

Gwinnett County Board of Commissioners' Resolutions
for BRD, CIC, RZC, RZM, RZR, MIH, MUO, MUR, and/or SUP
Cases and Amendments acted upon in April 2011

CASE NUMBER RZC2011-00006
GCID 2011-0246

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>AYE</u>
Shirley Lasseter, District 1	<u>AYE</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
John Heard, District 4	<u>AYE</u>

On motion of COMM. LASSETER, 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 O-1 to C-2 by WILLIAM C. SCHROEDER for the proposed use of COMMERCIAL RETAIL USES 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 MARCH 22, 2011 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 19TH day of APRIL 2011, that the aforesaid application to amend the Official Zoning Map from O-1 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. The following uses shall be prohibited:
 - adult bookstores or entertainment
 - automotive parts stores
 - contractors offices
 - drive-thru fast-food restaurants
 - emission inspection stations
 - equipment rental
 - extended stay hotels or motels
 - recovered materials processing facilities
 - smoke shops/novelty stores
 - taxidermists
 - yard trimmings composting facilities
 - B. Buildings shall be finished with architectural treatments of glass, brick and/or stacked stone on all sides (stucco may only be used as an accent material). Final building elevations shall be submitted for review by the Director of Planning and Development.

- C. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application. Stucco may only be used as an accent building material.
 - D. Buildings situated within 100 feet of the required zoning buffer (Cond. 2.A.) shall be limited to no more than one story in height.
2. To satisfy the following site development considerations:
- A. Provide a 100-foot wide natural undisturbed buffer adjacent to residentially-zoned properties.
 - B. Provide a ten-foot wide landscaped strip adjacent to all adjoining rights-of-way.
 - C. Provide a five-foot wide landscaped strip adjacent to all internal property lines.
 - D. Natural vegetation shall remain on the property until the issuance of a development permit.
 - E. Ground signage shall be limited to monument type sign(s) with a minimum two-foot high brick or stacked stone base.
 - 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. Billboards or oversized signs shall be prohibited.
 - H. Outdoor storage shall be prohibited.
 - I. Outdoor loudspeakers shall be prohibited, other than a low-volume system associated with outdoor dining/patios.
 - J. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure.
 - K. 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. Blinking, neon, portable and temporary signage shall be prohibited. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.
 - L. Peddlers and/or parking lot sales are prohibited.

- M. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.
- 3. To abide by the following requirements, dedications and improvements:
 - A. Provide a ten-foot wide multi-use trail across the property frontage as shown in the Pedestrian and Bicycle Access Plan for Huntcrest West dated May 17, 2005. Construct the trail to connect to existing sidewalk/trail on Satellite Boulevard south of the property line. Trail location and design shall be subject to review and approval of the Department of Community Services.

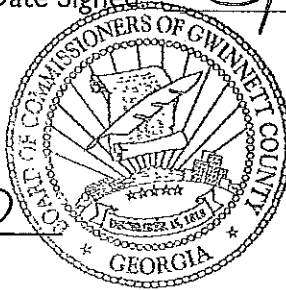
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 5/9/11

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



PROPERTY DESCRIPTION
TRACT - A2

All that tract or parcel of land situated and lying in a part of Land Lots 123, 155 & 156, 7th Land District, Gwinnett County, Georgia, being more particularly described as follows:

COMMENCE at a Gwinnett County survey monument designated as GC2184, said monument having the published state plane coordinates: North 1,456,519.1786, East 2,321,381.7011, Georgia West Zone, North American Datum of 1983, U.S. Survey Feet; Thence, South 62°56'15" East, a distance of 1,234.64 feet to ½" rebar found at the intersection of the Northerly Right of Way line of Old Peachtree Road (variable width R/W) and the Westerly Right of Way line of Satellite Boulevard (variable width R/W), Thence, along the Westerly Right of Way of Satellite Boulevard the following calls to the **POINT OF BEGINNING**: North 05°15'33" East, a distance of 12.00 feet, North 79°03'38" East, a distance of 86.23 feet, North 40°54'35" East, a distance of 87.32 feet, North 17°16'42" East, a distance of 115.89 feet, North 84°44'33" West, a distance of 13.56 feet, North 17°21'57" East, a distance of 121.15 feet, North 38°45'20" East, a distance of 59.51 feet, North 20°16'16" East, a distance of 68.85 feet, Thence, along a curve to the right an arc distance of 4.24 feet to a ½" rebar found at the **POINT OF BEGINNING** of the herein described tract of land, said curve having a radius of 1,200.92 feet, a chord bearing North 20°55'23" East and a chord distance of 4.24 feet. Thence, North 66°12'30" West, leaving said Westerly Right-of-Way line of Satellite Boulevard, a distance of 330.90 feet to a calculated point; Thence, North 28°51'18" West, a distance of 402.51 feet to a ½" rebar found; Thence, North 25°21'22" East, a distance of 1,102.80 feet to a ½" rebar found; Thence, South 29°52'33" East, a distance of 467.06 feet to a nail found at the base of a rock; Thence, North 60°42'14" East, a distance of 835.64 feet to a ½" set in the centerline of an unnamed creek; Thence, following along the centerline of said creek the following calls: South 06°56'14" East - 29.05 feet, South 23°21'05" East - 13.43 feet, South 28°30'39" East - 13.11 feet, South 06°59'32" East - 6.10 feet, South 07°31'46" West - 9.23 feet, South 45°01'32" West - 22.40 feet, South 42°54'43" West - 32.25 feet, South 03°17'57" West - 13.03 feet, South 29°36'18" East - 46.69 feet, South 49°25'21" East - 17.01 feet, South 81°50'57" East - 21.06 feet, South 57°09'52" East - 9.99 feet, South 06°14'45" East - 37.03 feet, South 09°13'53" East - 34.59 feet, South 49°27'15" East - 6.18 feet, North 83°10'46" East - 5.41 feet, South 89°03'34" East - 9.10 feet, South 48°27'03" East - 4.93 feet, South 23°40'54" East - 6.45 feet, South 05°19'20" West - 19.64 feet, South 31°47'41" West - 16.61 feet, South 19°37'27" East - 23.65 feet, South 29°41'54" East - 28.30 feet, South 45°49'57" East - 17.16 feet, South 12°27'33" East - 5.65 feet, South 06°18'31" West - 15.58 feet, South 64°17'45" West - 19.59 feet, South 01°02'27" East - 29.47 feet, South 33°41'19" East - 22.36 feet, South 64°32'22" East - 16.12 feet, South 21°57'52" East - 24.28 feet, South 29°52'19" East - 27.05 feet, South 20°05'46" East - 76.47 feet to a ½" rebar set on the Northerly Right-of-Way line of Satellite Boulevard (variable width R/W); Thence, South 60°13'47" West, along the Northerly Right-of-Way line of Satellite Boulevard, a distance of 650.88 feet to a concrete monument found; Thence, South 58°31'52" West, continuing along the Northerly Right-



