

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

CASE NUMBER SUP2011-00006
GCID 2011-0045

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 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 JUSTIN PARK for the proposed use of a PERSONAL CARE HOME (CONGREGATE) 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 filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 21st day of JUNE 2011 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. Office, professional, church and accessory uses, which may include a congregate personal care home as a Special Use. The personal care home shall be limited to a maximum of two stories in height, and 270 feet in length. The units shall be 80% single-occupancy, with the remainder available for single or double occupancy as needed. Based on the proposed use of the facility as assisted living, all units shall be equipped as handicap accessible. Additional units shall be a mixture of studio, one bedroom and two bedrooms as appropriate.
2. Abide by all conditions of RZ-00-132. As part of the personal care home development, the privacy fence as required in condition 2.A. of RZ-00-132 shall be replaced or repaired to a good condition prior to issuance of an occupancy permit.
3. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
4. Lighted outdoor recreation areas shall be prohibited.
5. Outdoor amplified loudspeaker systems shall be prohibited.
6. Lighting shall be contained in cut-off type luminaries and directed so as not to shine onto adjacent and nearby properties.
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. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
10. The buffer shall be enhanced with Leyland Cypress or similar materials (minimum 8 feet in height, planted on maximum 8 foot centers) at the rear of the property. Final landscape plan shall be subject to review and approval of the Director of Planning and Development.
11. The personal care home is limited to the rear 2.5 acres of the property, in accordance with the submitted site plan.
12. The personal care home building shall be a medium brown or grey in color, and constructed of brick or stone materials. The building trim shall be either tan or grey in color.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: July 6, 2011

ATTEST:

Marie Dwyer
County Clerk/Deputy County Clerk



2320 Meadow Church Way
Duluth, GA 30096
Gwinnett County
PIN: R7117-025

Exhibit A

Legal Description

All that tract or parcel of land lying and being in Land Lot 117 of the 7th District of Gwinnett County, Georgia and being more particularly described as follows:

Street Address: 2320 Meadow Church Way, Duluth, GA 30096 (Gwinnett County)

Tax Parcel No: R7117-025

Being the same property conveyed to the United States Postal Service by a Warranty Deed from Fairview Capital Corporation dated February 1, 2001, recorded in Deed Book 22159, Page 31, Gwinnett County Georgia Records.

The property is more particularly described in the prior deed as follows:

Beginning at an iron pin set on the westerly right of way of Meadow Church Way (80 foot R/W); said point being 478.44 feet northwesterly along said right of way from the northerly right of way of Georgia Highway No. 120 (80 foot R/W); thence leaving the right of way of Meadow Church Way and running North 78° 51' 02" West, a distance of 619.75 feet to an iron pin set; thence North 29° 28' 52" West, a distance of 631.06 feet to a 3/4 inch open top pipe on the line dividing land lots 117 and 120; thence along the land lot line North 61° 05' 32" East, a distance of 529.39 feet to a 3/4 inch open top pipe; thence leaving said land lot line and running South 29° 34' 32" East, a distance of 974.58 feet to an iron pin set on the westerly right of way of said Meadow Church Way; thence along said right of way of Meadow Church Way South 18° 09' 17" West, a distance of 82.05 feet to an iron pin set and the point of beginning.

This tract contains 10.350 acres of land.



RECEIVED 11-03-10
SUP2011-00006

CASE NUMBER RZC2010-00019
GCID 2010-0890

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

On motion of COMM. HEARD, which carried 3-0, 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 RA-200 to C-2 by GEORGE P. FLANNIGAN for the proposed use of COMMERCIAL/RETAIL USES (REDUCTION IN BUFFERS) 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 JUNE 28, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this, the 28th day of JUNE 2011, that the aforesaid application to amend the Official Zoning Map from RA-200 to C-2 is hereby **APPROVED** with the following enumerated conditions:

I. To restrict the use of the property as follows:

A. Retail and service commercial and accessory uses. The following uses shall be prohibited:

- adult bookstores or entertainment
- auto body repair shops
- auto repair shops or tire stores
- automotive car washes
- automotive service stations
- building material sales with outdoor storage
- contractors offices or the outside storage of equipment or materials
- drive-thru fast food service except coffee shops, bakery and ice cream stores
- emission inspection stations
- equipment rental
- heavy equipment and farm equipment sales and service and truck rental
- hotels and motels
- liquor stores
- mini-warehouse storage facilities
- mobile buildings
- mobile home or mobile building leasing or sales lots
- outdoor storage of any type.
- plant nursery sales facility
- recovered materials processing facilities
- smoke shops/novelty stores
- tattoo and piercing parlors
- taxi cab or limousine services
- taxidermist
- yard trimmings composting facility

- B. 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.
 - C. Buildings shall be limited to one-story. Buildings shall be constructed of brick or stacked stone, with accents of stucco allowed.
2. To satisfy the following site development considerations:
- A. Provide a 50-foot wide landscaped buffer adjacent to residentially zoned property along the eastern and southern property lines. Provide a 6 foot high opaque fence if necessary to provide security as well as a visual screen, reviewed and approved by the Director of Planning and Development. Landscape plan shall be approved by the Director of Planning and Development and shall include at a minimum double row evergreen plants, 6-8 feet tall at the time of planting.
 - B. No banners, streamers or roping decorated with flags, tinsel, or other similar materials 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.
 - C. Peddlers or parking lot sales shall be prohibited.
 - D. Any graffiti on the property shall be repainted or repaired within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: July 6, 2011

ATTEST:

