How many persons are living in the building? _____

Will there be any signs displayed? Yes ☒ No ☐ If so, how many signs do you anticipate? 1 Describe the sign(s) by
square footage? banner for school

Will there be storage of merchandise or other articles stored on the property? Yes ☐ No ☒ If so, what area of the property will be used
for storage? nothing outside of bldg

Will there be any merchandise or other articles displayed for advertising purposes?
Yes ☒ No ☐ (banner for school)

Will any activities involve the use of chemicals, machinery or matter of energy that may create or cause to be created, noise, noxious odors or
hazards that will endanger the health, safety or welfare of the community? Yes ☐ No ☒

CITY OF HAPEVILLE

EMERGENCY CONTACT FORM

Name of Business Gateway Christian Academy

Business Address 1773 Hawthorne Avenue

Business Phone [REDACTED]

Business Owner(s) _____

Owner's Phone _____

Building Owner _____

Building Owner Phone _____

Emergency Contacts

Someone (not including owner of business) who can gain access to the business after normal business hours in case of:
Fire, Burglar Alarm or other Emergency

1. Name Betty Roesel
Phone# [REDACTED]

2. Name Ashlee Phillips
Phone# [REDACTED]

3. Name _____
Phone# _____

O.C.G.A. § 50-36-1(e) (2) Affidavit

By executing this affidavit under oath, as an applicant for a (n) business license [type of public benefit], as referenced in O.C.G.A. § 50-36-1, from Kapenille, (Fulton County) [name of government entity], the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) ✓ I am a United States citizen.
- 2) ✓ I am a legal permanent resident of the United States.
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in Atlanta (city), Georgia (state)

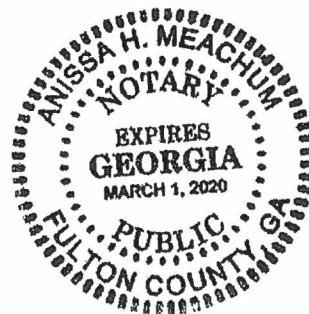
Betty Roesel
Signature of Applicant

Betty Roesel
Printed name of Applicant

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
17 DAY OF April, 2019

Anissa H. Meachum
NOTARY PUBLIC

My Commission Expires:
March 1, 2020



Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

By executing this affidavit under oath, as an applicant for a(n) business license, occupational tax certificate, or other document required to operate a business] as referenced in O.C.G.A. § 36-60-6(d), from Fulton [name of county or municipal corporation], the undersigned applicant representing the private employer known as Gateway Christian Academy [printed name of private employer] verifies one of the following with respect to my application for the above mentioned document:

1. Fill out this section between January 1, 2012, and June 30, 2012.

- (a) _____ On January 1st of the below signed year the individual, firm, or corporation employed five hundred (500) or more employees.
(b) _____ On January 1st of the below signed year the individual, firm, or corporation employed less than five hundred (500) employees.

If the employer selected 1(a) please fill out Section 4 below.

2. Fill out this section between July 1, 2012, and June 30, 2013.

- (a) _____ On January 1st of the below signed year the individual, firm, or corporation employed one hundred (100) or more employees.
(b) _____ On January 1st of the below signed year the individual, firm, or corporation employed less than one hundred (100) employees.

If the employer selected 2(a) please fill out Section 4 below.

3. Fill out this section on or after July 1, 2013.

- (a) _____ On January 1st of the below signed year the individual, firm, or corporation employed more than ten (10) employees.
(b) _____ On January 1st of the below signed year the individual, firm, or corporation employed less than ten (10) employees.

If the employer selected 3(a) please fill out Section 4 below.

4. The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6(a). The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as listed below:

Federal Work Authorization User Identification Number

2014
Date of Authorization

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties allowed by such statute.

Executed on the 17 date of April, 2019 in Atlanta (city), Georgia (state)

Anissa H. Meachum
Signature of Authorized Officer or Agent

Anissa H. Meachum
Printed Name of and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 17 DAY OF April, 2019.

Anissa H. Meachum
NOTARY PUBLIC

My Commission Expires:

March 1, 2020





OCCUPATIONAL TAX PERMIT

Gateway Christian Academy
 Establishment would like to relocate to
612 College Street, Hapeville, Ga
 Address 30354 Telephone # [REDACTED]
(rent from First Baptist Church - Hapeville)

Zoning: _____

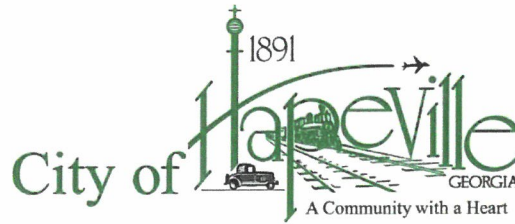
Issue Date: _____

C.O #: _____

Special Conditions: _____

The following signatures are required prior to obtaining a license

Planning & Zoning Manager	404-669-2120	_____
Fire Department	404-766-4399	_____
Building Inspector	404-669-2120	_____
Permits, Inspections & Certificate of Occupancy	404-669-2120	_____
Occupation Tax Clerk	404-669-2104	_____
Code Enforcement	404-669-2123	_____
Police Department	404-669-2153	_____



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: April 26, 2019
TO: Tonya Hutson
FROM: Lynn M. Patterson
SUBJECT: **Occupational Tax Permit – 612 College Street**

BACKGROUND

The City of Hapeville has received an Occupational Tax Permit Application from a parochial school called Gateway Christian Academy. It is to be located within an existing 3,500 SF building located at 612 College Street. The building is to be shared with an existing church. The application states no renovations will be needed to the structure.

The subject tract is located within the RMU, Residential Mixed-Use Zoning District. The business will have 13 employees. Operating hours will be 9:00AM – 2:00P, Monday through Friday. The applicant states there will be parking on-site with 50 parking spaces available, which will be shared with the church. This business will involve teachers and students visiting the site.

The application indicates there will be one banner sign.

CODE

ARTICLE 11.5. - RMU ZONE (RESIDENTIAL MIXED USE)

Sec. 93-11.5-1. - Intent.

The RMU district is established in order to:

- (1) Ensure development that is consistent with neo-traditional planning practices, which are often defined by pedestrian-oriented buildings, interconnected streets, a mix of uses and housing types, and a compact walkable scale.
- (2) Help create a compact, dense, and distinguishable core area;
- (3) Provide for an urban form allowing mid-rise structures;
- (4) Encourage multiple uses within the same structure; and
- (5) Include street oriented activity and pedestrian amenities at the street level of structures.

ARTICLE 1. - TITLE, DEFINITIONS AND APPLICATION OF REGULATIONS

Sec. 93-1-3. - Application of regulations.

- (a) *Use.* Except as hereinafter provided, no building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered except in conformity with the use regulations herein specified for the zone in which it is located.
 - (1) Where a use is applied for in a zone and such use is not listed in the list of specifically permitted uses allowed per zone, the building official may exercise his/her discretion to:

- a. Deny the use as unpermitted in accordance with subsection (a)(1) above and the list of permitted uses per zone; or
- b. Allow the use if such use is substantially like a use which is already listed in the permitted use section per zone.

FINDINGS

The proposed use of a school is not a permitted use in the RMU district. Further, schools are not substantially similar to any of the permitted uses in the RMU district. The Occupational Tax Permit cannot be approved as submitted.