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RZC2011-00006

of-Way line of Satellite Boulevard, a distance of 83.15 feet to a concrete monument found; Thence, continuing along the Northerly and Westerly Right-of-Way line of Satellite Boulevard and along a curve to the left an arc distance of 414.75 feet to a ½" rebar found, said curve having a radius of 1,126.34 feet, a chord bearing South 46°59'09" West, and a chord distance of 412.41 feet, Thence, continuing along the Westerly Right-of-Way line of Satellite Boulevard and along a curve to the left an arc distance of 323.05 feet to the **POINT OF BEGINNING** of the herein described tract of land, said curve having a radius of 1,200.92 feet, a chord bearing South 28°43'49" West, and a chord distance of 322.08 feet to Said tract of land containing 26.67 acres of land more or less.

LESS AND EXCEPT:

ALL that tract or parcel of land lying and being in Land Lot 155 of the 7th Land District, Gwinnett County, Georgia, containing 9.68 acres of land, more or less, according to an ALTA/ACSM Land Title Survey for Touchstone Bancshares, Inc., Chicago Title Insurance Company and The Bankers Bank dated October 11, 2007, last revised December 3, 2007 prepared by Development Consultants Group and containing the seal of Donald G. Holland, G.R.L.S. No. 2637, and being more particularly described according to said survey as follows:

BEGINNING at an iron pin set at the intersection of the northwesterly margin of the right-of-way of Satellite Boulevard (right-of-way width varies) and the Land Lot Line common to Land Lots 155 and 156, being the TRUE POINT OF BEGINNING; thence departing said right-of-way and along the Land Lot Line common to Land Lots 155 and 156, North 29 degrees 56 minutes 26 seconds West, 568.18 feet to a nail found; thence departing said Land Lot Line, North 60 degrees 42 minutes 14 seconds East, 835.64 feet to a point in the centerline of a creek; thence along the centerline of the creek and following the meandering thereof 614 feet, more or less, in a southerly direction to an iron pin; thence South 20 degrees 05 minutes 46 seconds East, 76.47 feet to an iron pin set on the northwesterly margin of the right-of-way of Satellite Boulevard; thence along the northwesterly margin of the right-of-way of Satellite Boulevard the following courses and distances: South 60 degrees 13 minutes 47 seconds West, 650.88 feet to a point; South 58 degrees 31 minutes 52 seconds West, 41.99 feet to the TRUE POINT OF BEGINNING.



RECEIVED 1-03-11
RZC2011-00006

CASE NUMBER SUP2011-00016
GCID 2011-0309

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>AYE</u>
Shirley Lasseter, District 1	<u>AYE</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
John Heard, District 4	<u>AYE</u>

On motion of COMM. HEARD, which carried 5-0, 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 AMY WILSON for the proposed use of HOME OCCUPATION (NAIL SALON) 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 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 APRIL 26, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 26TH day of APRIL, 2011 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. Approval of a nail salon as a home occupation, operating within the existing single-family dwelling.
2. Limit the hours of operation from 9:00 a.m. to 7:00 p.m. Monday through Saturday.
3. No outside employees, other than the applicant, shall be permitted.
4. There shall be no evidence of the home occupation from the exterior of the dwelling. Exterior signage shall be prohibited.
5. No more than a single table (work station) shall be permitted at any one time.
6. Client parking shall be limited to the existing driveway. On-street parking related to the nail salon shall be prohibited.
7. The Special Use Permit shall terminate automatically in the event that the property is sold, transferred or otherwise conveyed to any other party, or in the event that the applicant no longer occupies the dwelling for which the Special Use Permit is issued. The owner shall agree to notify the Director of Planning and Development in writing upon the occurrence of any of these events.

8. The Special Use Permit shall be valid for no more than a two-year period, at which time the Special Use Permit must be reapplied for and approved by the Board of Commissioners to continue the use.

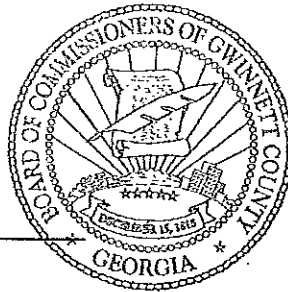
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 5/9/11

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



BK46568PG0520

PT-81 # 067-2006-020869
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ -0-
TOM LAWLER CLERK OF
SUPERIOR COURT

FILED AND RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA
06 JUN -2 PM 2:00
TOM LAWLER, CLERK

Return Recorded Document to:
Smith & Johnson, LLC
Attorneys at Law
P.O. Box 606
Buford, GA 30515