Marie Aukey
County Clerk/Deputy County Clerk



HOLMAN ROAD/
MILL CREEK

LAND DESCRIPTION

All that tract or parcel of land lying and being in Duncan's District (G.M.D. No. 1749), Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a point formed by the intersection of the southerly right-of-way line of Georgia Highway No. 124, a.k.a. Braselton Highway (80' R/W), with the easterly right-of-way line of Holman Road (60' R/W); thence following said southerly right-of-way line of Georgia Highway No. 124 along a curve to the left an arc distance of 252.78 feet, said arc having a radius of 2904.79 feet and a chord which bears North 74 degrees 10 minutes 44 seconds East a distance of 252.70 feet to a point; thence continuing along said southerly right-of-way line of Georgia Highway No. 124 North 71 degrees 41 minutes 09 seconds East a distance of 380.16 feet to a point; thence leaving said southerly right-of-way line and running South 08 degrees 49 minutes 15 seconds East a distance of 130.88 feet to a point; thence South 46 degrees 09 minutes 29 seconds West a distance of 258.82 feet to a point; thence South 37 degrees 32 minutes 17 seconds West a distance of 88.37 feet to a point; thence South 37 degrees 32 minutes 17 seconds West a distance of 295.55 feet to a point on the easterly right-of-way line of Holman Road; thence following said easterly right-of-way line of Holman Road North 25 degrees 36 minutes 17 seconds West a distance of 235.93 feet to a point; thence continuing along said easterly right-of-way line of Holman Road North 25 degrees 36 minutes 17 seconds West a distance of 235.00 feet to the **POINT OF BEGINNING**.

Said Parcel of land containing 3.891 acres of land, more or less.



RECEIVED 9-03-10
RZC2010-00019

CASE NUMBER RZC2010-00020
GCID 2010-0891

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

On motion of COMM. HEARD, which carried 3-0, 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 RA-200 to C-1 by GEORGE P. FLANNIGAN for the proposed use of a DAYCARE CENTER 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 JUNE 28, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this, the 28th day of JUNE 2011, that the aforesaid application to amend the Official Zoning Map from RA-200 to C-1 is hereby **APPROVED (AS O-I WITH A SUP)** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Office, office-professional and accessory uses which may include a daycare center as a special use.
 - 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 and approval 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.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide natural undisturbed buffer adjacent to all residentially zoned property. The buffer shall be enhanced where sparsely vegetated.
 - B. Provide a ten-foot wide landscaped strip adjacent to all rights-of-way.
 - C. Natural vegetation shall remain on the property until the issuance of a development permit.
 - D. Ground signs shall be limited to an externally illuminated monument-type sign with a brick base at least 2-feet in height. Maximum sign height shall not exceed 6-feet.
 - E. Billboards or oversized signs shall be prohibited.
 - F. Hours of operation for the daycare shall be limited to 6:00 a.m. to 7:00 p.m., Monday through Friday.
 - G. Outdoor loudspeakers shall be prohibited.

- H. 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.
 - I. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 am and 7:00 pm.
 - J. 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.
 - K. Peddlers or parking lot sales shall be prohibited.
 - L. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
3. Abide by the following requirements, dedications and improvements:
- A. Access to Braselton Highway (SR 124) shall be prohibited.
 - B. Dedicate at no cost to Gwinnett County DOT the necessary right-of-way and easements for the construction of transportation improvement project F-0618-01 based on plans on file with the Gwinnett County DOT.
 - C. Bus traffic shall be staged on-site, outside of the decel lane(s) on Braselton Highway.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: July 6, 2011

ATTEST:

Maria Sealey
County Clerk/Deputy County Clerk



EXHIBIT "A"
LEGAL DESCRIPTION

TRACT ONE: THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF THE 7TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, AS SHOWN AND DELINEATED AS TRACT ONE, BEING 3.69 ACRES, MORE OR LESS, ON PLAT OF SURVEY FOR DOROTHY PIRKLE BY RINGO ABERNATHY & ASSOCIATES DATED AUGUST 7, 2004, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF PUCKETT MILL ROAD (30 FOOT PRESCRIPTIVE EASEMENT) AT ITS INTERSECTION WITH THE WESTERN RIGHT OF WAY OF GEORGIA HIGHWAY 124 (80 FOOT RIGHT OF WAY); THENCE RUNNING SOUTHWESTERLY ALONG THE WESTERN RIGHT OF WAY OF GEORGIA HIGHWAY 124, ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A RADIUS OF 1185.67 FEET, A DISTANCE OF 254.15 FEET, TO AN IRON PIN, SAID PIN BEING SOUTH 12 DEGREES 45 MINUTES 46 SECONDS WEST, A DISTANCE OF 253.66 FEET, FROM THE BEGINNING POINT; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING SOUTH 87 DEGREES 45 MINUTES 56 SECONDS WEST, A DISTANCE OF 433.08 FEET, TO AN IRON PIN; THENCE RUNNING NORTH 01 DEGREES 43 MINUTES 36 SECONDS WEST, A DISTANCE OF 487.21 FEET, ALONG THE LINE OF ASHTON WOOD SUBDIVISION AND (NOW OR FORMERLY) SLOAN, TO A POINT ON THE CENTERLINE OF PUCKETT MILL ROAD; THENCE RUNNING SOUTH 59 DEGREES 07 MINUTES 15 SECONDS EAST ALONG SAID CENTERLINE, A DISTANCE OF 121.23 FEET, TO A POINT; THENCE RUNNING SOUTH 60 DEGREES 02 MINUTES 52 SECONDS EAST ALONG SAID CENTERLINE, A DISTANCE OF 103.33 FEET, TO A POINT; THENCE RUNNING SOUTH 61 DEGREES 29 MINUTES 17 SECONDS EAST ALONG SAID CENTERLINE, A DISTANCE OF 117.91 FEET, TO A POINT; THENCE RUNNING SOUTHEASTERLY ALONG SAID CENTERLINE, ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A RADIUS OF 425.00 FEET, A DISTANCE OF 184.65 FEET, TO A POINT, SAID POINT BEING SOUTH 73 DEGREES 56 MINUTES 06 SECONDS EAST, A DISTANCE OF 183.20 FEET, FROM THE PREVIOUS POINT; THENCE RUNNING SOUTH 86 DEGREES 22 MINUTES 54 SECONDS EAST ALONG SAID CENTERLINE, A DISTANCE OF 30.29 FEET, TO A POINT ON THE WESTERN RIGHT OF WAY OF GEORGIA HIGHWAY 124, THE PLACE OR POINT OF BEGINNING. THERE IS, WITHIN THE 30 FOOT PRESCRIPTIVE EASEMENT OF PUCKETT MILL ROAD, 0.19 ACRE, MORE OR LESS.

