

**Board of Commissioners**

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Charlotte J. Nash, Chairman  
 Jace W. Brooks, District 1  
 Lynette Howard, District 2  
 Tommy Hunter, District 3  
 John Heard, District 4



**Public Hearing Minutes  
 Tuesday, February 26, 2013 - 7:00 PM**

**Present:** Charlotte J. Nash, Jace Brooks, Lynette Howard, Tommy Hunter & John Heard

**I. Call To Order, Invocation, Pledge to Flag**

**II. Opening Remarks by Chairman**

**III. Approval of Agenda**

{Action: Approved Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**IV. Approval of Minutes:**

**Work Session:** February 19, 2013  
**BoC Briefing 10:30am:** February 19, 2013  
**BoC Briefing 11:00am:** February 19, 2013  
**Business Session:** February 19, 2013  
 {Action: Approved Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**V. Announcements**

- **Resolution of Recognition:** 2012 Eagle Scouts  
 {Action: Approved Motion: Nash Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}
- **Resolution of Recognition:** Commending Miss Gwinnett County and Miss Gwinnett County's Outstanding Teen  
 {Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

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**VI. Public Hearing – Old Business**

**I. Planning & Development/Bryan Lackey**

**2012-0551 RZC2012-00010**, Applicant: Mahalo Investments IV, LLC, Owner: Mahalo Investments IV, LLC, R-SR to C-2, Commercial/Retail Uses, District 7 Land Lot 094 Parcels 005, 1700 Block of Old Peachtree Road, 2100 Block of Rock Springs Road, 2000 Block of Sunny Hill Road, 9.50 Acres. District 4/Heard (Tabled on 02/26/2013) (Tabled to 04/23/2013)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0 Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2012-1051 RZM2012-00005**, Applicant: Brand Properties, LLC, Owner: Cross Pointe Church, M-2 to RM-13, Apartments, District 7 Land Lot 123 Parcel 003, 1700 Block of Satellite Boulevard, 1600 Block of Cross Pointe Way, 32.67 Acres. District 1/Brooks (Tabled on 02/26/2013) (Tabled to 03/26/2013)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/5/2013] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-; Heard-Yes}

**VII. Public Hearing – New Business**

**I. Change in Conditions**

**2013-0128 CIC2013-00001**, Applicant: Christine Gipson, Owner: Keum Hwan An, Change in Conditions to Remove Use Restrictions on Property Zoned C-2, District 6 Land Lot 190 Parcel 172, 5000 Block of Jimmy Carter Boulevard, 6100 Block of Rockbridge School Road, 0.70 Acre. District 2/Howard (Tabled on 02/26/2013) (Tabled to 03/05/2013)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**VII. Public Hearing – New Business**

**I. Change in Conditions**

**2013-0129 SUP2013-00004**, Applicant: Christine Gipson, Owner: Keum Hwan An, for a Special Use Permit in a C-2 Zoning District for Automobile Service and Tire Store, District 6 Land Lot 190 Parcel 172, 5000 Block of Jimmy Carter Boulevard, 6100 Block of Rockbridge School Road, 0.70 Acre. District 2/Howard (Tabled on 02/26/2013) (Tabled to 03/05/2013)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2013-0130 SUP2013-00005**, Applicant: Christine Gipson, Owner: Keum Hwan An, for a Special Use Permit in a C-2 Zoning District for Outdoor Storage, District 6 Land Lot 190 Parcel 172, 5000 Block of Jimmy Carter Boulevard, 6100 Block of Rockbridge School Road, 0.70 Acre. District 2/Howard (Tabled on 02/26/2013) (Tabled to 03/05/2013)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2013-0131 CIC2013-00002**, Applicant: Crown Communities, Owner: Crown Communities, Change in Conditions to Remove Three Sides Brick Requirement on Property Zoned R-ZT, District 5 Land Lot 271 Parcels 028 & 124, District 5 Land Lot 272 Parcel 001, 200 Block of Rabbit Hill Road, 17.91 Acres. District 4/Heard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Heard Second: Hunter Vote: 4-1; Nash-Yes ; Brooks-Yes; Howard-No; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **I. Change in Conditions**