DEED OF GIFT

STATE OF GEORGIA,

COUNTY OF GWINNETT

File #: 06B-5675

This Indenture made this 30th day of May, 2006 between NATHAN A. WILSON, of the County of GWINNETT, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and NATHAN A. WILSON AND AMY NICOLE WILSON, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 323 OF THE 7TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, BEING KNOWN AS LOT 55 OF THE SYCAMORE GLEN SUBDIVISION AS SHOWN ON A PLAT OF SURVEY ENTITLED "FINAL PLAT FOR SYCAMORE GLEN", PREPARED BY APALACHEE LAND SURVEYING, INC., CERTIFIED BY CHARLES D. NORTON, GEORGIA REGISTERED LAND SURVEYOR, DATED SEPTEMBER 20, 2004 AND RECORDED AT PLAT BOOK 107, PAGES 78 AND 79, GWINNETT COUNTY, GEORGIA RECORDS. SAID PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

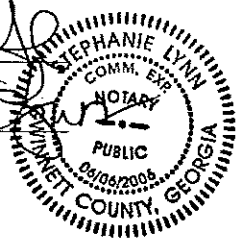
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Stephanie Lynn
Witness
Stephanie Lynn
Notary Public
My commission expires:


Nathan A. Wilson (Seal)
NATHAN A. WILSON

0086828 (Seal)


RECEIVED 1-24-11
SUP2011-00016

CASE NUMBER CIC2011-00004
GCID 2011-0040

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>AYE</u>
Shirley Lasseter, District 1	<u>NAY</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>NAY</u>
John Heard, District 4	<u>AYE</u>

On motion of COMM. HEARD, which carried 3-2, 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-75 CSO to R-75 CSO by KRR BM, LLC for a CHANGE IN CONDITIONS OF ZONING TO REDUCE DWELLING SIZE 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 JANUARY 25, 2011 and objections were not filed.

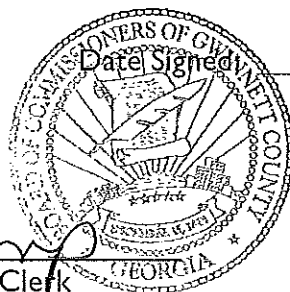
NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 26th day of APRIL 2011, that the aforesaid application to amend the Official Zoning Map from R-75 CSO to R-75 CSO (CHANGE IN CONDITIONS) is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family dwellings and accessory uses.
 - B. The minimum heated floor area per dwelling unit shall be 2,000 square feet.
 - C. Homes shall be constructed of brick, stacked stone, cedar shake or stucco (except minor treatments, i.e. chimneys, roof gables, bay windows) on the front facades. The balance of the home may be the same, or of wood or fiber-cement siding. Additionally, homes on lots abutting (in whole or part) the open space strip along North Bogan Road shall be brick, stacked stone or cedar shake (except minor treatments, i.e. chimneys, roof gables, bay windows) on three-sides, the balance may be the same or of wood or fiber-cement siding.
 - D. All homes shall have two car garages. All driveways shall be of sufficient depth to accommodate the parking of two cars (side by side) between the dwelling and sidewalk.
2. To satisfy the following site development considerations:
 - A. All grassed areas on dwelling lots shall be sodded.
 - B. Provide underground utilities throughout the development.
 - C. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - D. Provide a 50-foot open space strip adjacent to all exterior property lines.

- E. Open space areas shall remain undisturbed, in their natural state, except for land disturbance associated with the installation of stormwater BMP's, sanitary sewer or utility crossings (easements). Open space areas shall be clearly marked with orange tree save fencing prior to any land disturbance. Provide, at a minimum, one pedestrian access point to all open space/recreation areas.
- F. There shall be a landscaped setback along North Bogan Road which shall include an entrance monument and decorative fence. The fence may be constructed as a solid brick or stacked stone wall, or as a wrought iron-style or split rail style fence with brick or stacked stone columns (max 30-feet on center). Landscaping, entrance monument and fence design shall be subject to review and approval of the Director of Planning and Development.
- G. There shall be a mandatory homeowners association with restrictive covenants.
- H. The applicant, in order to provide to school authorities detailed information on the impact the development may have on the school system, shall notify the School Board and the School Board Planning Staff in writing regarding the number of units in the development and the type of housing, the number of bedrooms per house, and the phasing of the development, prior to the issuance of a development permit.
- I. The applicant shall fund traffic enhancements which may include a left turn lane on Bogan Road or traffic warning signs or lights subject to approval of the Gwinnett DOT.
- J. The applicant shall revise the Final Plat that depicts the subject property, and record such revision within 30 days of the execution of the resolution with regard to this matter, so as to reflect the changes in conditions of zoning reflected herein.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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



Date Signed 5/9/11

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk

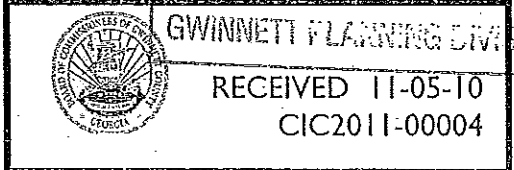
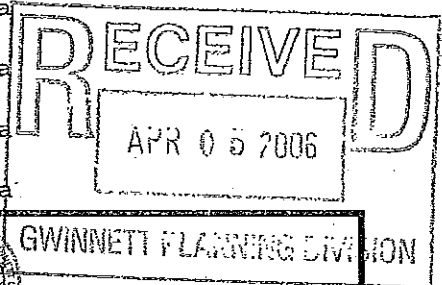
L E G A L D E S C R I P T I O N