TRACT TWO: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99 OF THE 7TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, AS SHOWN AND DELINEATED AS TRACT TWO, BEING 0.95 ACRES, MORE OR LESS, ON PLAT OF SURVEY FOR DOROTHY PIRKLE BY RINGO ABERNATHY & ASSOCIATES DATED AUGUST 7, 2004, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE CENTERLINE OF PUCKETT MILL ROAD (30 FOOT PRESCRIPTIVE EASEMENT) AND THE WESTERN RIGHT OF WAY OF GEORGIA HIGHWAY 124 (80 FOOT RIGHT OF WAY); THENCE PROCEED SOUTHWESTERLY ALONG THE WESTERN RIGHT OF WAY OF GEORGIA HIGHWAY 124, ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A RADIUS OF 1185.67 FEET, A DISTANCE OF 254.15 FEET, TO AN IRON PIN, SAID PIN BEING SOUTH 12 DEGREES 45 MINUTES 46 SECONDS WEST, A DISTANCE OF 253.66 FEET, FROM THE PREVIOUS POINT; THENCE PROCEED SOUTH 36 DEGREES 17 MINUTES 18 SECONDS EAST ACROSS SAID GEORGIA HIGHWAY 124 RIGHT OF WAY, A DISTANCE OF 120.78 FEET, TO AN IRON PIN AT A POINT ON THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY 124, THE PLACE OR POINT OF BEGINNING; THENCE RUNNING NORTH 04 DEGREES 49 MINUTES 22 SECONDS EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 53.77 FEET, TO AN IRON PIN; THENCE RUNNING NORTHEASTERLY ALONG SAID RIGHT OF WAY, ALONG THE ARC OF A CURVE TO THE RIGHT, SAID ARC HAVING A RADIUS OF 1105.67 FEET, A DISTANCE OF 506.27 FEET, TO AN IRON PIN, SAID PIN BEING NORTH 17 DEGREES 56 MINUTES 25 SECONDS EAST, A DISTANCE OF 501.86 FEET, FROM THE PREVIOUS PIN, AND SAID PIN BEING SOUTH, AS MEASURED ALONG SAID RIGHT OF WAY, 231 FEET, FROM THE INTERSECTION OF SAID RIGHT OF WAY AND THE 60 FOOT RIGHT OF WAY OF CAIN CIRCLE; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING SOUTH 06 DEGREES 12 MINUTES 09 SECONDS WEST, A DISTANCE OF 270.28 FEET, TO AN IRON PIN; THENCE RUNNING SOUTH 01 DEGREES 55 MINUTES 11 SECONDS WEST, A DISTANCE OF 224.67 FEET, TO AN IRON PIN; THENCE RUNNING NORTH 88 DEGREES 34 MINUTES 44 SECONDS WEST, A DISTANCE OF 14.54 FEET, TO AN IRON PIN; THENCE RUNNING SOUTH 02 DEGREES 02 MINUTES 43 SECONDS WEST, A DISTANCE OF 34.67 FEET, TO AN IRON PIN; THENCE RUNNING SOUTH 88 DEGREES 06 MINUTES 51 SECONDS WEST, A DISTANCE OF 106.67 FEET, TO AN IRON PIN ON THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY 124, THE PLACE OR POINT OF BEGINNING.

THESE TRACTS ARE THE SAME PROPERTY CONVEYED TO HOYT PIRKLE BY WARRANTY DEED RECORDED IN DEED BOOK 10048, PAGE 182, GWINNETT COUNTY DEED RECORDS



RECEIVED 9-03-10
RZC2010-00020

CASE NUMBER RZC2011-00009
GCID 2011-0248

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

On motion of COMM. BEAUDREAU, which carried 3-0, 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 RM to C-2 by BRIGHT-MEYERS 2001 LLC 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 JUNE 28, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28TH day of JUNE 2011, that the aforesaid application to amend the Official Zoning Map from RM to C-2 is hereby **DENIED WITHOUT PREJUDICE**.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: JULY 6, 2011

ATTEST:

Marie Dickey
County Clerk/Deputy County Clerk



EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 274 and 283 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a one-half inch rebar found on the southerly right of way line of Holcomb Bridge Road (100 foot right of way), said one-half inch rebar being located 200.0 feet from the right of way marker at the intersection formed by the southerly right of way line of Holcomb Bridge Road and the westerly right of way line of Georgia Hwy. No. 141 (a/k/a Peachtree Parkway) (250 foot right of way), as measured along the southerly right of way line of Holcomb Bridge Road; thence leaving the southerly right of way line of Holcomb Bridge Road and running South 14 degrees 59 minutes 00 seconds West, a distance of 639.72 feet to a point in the centerline of the Old Run of Crooked Creek; thence southerly, southwesterly, westerly, northwesterly and southwesterly along the centerline of the Old Run of Crooked Creek and following the meanderings thereof, 1,280 feet more or less to a point at the intersection of the centerline of the Old Run of Crooked Creek and the easterly right of way line of Jimmy Carter Boulevard (150 foot right of way at that point); thence running northwesterly along the easterly right of way line of Jimmy Carter Boulevard, North 14 degrees 34 minutes 12 seconds West, a distance of 40.09 feet to an iron pin set; thence continuing along the right of way line of Jimmy Carter Boulevard, South 77 degrees 17 minutes 31 seconds West, a distance of 14.79 feet to an iron pin set on the 100 foot right of way line of Jimmy Carter Boulevard; thence continuing along the right of way line of Jimmy Carter Boulevard, along an arc of a curve having an arc distance of 273.66 feet (said arc being subtended by a chord bearing North 15 degrees 50 minutes 13 seconds West, a chord distance of 273.52 feet) and having a radius of 2,505.533 feet to an iron pin set; thence leaving the northeasterly right of way line of Jimmy Carter Boulevard and running North 75 degrees 25 minutes 48 seconds East, a distance of 20.83 feet to an iron pin set; thence running North 15 degrees 01 minute 48 seconds East, a distance of 420.49 feet to an iron pin set on the southerly right of way line of Holcomb Bridge Road; thence running southeasterly along the southerly right of way line of Holcomb Bridge Road, the following courses and distances: South 88 degrees 05 minutes 33 seconds East, a distance of 252.89 feet; thence running along an arc of a curve having an arc distance of 426.12 feet (said arc being subtended by a chord bearing South 81 degrees 31 minutes 44 seconds East, a chord distance of 425.19 feet), and having a radius of 1,859.859 feet to a point; thence continuing along an arc of a curve having an arc distance of 162.50 feet (said arc being subtended by a chord bearing South 72 degrees 27 minutes 44 seconds East, a chord distance of 162.45 feet), and having a radius of 1,859.859 feet to a point; thence running South 69 degrees 57 minutes 33 seconds East, a distance of 379.06 feet to a one-half inch rebar found at the POINT OF BEGINNING, said property containing 21.307 acres, as shown and delineated on that certain As Built Survey of Sturbridge Square for 1500 Holcomb Bridge Associates, L.L.C., Southtrust Bank of Alabama, N.A. and Ticor Title Insurance Company, dated October 24, 1973, last revised April 29, 1996, prepared by Hannon, Meeks & Bagwell, Surveyors & Engineers, Inc., and bearing the seal of Mack L. Meeks, GRLS No. 1497.