**2013-0134 CIC2013-00003**, Applicant: Richardson Housing Group, Owner: RHG Homes, LLC, Change in Conditions to Remove 4 Sides Requirement on Property Zoned R-100 Modified, District 2 Land Lot 001B Parcels 072 & 089, 900 Block of Auburn Road, 900 Block of Mulberry Bay Drive, 0.78 Acre. District 3/Hunter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Hunter Second: Nash Vote: 5-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2013-0135 CIC2013-00004**, Applicant: Tri-State Advertising, LLC, Owner: F.A. Sims Properties, Inc., Change In Conditions to Remove Billboard Restriction on Property Zoned C-3, District 6 Land Lot 207 Parcel 008, 1900 Block of Pleasant Hill Road, 1.10 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 4-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Out of Room}

### **2. Special Use Permit**

**2013-0132 SUP2013-00006**, Applicant: Sage School, Inc., Owner: 800 Satellite, LLC, for a Special Use Permit in an M-1 Zoning District for A Private School, District 7 Land Lot 168 Parcel 034, 800 Block of Satellite Boulevard, 4.41 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2013-0133 SUP2013-00008**, Applicant: Anna Oberc, Owner: Rafal Oberc, for a Special Use Permit in an R-100 Zoning District for a Home Occupation (Hair Salon) (Renewal), District 6 Land Lot 012 Parcel 200, 3700 Block of Kilt Lane, 4400 Block of Gaelic Way, 0.60 Acre. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes ; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **2. Special Use Permit**

**2013-0136 SUP2013-00009**, Applicant: 78 Carwash, LLC, Owner: 78 Carwash, LLC, for a Special Use Permit in a C-2 Zoning District for Automobile Service, District 6 Land Lot 063B Parcel 008F, 4700 Block of Stone Mountain Highway, 1.28 Acres. District 2/Howard (**Tabled on 02/26/2013**) (**Tabled to 03/26/2013**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/5/2013] **{Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

**2013-0137 SUP2013-00010**, Applicant: Golden Age Assisted Living, Inc., Owner: Florian Pop, for a Special Use Permit in RA-200 & R-100 Zoning Districts for a Family Personal Care Home, District 7 Land Lot 056 Parcel 392, 1300 Block of Harris Road, 1.17 Acres. District 4/Heard (**Tabled on 02/26/2013**) (**Tabled to 03/26/2013**)(**Public hearing was not held**)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/5/2013] **{Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

## **VIII. New Business**

### **1. Commissioners**

**2013-0235 Approval/authorization** of a Resolution of the Gwinnett County Board of Commissioners requesting the General Assembly to enact a Technology User Fee during the 2013 Session, subject to review and approval by the Law Department. **{Action: Approved Motion: Nash Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

### **2. Financial Services/Maria Woods**

**2013-0177 Approval** of the January 31, 2013 Financial Status Report and ratification of all budget amendments. **{Action: Approved Motion: Hunter Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}**

## **VIII. New Business**

### **3. Planning & Development/Bryan Lackey**

**2013-0176 Ratification** of plat approvals for January 1, 2013 thru January 31, 2013 (Staff Recommendation: Approval) {Action: Approved Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

### **4. Water Resources/Ron Seibenhener**

**2013-0036 Approval/authorization** for the Chairman to execute any and all documents necessary for the purchase of the Norcross Water and Wastewater Systems based upon the terms and conditions set forth in the attached Intergovernmental Agreement, subject to the approval of the City of Norcross, and subject to review and approval by the Law Department. This purchase is funded by the Water and Sewer R&E Fund. District 2/Howard (Staff Recommendation: Approval) {Action: Approved Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

## **IX. Comments from Audience**

## **X. Adjournment**

{Action: Adjourn Motion: Howard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}