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 4 DISTRICT 1, LAND LOT 265 DISTRICT 7 OF GWINNETT COUNTY & DISTRICT 8 OF HALL COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT ON THE NORTHERLY 80' RIGHT OF WAY OF NORTH BOGAN ROAD AND THE PROJECTED CENTERLINE OF SANDY HILL ROAD; THENCE PROCEEDING IN A SOUTHWESTERLY DIRECTION ALONG THE NORTHERLY RIGHT OF WAY OF NORTH BOGAN ROAD A DISTANCE OF 1090±' TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE South 78 degrees 47 minutes 44 seconds West for a Distance of 171.41 feet TO A POINT;
THENCE along a curve to the left having a radius of 1106.52 Feet and an arc length of 218.23 feet, being subtended by a chord Of South 73 degrees 08 minutes 44 seconds west for a distance of 217.88 feet TO A POINT;
THENCE along a curve to the left having a radius of 426.02 Feet and an arc length of 49.36 feet, being subtended by a chord Of South 64 degrees 10 minutes 36 seconds west for a distance of 49.33 feet TO A POINT;
THENCE North 30 degrees 19 minutes 33 seconds West for a Distance of 420.39 feet TO A POINT;
THENCE South 66 degrees 22 minutes 37 seconds West for a Distance of 151.07 feet TO A POINT;
THENCE South 49 degrees 43 minutes 02 seconds West for a Distance of 138.62 feet TO A POINT;
THENCE North 30 degrees 07 minutes 42 seconds West for a Distance of 851.57 feet TO A POINT;
THENCE North 45 degrees 42 minutes 32 seconds East for a Distance of 104.60 feet TO A POINT;
THENCE North 38 degrees 02 minutes 32 seconds East for a Distance of 34.44 feet TO A POINT;
THENCE North 37 degrees 44 minutes 20 seconds East for a Distance of 266.37 feet TO A POINT;
THENCE North 47 degrees 10 minutes 13 seconds East for a Distance of 246.02 feet TO A POINT;
THENCE North 47 degrees 22 minutes 21 seconds East for a Distance of 457.49 feet TO A POINT;
THENCE North 35 degrees 52 minutes 55 seconds East for a Distance of 402.63 feet TO A POINT;
THENCE North 43 degrees 36 minutes 45 seconds East for a Distance of 153.63 feet TO A POINT;
THENCE South 22 degrees 28 minutes 00 seconds East for a Distance of 817.51 feet TO A POINT;
THENCE South 69 degrees 45 minutes 19 seconds West for a Distance of 587.30 feet TO A POINT;
THENCE South 29 degrees 07 minutes 47 seconds East for a Distance of 726.47 feet TO A POINT;
THENCE South 60 degrees 59 minutes 07 seconds West for a Distance of 37.30 feet TO A POINT;
THENCE South 23 degrees 27 minutes 38 seconds East for a Distance of 87.36 feet TO A POINT;
THENCE South 10 degrees 47 minutes 43 seconds East for a

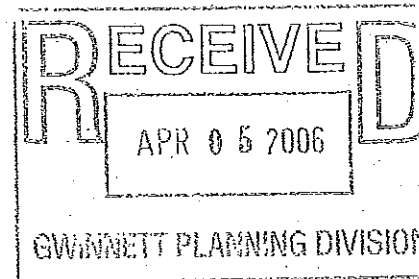
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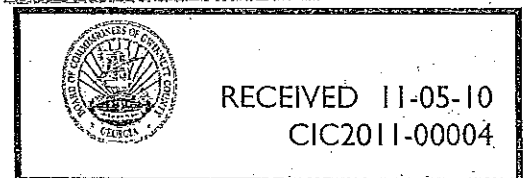
Distance of 371.69 feet TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and Restrictions of record.

Said property contains 34.81 acres.



SUP 06 080



~~MINUTES 47 SECONDS EAST 726.47 FEET TO AN IRON PIN FOUND;
RUN THENCE SOUTH 60 DEGREES 59 MINUTES 07 SECONDS WEST
37.30 FEET TO AN IRON PIN FOUND; RUN THENCE SOUTH 23 DEGREES
27 MINUTES 38 SECONDS EAST 87.36 FEET TO AN IRON PIN FOUND;
RUN THENCE SOUTH 10 DEGREES 47 MINUTES 43 SECONDS EAST
371.69 FEET TO AN IRON PIN FOUND ON THE NORTHERN RIGHT OF
WAY OF NORTH BOGAN ROAD AND THE POINT OF BEGINNING
HEREOF.~~

LESS AND EXCEPT FROM THE ABOVE DESCRIBED PROPERTY THE FOLLOWING
PARCEL OF LAND:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 4 of
the 1st District, Pucketts GMD of Gwinnett County, Georgia, being designated as
Lot 102, Block A, according to a Final Plat for Bogan Meadows, dated August 7,
2007 by Land Development Surveyors, Inc., certified by Lee Jay Johnson,
Georgia RLS #2846, and being more particularly described as follows:

Commence from the intersection of the line dividing Land Lot 265 of the 7th
District and Land Lot 1 of the 4th District of Gwinnett County with the northerly
right of way of North Bogan Road (80' r/w), and run thence North 26 degrees 40
minutes 21 seconds East 278.83 feet to a point being the southwest corner of Lot
102, Block A of Bogan Meadows and the point of beginning hereof; run thence
North 88 degrees 21 minutes 35 seconds East 101.61 feet to the future westerly
right of way of Bogan Meadows Drive (46' r/w) run thence along said future right
of way an arc distance of 52.06 feet, said arc having a radius of 200.00 feet and
being subtended by a chord bearing North 05 degrees 48 minutes 59 seconds East
51.91 feet, thence continuing along said future right of way and the future right of
way of Bogan Meadows Court (44' r/w) an arc distance of 16.92 feet, said arc
having a radius of 12.00 feet and being subtended by a chord bearing North 27
degrees 06 minutes 44 seconds West 15.55 feet; run thence along said future right
of way of Bogan Meadows Court North 67 degrees 29 minutes 52 seconds West
57.45 feet, continuing thence along said future right of way an arc distance of
19.04 feet, said arc having a radius of 172.00 feet and being subtended by a chord
bearing North 64 degrees 19 minutes 35 seconds West 19.03 feet; thence leaving
said future right of way, run South 28 degrees 50 minutes 41 seconds West 56.55
feet; run thence South 02 degrees 36 minutes 05 seconds West 49.15 feet to a
point being the southwest corner of Lot 102 and the Point of Beginning hereof.