RECEIVED 4-07-11
RZC2011-00009

CASE NUMBER CIC2011-00011
GCID 2011-0506

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

On motion of COMM. BEAUDREAU, which carried 3-0, 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 C-2 to C-2 by BRADLEY INVESTMENT CO. for a CHANGE IN CONDITIONS OF ZONING TO REMOVE USE RESTRICTION 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 JUNE 28, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28TH day of JUNE 2011, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby **APPROVED** subject to the following enumerated conditions:

1. 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
- convenience stores and gas stations
- emission inspection stations
- equipment rental
- extended stay hotels or motels
- pawn shops, title loan and check cashing facilities
- recovered materials processing facilities
- smoke shops/novelty stores
- taxidermists
- yard trimmings composting facilities

B. Limit the height of the building to one story plus a basement. The total area of the footprint of the building shall not exceed 30,000 square feet.

2. To satisfy the following site development considerations:

A. Provide a 50-foot wide natural undisturbed buffer, except for approved access and utility crossing and replanted where sparsely vegetated, adjacent to all residentially-zoned properties. An eight-foot high wooden fence will be erected on the inside of the buffer next to the building or driveway.

- B. Provide a ten-foot wide landscaped strip outside the new dedicated right-of-way of Pleasant Hill Road. This landscaped strip may be located in the right-of-way if additional right-of-way is provided.
- C. Landscape the property as shown on the landscape plan dated April 20, 1995. Such landscaping will include five Bradford Pear trees to be planted on the property along Corley Place in the first tree planting season after July, 1995, the trunk of each tree shall be at least two inches when measured by calipers six inches from the ground as planted (i.e., each tree shall be between eight feet and twelve feet tall when planted) and will include plantings of Abelia underneath the Bradford Pear trees.
- D. No more than one exit/entrance on Pleasant Hill Road.
- E. Only one exit/entrance shall be allowed on Corley Place. An additional road lane shall be added by the developer on Corley Place the entire length of their property line. All plans will be reviewed by Gwinnett County Department of Transportation before issuance of a permit.
- F. Dumpsters shall be screened by a fence or wall and will not be placed on residential property buffer lines.
- G. Provide interparcel access as may be required by the Department of Planning and Development.
- H. All outdoor lighting shall be directed in toward the property away from residential properties.
- I. All buildings shall be finished with glass, brick, stone or stucco on all sides. The property owner may install and maintain signs at the locations indicated on the submitted site plan dated, expressly including a sign at the Corley Place and Pleasant Hill Road intersection, as long as said sign is not built in a manner that provides an unsafe visual obstruction for drivers entering or exiting Corley Place. Any signage must conform to County sign regulations.
- J. Truck deliveries will only be allowed between 8 a.m. and 6 p.m. No tractor-trailer delivery will be allowed to overnight on the property.
- K. Developer shall reimburse Gwinnett County for cost of additional subdivision signs to be placed on Corley Place, i.e., No Truck Allowed, No Thru Street Access.
- L. No drainage retention or detention ponds shall be constructed in any buffer areas.
- M. Billboards or oversized signs shall be prohibited.
- N. Outdoor storage shall be prohibited.

- O. 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, sign-walkers and sign-twirlers shall be prohibited.
- P. Peddlers and/or parking lot sales shall be prohibited.
- Q. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: July 6, 2011

ATTEST:

Marie Dickey
County Clerk/Deputy County Clerk

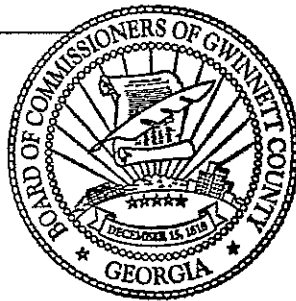


EXHIBIT "A"
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 182 of the 6th District, Gwinnett County, Georgia, being more particularly described as follows:

BEGINNING at a point to be determined as follows: Begin at a point on the centerline of Pleasant Hill Road (a sixty (60) feet right-of-way), nine hundred six and four tenths (906.4) feet northwesterly, as measured along the centerline of Pleasant Hill Road, from the point of intersection of the centerline of Pleasant Hill Road and the centerline of Sweetwater Circle; thence extend northeasterly thirty one and seven tenths (31.7) feet to and iron pin on the northeasterly side of Pleasant Hill Road and the point of beginning of property to be conveyed hereby. From said point of beginning, thence run northwesterly along the northeasterly side of Pleasant Hill Road, four hundred fifty two and six tenths (452.6) feet to an iron pin; thence north sixty six (66) degrees twelve (12) minutes east, three hundred twenty and nine tenths (320.9) feet to a rock on the northeasterly line of Land Lot 182; thence south twenty nine (29) degrees thirty four (34) minutes east along said Land Lot Line, three hundred eighty eight and one tenth (388.1) feet to an iron pin; thence south sixty (60) degrees fourteen (14) minutes west, four hundred eighty two and one tenth (482.1) feet to the iron pin on the northeasterly side of Pleasant Hill Road and the point of beginning.

LESS AND EXCEPT that property described in right-of-way deed at Deed Book 3164, Page 213, Gwinnett County records.

Said parcel being the same tract or parcel of land currently identified as Tax Parcel 6-182-008 containing 3.08 acres according to the Gwinnett County Tax Assessor's Office.



RECEIVED 3-29-11
CIC2011-00011

CASE NUMBER CIC2011-00012
GCID 2011-0507

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

On motion of COMM. BEAUDREAU, which carried 3-0, 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 O-1 by DUKE REALTY LIMITED PARTNERSHIP for a CHANGE IN CONDITIONS OF ZONING TO REMOVE PARKING DECK REQUIREMENTS 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 JUNE 28, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28TH day of JUNE 2011, that the aforesaid application to amend the Official Zoning Map from O-1 to O-1 (CHANGE IN CONDITIONS) is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Office, office/professional and accessory uses, which may include buildings up to six stories in height.
2. To satisfy the following site development considerations:
 - A. Provide a 20-foot wide landscape strip along the entire frontage of Meadow Church Road. The 20-foot landscape strip shall be planted with two staggered rows of canopy/street trees per the Civic Center Overlay landscaping requirements. The first row of trees shall be a minimum of 4-inch caliper in size and the second row of trees shall be a minimum of 3-inch caliper in size and shall be planted at a maximum spacing of 20-feet on center. Within the newly established landscape strip, there shall be a minimum of five double staggered pockets of evergreen trees in groupings of five to seven trees each. The evergreen trees shall be a tree-form holly species and 8 to 10-feet in height at the time of planting and evenly planted between the curb cuts. In the event a decel lane is required to be constructed, there shall only be a single row of 4-inch caliper canopy/street trees required for the decel lane portion (the tapers will require two rows of trees). All of the above mentioned trees are in addition to the Civic Center Overlay requirements for plantings within the right-of-way.
 - B. Provide a 40-foot wide natural, undisturbed buffer adjacent to residentially-zoned property. Where sparsely vegetated, the buffer shall be enhanced with a double staggered row of evergreens ten feet on center. Trees shall be a minimum of eight feet in height at the time of planting. Before any trees are installed the design and the tree selection shall be coordinated between the developer and the Charleston Row Homeowners Association. The buffer must be planted within 180 days from the issuance of a Development Permit.

- C. Natural vegetation shall remain on the property until the issuance of a commercial development permit.
 - D. Buildings shall be finished with architectural treatments of glass and/or brick, architectural precast concrete or stone. Architectural renderings shall be submitted for review and approval of the Director of Planning and Development.
 - E. Dumpsters shall be screened by a 100% opaque fence or wall. Dumpster pickup shall be between the hours of 7:00 a.m. and 7:00 p.m.
 - F. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties.
 - G. Provide minimum 5-foot wide sidewalks adjacent to Meadow Church Road. Provide minimum 4-foot wide internal sidewalk connections from public streets to office buildings. Location of internal sidewalks shall be subject to review of the Director of Planning and Development.
 - H. Ground signs shall be limited to monument type signs with masonry bases matching the building(s), not to exceed ten feet in height.
 - I. Provide interparcel access throughout the site.
 - J. Provide, at a minimum, 20 Tree Density Units per acre. Plantings shall be in compliance with Gwinnett County's Buffer, Landscape and Tree Ordinance. Landscape plans shall be submitted for review and approval by the Director of Planning and Development.
 - K. Except for approved access, maintain a minimum 50-foot buffer adjacent to Lee Daniel Creek and/or its tributaries.
3. To abide by the following requirements, dedications, and improvements:
- A. Dedicate at no cost to Gwinnett County 40 feet of right-of-way from centerline along Meadow Church Road and 50 feet of right-of-way from the centerline within 500 feet of an intersection with another classified road.
 - B. As part of the development permit approval and subject to the approval of a traffic signal permit by both the Gwinnett County Department of Transportation and the Georgia Department of Transportation, and at the option of the Gwinnett County Department of Transportation, either design and construct a traffic signal and intersection modifications at the intersection of the main site driveway and Duluth Highway (State Route 120), or pay 100% of design and construction costs in an amount not to exceed \$100,000. The design and installation shall be subject to Gwinnett County Department of Transportation review and approval. The design and installation shall include a communication interconnect extension from the communication terminus

at the intersection of Duluth Highway and Satellite Boulevard, through the intersection of Duluth Highway and the proposed site entrance, to a new terminus at the intersection of Duluth Highway and Boggs Road/Meadow Church Road.

- C. Prior to the issuance of a Certificate of Occupancy resulting in more than 450,000 square feet of building space, and subject to the approval of a signal permit by the Gwinnett County Department of Transportation, the applicant agrees to, at the option of the Gwinnett County Department of Transportation, either design and construct a traffic signal at the intersection of the proposed site driveway's approved location and Meadow Church Road or pay 100% of design and construction costs, in an amount not to exceed \$60,000. The design and installation shall be subject to the Gwinnett County Department of Transportation review and approval.
- D. Prior to the issuance of a Certificate of Occupancy resulting in more than 450,000 square feet of building space, design and construct roadway modifications on Meadow Church Road to include left turn lanes into all site driveways, with the resulting configuration on Meadow Church Road being a three-lane section from north of the northern-most site driveway to the existing three-lane section near Meadow Church Road and Meadow Lane. The design and construction of these improvements shall be subject to Gwinnett County Department of Transportation review and approval.
- E. Prior to the issuance of a development permit submit an Alternate Mode Transportation Plan for review and approval by the Gwinnett County Department of Transportation and the Gwinnett County Department of Community Services. At a minimum, this plan shall include the following transportation management strategies to be incorporated into the development:
 - 1. Pedestrian facilities,
 - 2. Bicycle facilities,
 - 3. Provision of shuttle service, including connection to Gwinnett County's transit system, until or unless Gwinnett County Transit routes are established for abutting roadways.
 - 4. Provisions for a shuttle and bus drop-off/pick-up area within the office development.
 - 5. Other potential transportation demand management strategies not specifically identified here, but which may be feasible or desirable at the time the Alternate Mode Transportation Plan is written and reviewed.
- F. The number, location and design of all driveways shall be subject to Gwinnett County Department of Transportation review and approval.
- G. Subject to the approval of the Gwinnett County Department of Transportation and the Georgia Department of Transportation, the applicant agrees to design and construct intersection modifications at the intersection of the main site driveway and Duluth Highway (State Route 120) to include left turn lanes and alignment with Meadowbrook Parkway. The design and construction shall be subject to Gwinnett County Department of Transportation review and approval.