FURTHER LESS AND EXCEPT FROM THE ABOVE DESCRIBED PROPERTY THE
FOLLOWING PARCEL OF LAND:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 4 of
the 1ST District of GWINNETT County, Georgia, being Lot 89 & 101, BLOCK
A of BOGAN MEADOWS, UNIT 1 as per plat recorded in Plat Book 122, Page



RECEIVED 11-05-10
CIC2011-00004

264, GWINNETT County, Georgia records, which plat is incorporated herein and made a part hereof by reference.



RECEIVED 11-05-10
CIC2011-00004

CASE NUMBER CIC2010-00017
GCID 2010-1085

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>AYE</u>
Shirley Lasseter, District 1	<u>AYE</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>NAY</u>
John Heard, District 4	<u>AYE</u>

On motion of COMM. HEARD, which carried 4-1, 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-ZT to R-ZT by 3664 PROPERTIES, LLC for a CHANGE IN CONDITIONS OF ZONING 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 26, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 26th day of APRIL 2011, that the aforesaid application to amend the Official Zoning Map from R-ZT to R-ZT (CHANGE IN CONDITIONS) is hereby

APPROVED subject to the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Single family detached dwellings and accessory uses and standards.
 - B. The minimum dwelling size shall be 1,800 for one story homes and 2,400 square feet for two story homes.
 - C. All dwellings shall have double car garages, and where garages are front entry, driveways shall be a minimum of 16 feet in width.
 - D. Residences may be constructed with four-sides brick or stacked stone; or shall have front facades of brick, stacked stone, or fiber cement craftsman-style, with the remaining sides being brick, stacked stone, fiber-cement siding or a combination of those materials. The residences on lots 1 and 48 shall have any side facing Rock Springs Road or an internal street constructed of brick and remaining sides being constructed of brick, stacked stone, or fiber cement siding or a combination of those materials. Fiber cement siding shall be permitted in the gables. The rear of the houses located along Rock Springs Road shall include 1" x 4" backbands around the windows, 1" x 6" fascia boards, 1" x 10" frieze board, with crown moldings at the top as shown in the elevations submitted to the Board of Commissioners at the public hearing on April 26, 2011. Shutters shall be installed on all elevations as appropriate. All house elevations shall be subject to the review and approval of the Director of Planning and Development.
 - E. The development shall be a gated community.
 - F. Homes may incorporate applicable accessibility standards known as "Easy Living" standards which shall include the following:
 - 1) Easy access step free feature at one entrance to the home.
 - 2) Easy passage feature which shall include a minimum 32-inch wide doorways except for secondary bedrooms, baths and closets which shall include a minimum of 28-inch wide doorways.

- 3) Easy use feature which includes a bedroom on the main floor.
 - G. A mandatory homeowners association shall be established.
 - H. Lot sizes may be increased as long as no other substantial change including any change to the road layout is made to the site plan submitted to the Gwinnett County Planning Department.
 - I. Provide a 6-foot high privacy fence adjacent to residentially-zoned properties (including the Black family).
2. To satisfy the following site development considerations:
 - A. No direct lot access allowed to Rock Springs Road.
 - B. Provide stub streets as may be required by the Department of Planning and Development.
 - C. All grassed areas shall be sodded.
 - D. Provide underground utilities throughout the development.
 - E. Provide a 30-foot construction buffer adjacent to all exterior property lines.
 - F. Provide a 30-foot landscaped setback along Rock Springs Road which shall include Leyland Cypress or comparable evergreens spaced 10-feet on center, with a wrought iron style fence with brick or stacked stone columns spaced 30-feet on center. The landscape plan shall be subject to the review and approval of the Director of Planning and Development.
 3. As agreed by the applicant/seller, prior to the issuance of a certificate of occupancy for each individual home, a contribution shall be made to the Collins Hill Education Foundation in the amount of \$500.00 per home:

Address:
Collins Hill Education Foundation
2090-A Highway 317 #273
Suwanee, GA 30024

4. The applicant shall revise the Final Plat that depicts the subject property and record such revision within 30 days of the execution of the resolution with regard to this matter so as to reflect the changes in conditions of the zoning reflected herein.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 5/9/11

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk

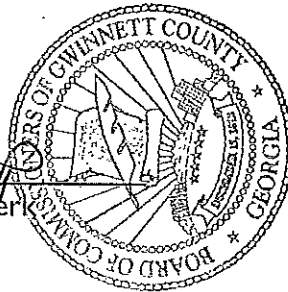


EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lots 148 and 149 of the 7th District, Gwinnett County, Georgia, and being shown as 12.967 acres, more or less, per that certain Boundary Survey prepared for Rock Springs Capital Group, L.L.C. and Lawyers Title Insurance Corporation by Development Planning & Engineering, Inc., Jon G. Stubblefield, Georgia RLS #2599, dated 01/27/06, last revised 02/23/06, and being more particularly described as follows:

To find the Point of Beginning commence at the intersection of the centerline of Rock Springs Road (right of way of varying widths) with the centerline of Old Peachtree Road; proceed thence from said intersection along the centerline of Rock Springs Road north 16°06'03" east 443.63 feet to a point; thence leaving said centerline and proceed north 82°18'18" east 54.75 feet to a one half inch rebar with cap found on the easterly right of way of Rock Springs Road and the POINT OF BEGINNING; and from said POINT OF BEGINNING continue along the easterly right of way of Rock Springs Road the following courses and distances: north 10°02'46" east 95.69 feet to a point; north 16°06'02" east 53.54 feet to a point; northeasterly along the arc of a curve having a radius of 521.39 feet, said arc being subtended by a chord bearing north 33°57'00" east and having a chord length of 319.63 feet, an arc distance of 324.86 feet to a point; north 60°43'46" east 84.75 feet to a point; north 60°03'36" east 401.51 feet to a one inch open top pipe found; thence leaving said right of way and proceed south 39°33'54" east 916.70 feet to a one-half inch rebar found; proceed thence south 63°47'05" west 575.42 feet to the centerline of a creek, said centerline being the property line; proceed thence along said centerline the following courses and distances: north 36°54'42" west 5.99 feet to a point; north 18°27'42" east 12.71 feet to a point; north 83°48'17" west 9.58 feet to a point; north 21°21'23" west 15.29 feet to a point; north 07°34'23" east 11.74 feet to a point; north 53°54'32" west 17.08 feet to a point; south 58°13'31" west 10.54 feet to a point; north 29°46'47" west 28.03 feet to a point; north 54°31'02" west 18.77 feet to a point; north 89°48'48" west 8.62 feet to a point; north 43°13'25" west 25.07 feet to a point; north 32°06'07" east 13.50 feet to a point; north 03°37'05" west 8.94 feet to a point; north 33°50'13" west 16.34 feet to a point; north 66°13'45" west 8.24 feet to a point; north 22°18'00" west 9.33 feet to a point; north 04°20'23" west 11.82 feet to a point; north 30°19'29" west 20.24 feet to a point; north 03°25'20" west 17.60 feet to a point; north 51°14'46" west 21.67 feet to a point; south 72°38'48" west 8.75 feet to a point; south 21°19'50" west 7.96 feet to a point; north 27°17'46" west 10.59 feet to a point; north 06°27'27" west 18.41 feet to a point; north 31°41'17" west 21.66 feet to a point; north 17°54'08" west 35.99 feet to a point; north 09°16'44" east 12.83 feet to a point; north 27°57'11" west 29.29 feet to a point; north 61°54'51" west 11.32 feet to a point; north 39°53'15" west 26.37 feet to a point; north 23°24'47" west 22.34 feet to a point; north 11°13'00" east 10.27 feet to a point; thence leaving said centerline of a creek and proceed south 82°18'18" west 484.37 feet to the POINT OF BEGINNING.

LESS AND EXCEPT ALL THAT TRACT or parcel of land lying and being in Land Lots 148 and 149 of the 7th District, Gwinnett County, Georgia, and being Lots 3, 5, 6, 25, 26, 27, 28, 46 and 47, Block A of Tuscany Park Subdivision, as per plat recorded in Plat Book 123, Pages 239, et. seq., Gwinnett County Records, said plat by this reference being incorporated herein and made a part hereof for a complete legal description.

and

LESS AND EXCEPT ALL THAT TRACT or parcel of land lying and being in Land Lot 148 and 149 of the 7th District, Gwinnett County, Georgia, and being shown as Open Space/Common Area (3.225 Acres) more particularly described on Exhibit "A" attached hereto PLUS the private streets known as Tuscany Park Drive (private) and Tuscany Walk Lane (private), as per plat recorded in Plat Book 121, Pages 105, et. seq., Gwinnett County Records, said plat by this reference being incorporated herein and made a part hereof for a complete legal description.



RECEIVED 10-01-10
CIC2010-00017

CASE NUMBER RZC2011-00002
GCID 2011-0033

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>AYE</u>
Shirley Lasseter, District 1	<u>AYE</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
John Heard, District 4	<u>AYE</u>

On motion of COMM. HOWARD, 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 M-1 to M-2 by METRO GREEN, LLC for the proposed use of a RECOVERED MATERIALS PROCESSING FACILITY 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 MARCH 22, 2011 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this, the 19TH day of APRIL 2011, that the aforesaid application to amend the Official Zoning Map from M-1 to M-2 is hereby **APPROVED** with the following enumerated conditions:

1. The sole M-2 use of the property shall be as a recovered materials processing facility and salvage operation. Auto salvage and the transfer or handling of tires, municipal solid waste, biological and/or hazardous waste shall be prohibited. All other use of the site shall conform to the M-1 zoning classification.
2. The portion of the existing building with the 27-foot ceiling height, near the northern property line, shall be preserved or replaced with a new structure of equal or greater dimensions, as shown on the rezoning site plan for Metro Green, dated 11/2/2010. Any other proposed changes to the existing site configuration or building exterior shall be subject to review and approval of the Director of Planning and Development.
3. Hours of operation for deliveries and crushing operations shall be limited to between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. Saturday hours of operation for deliveries shall be limited to between the hours of 7:00 a.m. to 2:30 p.m. Crushing activities shall be prohibited on Saturday, and all operations shall be prohibited on Sunday.
4. Materials placed outdoors shall not be placed or stacked at a height exceeding the required screening fence. Stockpile areas, maximum heights and screening fences shall be depicted on the site plans submitted to the County for construction permits.
5. Oversized signs or billboards shall be prohibited.
6. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

7. 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 shall be prohibited.
8. Peddlers and/or parking lot sales shall be prohibited.
9. Prior to business occupancy, provide landscaping and a 10-foot high opaque noise barrier fence with architectural treatments (in order to provide an effective visual and noise screen) along the Pleasantdale Road frontage. The 10-foot fence shall be continued east along the north property line for a distance of approximately 30 feet to the existing tree line. Additionally, on the northern side of the existing commercial driveway, the fence shall be directed inward toward the interior of the property along the end of the existing commercial driveway for a distance of approximately 15 feet, and the gate across the driveway shall be recessed from the Pleasantdale Road right-of-way so that it connects with the innermost termination point of the fence on the northern side of said driveway. The existing trees along Pleasantdale Road within 30 feet of the right-of-way shall be preserved. Landscape plans and fence design shall be subject to review and approval of the Director of Planning and Development.
10. Subject to DOT approval, owner shall provide signage at each end of Lake Drive (i) prohibiting through truck traffic on said roadway and/or (ii) directing such traffic to alternate routes. Additionally, owner shall post a sign on the subject property which notifies drivers that truck traffic on Lake Drive is prohibited and provides drivers with alternative route information.
11. Subject to DOT approval, owner shall construct a deceleration lane at the entrance to the subject property within existing Pleasantdale Road right-of-way.
12. The scale house for the operation shall be located within the subject property a minimum of 100 feet from the Pleasantdale Road right-of-way.
13. Trucks accessing the subject property shall be prohibited from idling in Pleasantdale Road. All truck queuing shall occur on site.
14. Abide by all transportation conditions supplied by the Georgia Regional Transportation Authority in connection with the DRI review of the subject operation.
15. Owner shall obtain and abide by any required air quality permits issued by State and/or Federal authorities.
16. Incineration activities shall be prohibited.