H. In conjunction with the Alternate Mode Transportation Plan, provide pedestrian and bicycle facilities in accordance with the Gwinnett County Open Space and Greenway Master Plan and the Connect Gwinnett, Gwinnett Livable Centers Initiative Report. Facilities shall be located outside of stream bank setbacks and storm water management facilities. Facilities to be installed include:

1. A greenway path, (Path #1), located along the south and west banks of Lee Daniel Creek or a sidewalk along the proposed periphery roadway connecting Meadow Church Road and Duluth Highway, or a combination thereof; and
2. A multi-use path, (Path 2#), along either Meadow Church Road or along a primary street internal to the proposed development; and
3. Two connections between Path #1 and Path #2.

Path locations, widths and construction materials are subject to review and approval by the Gwinnett Department of Community Services and Department of Transportation.

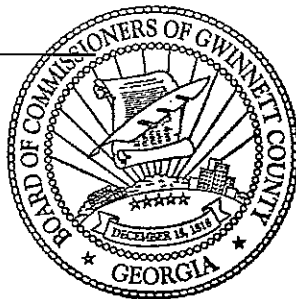
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: JULY 6, 2011

ATTEST:

Marie Dekey
County Clerk/Deputy County Clerk



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LAND DESCRIPTION
PROPOSED O-I ZONING TRACT

ALL THAT TRACT OR PARCEL OF LAND CONTAINING 94.434 ACRES LYING AND BEING IN LAND LOTS 116 AND 121 OF THE 7th DISTRICT OF GWINNETT COUNTY, GEORGIA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE SOUTHEASTERLY END OF A MITER OF THE RIGHT OF WAY INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF STATE ROUTE 120 (aka DULUTH-LAWRENCEVILLE HIGHWAY), A RIGHT OF WAY OF VARYING WIDTHS, WITH THE EASTERLY RIGHT OF WAY OF MEADOW CHURCH ROAD, A RIGHT OF WAY OF VARYING WIDTHS; THENCE ALONG SAID MITER AND RIGHT OF WAY OF MEADOW CHURCH ROAD NORTH 43 DEGREES 07 MINUTES 01 SECONDS WEST A DISTANCE OF 29.67 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY OF MEADOW CHURCH ROAD NORTH 01 DEGREES 38 MINUTES 47 SECONDS WEST A DISTANCE OF 192.52 FEET TO A POINT; THENCE LEAVING SAID EXISTING RIGHT OF WAY ALONG A PROPOSED RIGHT OF WAY OF MEADOW CHURCH ROAD NORTH 05 DEGREES 33 MINUTES 14 SECONDS WEST A DISTANCE OF 128.71 FEET TO A POINT ON AFORESAID EXISTING RIGHT OF WAY OF MEADOW CHURCH ROAD; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2814.35 FEET, AN ARC DISTANCE OF 173.08 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 01 DEGREES 48 MINUTES 30 SECONDS EAST A DISTANCE OF 173.06 FEET) TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 03 DEGREES 34 MINUTES 13 SECONDS EAST A DISTANCE OF 45.94 FEET TO A POINT; THENCE LEAVING SAID EXISTING RIGHT OF WAY ALONG A PROPOSED RIGHT OF WAY NORTH 03 DEGREES 34 MINUTES 13 SECONDS EAST A DISTANCE OF 183.04 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT OF WAY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 766.09 FEET, AN ARC DISTANCE OF 167.84 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 02 DEGREES 42 MINUTES 23 SECONDS WEST A DISTANCE OF 167.51 FEET) TO A POINT ON THE LAND LOT LINE COMMON TO LAND LOTS 116 AND 117 AND THE TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING THUS ESTABLISHED THENCE CONTINUING ALONG SAID PROPOSED RIGHT OF WAY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 766.09 FEET, AN ARC DISTANCE OF 45.16 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 10 DEGREES 40 MINUTES 17 SECONDS WEST A DISTANCE OF 45.15 FEET) TO A POINT ON AFORESAID EXISTING EASTERLY RIGHT OF WAY OF MEADOW CHURCH ROAD; THENCE ALONG SAID RIGHT OF WAY OF MEADOW CHURCH ROAD ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 766.09 FEET, AN ARC DISTANCE OF 233.27 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 21 DEGREES 04 MINUTES 59 SECONDS WEST A DISTANCE OF 232.37 FEET) TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 29 DEGREES 48 MINUTES 22 SECONDS WEST A DISTANCE OF 179.15 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 666.09 FEET, AN ARC DISTANCE OF 457.46 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 10 DEGREES 07 MINUTES 52 SECONDS WEST A DISTANCE OF 448.52 FEET) TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 09 DEGREES 32 MINUTES 38 SECONDS EAST A DISTANCE OF 180.87 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 768.39 FEET, AN ARC DISTANCE OF 187.58 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 16 DEGREES 32 MINUTES 14 SECONDS EAST A DISTANCE OF 187.11 FEET) TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 23 DEGREES 31 MINUTES 50 SECONDS EAST A DISTANCE OF 127.70 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 604.48 FEET, AN ARC DISTANCE OF 82.33 FEET (SAID ARC BEING SUBTENDED BY A CHORD



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BEARING NORTH 19 DEGREES 37 MINUTES 44 SECONDS EAST A DISTANCE OF 82.27 FEET) TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 71 DEGREES 45 MINUTES 32 SECONDS WEST A DISTANCE OF 7.76 FEET TO A POINT ON AN 80 FOOT RIGHT OF WAY OF MEADOW CHURCH ROAD; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 517.47 FEET, AN ARC DISTANCE OF 253.27 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 03 DEGREES 08 MINUTES 22 SECONDS EAST A DISTANCE OF 250.75 FEET) TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 10 DEGREES 52 MINUTES 55 SECONDS WEST A DISTANCE OF 58.25 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1949.86 FEET, AN ARC DISTANCE OF 235.95 FEET (SAID ARC BEING SUBTENDED BY A CHORD BEARING NORTH 14 DEGREES 20 MINUTES 55 SECONDS WEST A DISTANCE OF 235.81 FEET) TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 17 DEGREES 48 MINUTES 55 SECONDS WEST A DISTANCE OF 137.62 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY NORTH 65 DEGREES 58 MINUTES 08 SECONDS EAST A DISTANCE OF 1009.06 FEET TO A POINT; THENCE SOUTH 28 DEGREES 04 MINUTES 23 SECONDS EAST A DISTANCE OF 760.00 FEET TO A POINT; THENCE NORTH 59 DEGREES 50 MINUTES 01 SECONDS EAST A DISTANCE OF 352.21 FEET TO A POINT; THENCE SOUTH 30 DEGREES 35 MINUTES 14 SECONDS EAST A DISTANCE OF 1007.74 FEET TO A POINT; THENCE SOUTH 60 DEGREES 19 MINUTES 35 SECONDS WEST A DISTANCE OF 618.63 FEET TO A POINT IN THE CENTER OF FORK CREEK; THENCE SOUTHERLY ALONG THE CENTER OF FORK CREEK THE FOLLOWING 30 COURSES: (1) SOUTH 14 DEGREES 33 MINUTES 20 SECONDS EAST A DISTANCE OF 104.70 FEET; (2) SOUTH 29 DEGREES 09 MINUTES 58 SECONDS EAST A DISTANCE OF 114.90 FEET; (3) SOUTH 06 DEGREES 28 MINUTES 22 SECONDS WEST A DISTANCE OF 62.40 FEET; (4) SOUTH 70 DEGREES 46 MINUTES 57 SECONDS WEST A DISTANCE OF 49.80 FEET; (5) SOUTH 85 DEGREES 18 MINUTES 27 SECONDS WEST A DISTANCE OF 59.00 FEET; (6) SOUTH 40 DEGREES 48 MINUTES 23 SECONDS WEST A DISTANCE OF 38.40 FEET; (7) SOUTH 24 DEGREES 56 MINUTES 56 SECONDS WEST A DISTANCE OF 95.20 FEET; (8) SOUTH 46 DEGREES 20 MINUTES 35 SECONDS WEST A DISTANCE OF 35.40 FEET; (9) SOUTH 04 DEGREES 40 MINUTES 04 SECONDS EAST A DISTANCE OF 77.20 FEET; (10) SOUTH 82 DEGREES 37 MINUTES 32 SECONDS EAST A DISTANCE OF 32.10 FEET; (11) SOUTH 38 DEGREES 51 MINUTES 02 SECONDS EAST A DISTANCE OF 37.10 FEET; (12) SOUTH 14 DEGREES 14 MINUTES 23 SECONDS WEST A DISTANCE OF 58.60 FEET; (13) SOUTH 37 DEGREES 17 MINUTES 08 SECONDS WEST A DISTANCE OF 96.80 FEET; (14) SOUTH 22 DEGREES 42 MINUTES 48 SECONDS WEST A DISTANCE OF 45.00 FEET; (15) SOUTH 58 DEGREES 50 MINUTES 34 SECONDS EAST A DISTANCE OF 45.80 FEET; (16) SOUTH 02 DEGREES 26 MINUTES 04 SECONDS EAST A DISTANCE OF 63.70 FEET; (17) SOUTH 50 DEGREES 59 MINUTES 18 SECONDS WEST A DISTANCE OF 33.30 FEET; (18) SOUTH 19 DEGREES 14 MINUTES 34 SECONDS WEST A DISTANCE OF 65.20 FEET; (19) SOUTH 07 DEGREES 44 MINUTES 47 SECONDS EAST A DISTANCE OF 61.30 FEET; (20) SOUTH 00 DEGREES 28 MINUTES 45 SECONDS WEST A DISTANCE OF 48.10 FEET; (21) SOUTH 22 DEGREES 11 MINUTES 53 SECONDS EAST A DISTANCE OF 69.80 FEET; (22) SOUTH 12 DEGREES 41 MINUTES 28 SECONDS EAST A DISTANCE OF 147.10 FEET; (23) SOUTH 02 DEGREES 56 MINUTES 53 SECONDS WEST A DISTANCE OF 62.00 FEET; (24) SOUTH 23 DEGREES 26 MINUTES 12 SECONDS EAST A DISTANCE OF 67.50 FEET; (25) SOUTH 02 DEGREES 29 MINUTES 27 SECONDS WEST A DISTANCE OF 84.70 FEET; (26) SOUTH 86 DEGREES 41 MINUTES 35 SECONDS EAST A DISTANCE OF 52.50 FEET; (27) SOUTH 30 DEGREES 31 MINUTES 45 SECONDS EAST A DISTANCE OF 71.50 FEET; (28) SOUTH 13 DEGREES 42 MINUTES 15 SECONDS WEST A DISTANCE OF 39.40 FEET; (29) NORTH 79 DEGREES 00 MINUTES 15 SECONDS WEST A DISTANCE OF 62.10 FEET; AND (30) SOUTH 59 DEGREES 01 MINUTES 50 SECONDS WEST A DISTANCE OF 24.40 FEET; THENCE LEAVING THE CENTER OF FORK CREEK NORTH 65 DEGREES 06 MINUTES 34 SECONDS WEST A DISTANCE OF 245.00 FEET TO A POINT; THENCE SOUTH 81 DEGREES 28 MINUTES 40