17. A water-based sprinkler dust suppression system shall be utilized during any operation that creates airborne particulate matter. The sprinkler system shall be subject to the review and approval of the Director of Planning and Development. A water truck and/or stand alone water delivery system (i.e., water tank, etc.) shall also be located on site to manage dust.
18. Any outdoor lighting shall be placed in such a fashion as to be directed away from adjoining properties.
19. Owner shall install directional signage in front of the existing large tree within the first landscape island adjacent to the existing commercial driveway.
20. Noise generated from outside operations on the subject property will not exceed 75 dB as measured at a distance of 500 feet from the property lines.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 5/3/11

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 220 of the 8th District, Gwinnett County and Land Lot 318 of the 16th District, DeKalb County, Georgia and being more particularly described as follows:

COMMENCING at a point located at the intersection of the easterly side of Pleasantdale Road (right of way varies) and the northerly side of Best Friend Road, said point of commencement being further located 50 feet left of station 12+83.42 as shown on plans for Georgia D.O.T. Project # PR-5182-1(088); thence from said point of commencement in a northerly direction along the easterly side of Pleasantdale Road and following the deflections and curvature thereof a distance of 1,278.08 feet to a point on the easterly side of Pleasantdale Road; thence continuing from said point South 88 degrees 48 minutes 12 seconds West a distance of 15.79 feet to a point and the POINT OF BEGINNING.

Thence from said POINT OF BEGINNING thus established and continuing in a northerly direction along the easterly side of Pleasantdale Road following a curve to the right an arc distance of 238.84 feet to a point, said arc being subtended by a chord bearing North 04 degrees 26 minutes 07 seconds West for a distance of 238.88 feet and having a radius of 1,473.31 feet; thence following a curve to the right an arc distance of 349.44 feet to a point, said arc being subtended by a chord bearing North 00 degrees 20 minutes 39 seconds East for a distance of 349.40 feet and having a radius of 6,393.42 feet; thence North 02 degrees 43 minutes 26 seconds East for a distance of 82.09 feet to a point; thence following a curve to the right an arc distance of 262.99 feet to a point, said arc being subtended by a chord bearing North 12 degrees 35 minutes 18 seconds East for a distance of 261.47 feet and having a radius of 704.96 feet; thence leaving the easterly side of Pleasantdale Road and following the southern right of way of Weaver Way, now abandoned, South 89 degrees 42 minutes 00 seconds East for a distance of 709.30 feet to a 1 1/4 inch pipe found on the westerly side of Southern Railroad Spur Track #621-21; thence following the westerly side of said Southern Railroad Spur Track in a southerly direction South 04 degrees 32 minutes 30 seconds East 637.86 feet to a point; thence following a curve to the right an arc distance of 280.50 feet to a point, said arc being subtended by a chord bearing South 12 degrees 24 minutes 45 seconds West for a distance of 276.50 feet and having a radius of 478.94 feet; thence leaving the westerly side of said Southern Railroad Spur Tract South 88 degrees 52 minutes 11 seconds West for a distance of 100.00 feet to a 1/2 inch rebar found; thence South 82 degrees 17 minutes 36 seconds West for a distance of 305.56 feet to a 1/2 inch rebar found; thence North 82 degrees 52 minutes 09 seconds West for a distance of 243.36 feet to a 1/2 inch rebar found; thence South 88 degrees 48 minutes 12 seconds West for a distance of 100.66 feet to a point on the easterly side of Pleasantdale Road and the POINT OF BEGINNING.

Said parcel of land thus described containing 16,842 acres more or less and being delineated on that certain survey prepared for King Commercial Properties, Inc., Hanover Acquisition Group, LLC, Branch Banking and Trust Co. and Chicago Title Insurance Company by Ken Quintana & Associates, Inc., dated September 11, 2008.

R202011-00002

CASE NUMBER SUP2011-00007
GCID 2011-0034

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>AYE</u>
Shirley Lasseter, District 1 (Vice Chairman)	<u>AYE</u>
Lynette Howard, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
John Heard, District 4	<u>AYE</u>

On motion of COMM. HOWARD, which carried 5-0, 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 METRO GREEN, LLC for the proposed use of a SALVAGE OPERATION 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 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 MARCH 22, 2011 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 19TH day of APRIL, 2011 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. The sole M-2 use of the property shall be as a recovered materials processing facility and salvage operation. Auto salvage and the transfer or handling of tires, municipal solid waste, biological and/or hazardous waste shall be prohibited. All other use of the site shall conform to the M-1 zoning classification.
2. The portion of the existing building with the 27-foot ceiling height, near the northern property line, shall be preserved or replaced with a new structure of equal or greater dimensions, as shown on the rezoning site plan for Metro Green, dated 11/2/2010. Any other proposed changes to the existing site configuration or building exterior shall be subject to review and approval of the Director of Planning and Development.
3. Hours of operation for deliveries and crushing operations shall be limited to between the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. Saturday hours of operation for deliveries shall be limited to between the hours of 7:00 a.m. to 2:30 p.m. Crushing activities shall be prohibited on Saturday, and all operations shall be prohibited on Sunday.
4. Materials placed outdoors shall not be placed or stacked at a height exceeding the required screening fence. Stockpile areas, maximum heights and screening fences shall be depicted on the site plans submitted to the County for construction permits.
5. Oversized signs or billboards shall be prohibited.
6. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.

7. 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 shall be prohibited.
8. Peddlers and/or parking lot sales shall be prohibited.
9. Prior to business occupancy, provide landscaping and a 10-foot high opaque noise barrier fence with architectural treatments (in order to provide an effective visual and noise screen) along the Pleasantdale Road frontage. The 10-foot fence shall be continued east along the north property line for a distance of approximately 30 feet to the existing tree line. Additionally, on the northern side of the existing commercial driveway, the fence shall be directed inward toward the interior of the property along the end of the existing commercial driveway for a distance of approximately 15 feet, and the gate across the driveway shall be recessed from the Pleasantdale Road right-of-way so that it connects with the innermost termination point of the fence on the northern side of said driveway. The existing trees along Pleasantdale Road within 30 feet of the right-of-way shall be preserved. Landscape plans and fence design shall be subject to review and approval of the Director of Planning and Development.
10. Subject to DOT approval, owner shall provide signage at each end of Lake Drive (i) prohibiting through truck traffic on said roadway and/or (ii) directing such traffic to alternate routes. Additionally, owner shall post a sign on the subject property which notifies drivers that truck traffic on Lake Drive is prohibited and provides drivers with alternative route information.
11. Subject to DOT approval, owner shall construct a deceleration lane at the entrance to the subject property within existing Pleasantdale Road right-of-way.
12. The scale house for the operation shall be located within the subject property a minimum of 100 feet from the Pleasantdale Road right-of-way.
13. Trucks accessing the subject property shall be prohibited from idling in Pleasantdale Road. All truck queuing shall occur on site.
14. Abide by all transportation conditions supplied by the Georgia Regional Transportation Authority in connection with the DRI review of the subject operation.
15. Owner shall obtain and abide by any required air quality permits issued by State and/or Federal authorities.
16. Incineration activities shall be prohibited.

17. A water-based sprinkler dust suppression system shall be utilized during any operation that creates airborne particulate matter. The sprinkler system shall be subject to the review and approval of the Director of Planning and Development. A water truck and/or stand alone water delivery system (i.e., water tank, etc.) shall also be located on site to manage dust.
18. Any outdoor lighting shall be placed in such a fashion as to be directed away from adjoining properties.
19. Owner shall install directional signage in front of the existing large tree within the first landscape island adjacent to the existing commercial driveway.
20. Noise generated from outside operations on the subject property will not exceed 75 dB as measured at a distance of 500 feet from the property lines.

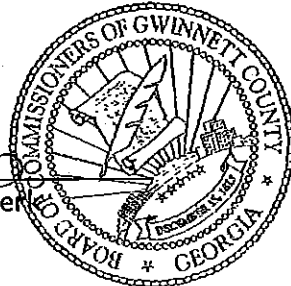
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 5/3/11

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 220 of the 6th District, Gwinnett County and Land Lot 318 of the 18th District, DeKalb County, Georgia and being more particularly described as follows:

COMMENCING at a point located at the intersection of the easterly side of Pleasantdale Road (right of way varies) and the northerly side of East Friend Road, said point of commencement being further located 50 feet left of station 12+83.42 as shown on plans for Georgia D.O.T. Project # PR-5182-1(089); thence from said point of commencement in a northerly direction along the easterly side of Pleasantdale Road and following the deflections and curvature thereof a distance of 1,278.08 feet to a point on the easterly side of Pleasantdale Road; thence continuing from said point South 88 degrees 48 minutes 12 seconds West a distance of 15.79 feet to a point and the POINT OF BEGINNING.

Thence from said POINT OF BEGINNING thus established and continuing in a northerly direction along the easterly side of Pleasantdale Road following a curve to the right an arc distance of 238.84 feet to a point, said arc being subtended by a chord bearing North 04 degrees 26 minutes 07 seconds West for a distance of 238.88 feet and having a radius of 1,473.31 feet; thence following a curve to the right an arc distance of 349.44 feet to a point, said arc being subtended by a chord bearing North 00 degrees 20 minutes 39 seconds East for a distance of 349.40 feet and having a radius of 6,393.42 feet; thence North 02 degrees 43 minutes 28 seconds East for a distance of 82.09 feet to a point; thence following a curve to the right an arc distance of 262.99 feet to a point, said arc being subtended by a chord bearing North 12 degrees 35 minutes 18 seconds East for a distance of 261.47 feet and having a radius of 704.96 feet; thence leaving the easterly side of Pleasantdale Road and following the southern right of way of Weaver Way, now abandoned, South 89 degrees 42 minutes 00 seconds East for a distance of 709.30 feet to a 1 1/2 inch pipe found on the westerly side of Southern Railroad Spur Track #621-21; thence following the westerly side of said Southern Railroad Spur Track in a southerly direction South 04 degrees 32 minutes 30 seconds East 637.88 feet to a point; thence following a curve to the right an arc distance of 280.50 feet to a point, said arc being subtended by a chord bearing South 12 degrees 24 minutes 45 seconds West for a distance of 276.50 feet and having a radius of 478.34 feet; thence leaving the westerly side of said Southern Railroad Spur Track South 88 degrees 52 minutes 11 seconds West for a distance of 100.00 feet to a 1/2 inch rebar found; thence South 82 degrees 17 minutes 36 seconds West for a distance of 305.56 feet to a 1/2 inch rebar found; thence North 82 degrees 52 minutes 09 seconds West for a distance of 243.36 feet to a 1/2 inch rebar found; thence South 88 degrees 48 minutes 12 seconds West for a distance of 100.66 feet to a point on the easterly side of Pleasantdale Road and the POINT OF BEGINNING.

Said parcel of land thus described containing 16.842 acres more or less and being delineated on that certain survey prepared for King Commercial Properties, Inc., Hanover Acquisition Group, LLC, Branch Banking and Trust Co. and Chicago Title Insurance Company by Ken Quintana & Associates, Inc., dated September 11, 2006.

SJP2011-00007