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CIC2011-00012

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SECONDS WEST A DISTANCE OF 158.00 FEET TO A POINT; THENCE NORTH
04 DEGREES 52 MINUTES 27 SECONDS WEST A DISTANCE OF 98.00 FEET TO
A POINT; THENCE NORTH 75 DEGREES 20 MINUTES 09 SECONDS WEST A
DISTANCE OF 258.00 FEET TO A POINT; THENCE NORTH 30 DEGREES 43
MINUTES 50 SECONDS WEST A DISTANCE OF 133.00 FEET TO A POINT;
THENCE NORTH 80 DEGREES 41 MINUTES 22 SECONDS WEST A DISTANCE OF
436.00 FEET TO A POINT ON THE LAND LOT LINE COMMON TO LAND LOTS
116 AND 117; THENCE ALONG SAID LAND LOT LINE NORTH 30 DEGREES 04
MINUTES 31 SECONDS WEST A DISTANCE OF 298.00 FEET TO A POINT
BEING THE TRUE POINT OF BEGINNING.



RECEIVED 3-31-11
CIC2011-00012

CASE NUMBER CIC2011-00013
GCID 2011-0509

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

On motion of COMM. BEAUDREAU, which carried 3-0, 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 R-ZT to R-ZT by MRI HOMES, LLC for a CHANGE IN CONDITIONS OF ZONING TO AMEND ELEVATIONS AND ALLOW DETACHED DWELLINGS 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 JUNE 28, 2011 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 28TH day of JUNE 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:

1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures on individual lots at a maximum of 6 units for the 1.49 acres zoned.
 - B. The minimum heated floor area per dwelling unit shall be 1,600 square feet.
 - C. Homes shall be constructed of brick, stone, stucco, hardi-plank or shake, or a combination thereof, in general accordance with the elevations submitted to the Department of Planning and Development on April 19, 2011. Architectural elevations shall be submitted for review and approval by the Director of Planning and Development.
 - D. All dwellings shall have at least double-car garages. Where garages are front entry, driveways shall be a minimum of 16 feet in width.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot landscaped setback, including a decorative fence/wall entrance feature with landscaping. Design shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a Development Permit.
 - B. Direct lot access to Buford Highway shall be prohibited.
 - C. All utilities shall be placed underground.
 - D. All grassed areas in front and side yards shall be sodded.

- E. A mandatory homeowners association shall be established for the development, which will be responsible for the maintenance at a consistently high standard of all common property, including detention pond, maintenance of contiguous County right-of-way, streets, curbing, landscaping, entrance monuments, tree save areas and entry gate. Covenants shall include a provision prohibiting leasing except in the case of hardship. Where the required 50-foot landscaped setback (Condition 2.B.) is located on private lots, both landscape and access easements shall be recorded, and the Homeowner's association shall be responsible for ongoing maintenance of the setback area.
 - F. Development shall have a functional gated entrance (and interior streets shall be private).
3. To abide by the following requirements, dedications, and improvements:
- A. Dedicate at no cost to Gwinnett County all necessary right-of-way and easements for the future construction of a greenway, path/trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval of the Gwinnett Department of Community Services.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairmart

Date Signed: July 6, 2011

ATTEST:

Marie Dickey
County Clerk/Deputy County Clerk



EXHIBIT "A"

ALL THAT TRACT or parcel of land lying and being in Land Lot 256 of the 6th District, Gwinnett County, Georgia, and being more particularly described as Tract A containing 1.49 acres, per that certain Conceptual Plan for Madison Ridge prepared by BH&D Engineering, Inc., Terry S. Boomer, Georgia Registered Engineer #27020, dated 05/10/11 and being more particularly described as follows:

Tract A:

COMMENCE at the intersection of northwestern right of way of Buford Highway (U.S. 33) (S.R. 13) (150 foot right of way) and the western right of way of Smith Ridge Trace (private); proceed thence along said western right of way of Smith Ridge Trace the following courses and distances: northwesterly along the arc of a curve having a radius of 20.0 feet, said arc being subtended by a chord bearing north 0006'47" west and having a chord length of 27.99 feet, an arc distance of 31.01 feet to a point; northwesterly along the arc of a curve having a radius of 200.0 feet, said arc being subtended by a chord bearing north 3743'58" west and having a chord length of 45.76 feet, an arc distance of 45.86 feet to a point; north 3109'47" west 11.94 feet to a point; thence leaving said right of way and proceed south 5850'13" west 65.20 feet to a point; proceed thence south 8653'46" west 190.79 feet to a point; proceed thence north 2635'05" east 147.01 feet to a point located on the centerline of Smith Ridge Trace; proceed thence along said centerline the following courses and distances: northeasterly along the arc of a curve having a radius of 50.0 feet, said arc being subtended by a chord bearing north 3914'49" east and having a chord length of 45.92 feet, an arc distance of 47.71 feet to a point; northeasterly along the arc of a curve having a radius of 100.0 feet, said arc being subtended by a chord bearing north 3313'18" east and having a chord length of 72.96 feet, an arc distance of 74.69 feet to a point; northeasterly along the arc of a curve having a radius of 100.30 feet, said arc being subtended by a chord bearing north 3555'26" east and having a chord length of 77.99 feet, an arc distance of 80.10 feet to a point; north 5850'13" east 20.47 feet to a point; northeasterly along the arc of a curve having a radius of 50.0 feet, said arc being subtended by a chord bearing north 3214'51" east and having a chord length of 44.76 feet, an arc distance of 46.41 feet to a point; thence leaving said centerline and proceed south 8420'31" east 161.44 feet to a point; proceed thence south 3001'37" east 26.22 feet to a one-half inch rebar found; proceed thence south 4316'46" west 27.10 feet to a point; proceed thence south 4619'40" east 29.45 feet to a point located on the northwestern right of way of Buford Highway; proceed thence along said right of way the following courses and distances: south 3800'50" west 226.42 feet to a point; south 4430'30" west 38.24 feet to the POINT OF BEGINNING.

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