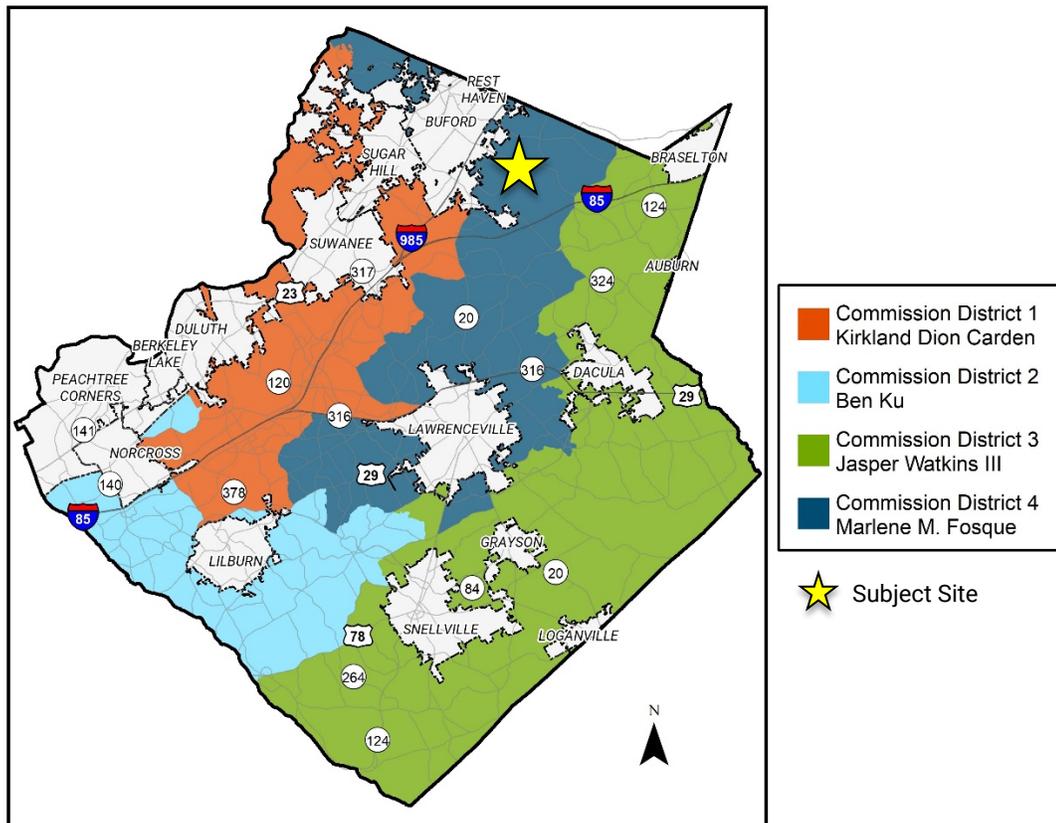




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: CIC2022-00004
Current Zoning: O-I (Office-Institutional District)
Overlay: GA HWY 124/324/Hamilton Mill
Request: Change in Conditions
Address: 3495 Hamilton Mill Road
Map Number: R7183 003B
Site Area: 0.83 acre
Square Feet: 1,448
Proposed Development: Medical/Professional Office
Commission District: District 4 – Commissioner Fosque
Character Area: Emerging Suburban

Staff Recommendation: APPROVAL WITH CONDITIONS



Location Map

Planning Commission Advertised Public Hearing Date: 1/4/2022
Board of Commissioners Advertised Public Hearing Date: 1/25/2022

Applicant: Timothy and Yenhua Pugh
3395 Duncan Bridge Drive
Buford, GA 30519

Owner: Yenhua Shen Pugh
dba YSP Hamilton, LLC
3395 Duncan Bridge Drive
Buford, GA 30519

Contact: Tim Pugh

Contact Phone: 706.372.6239

Zoning History

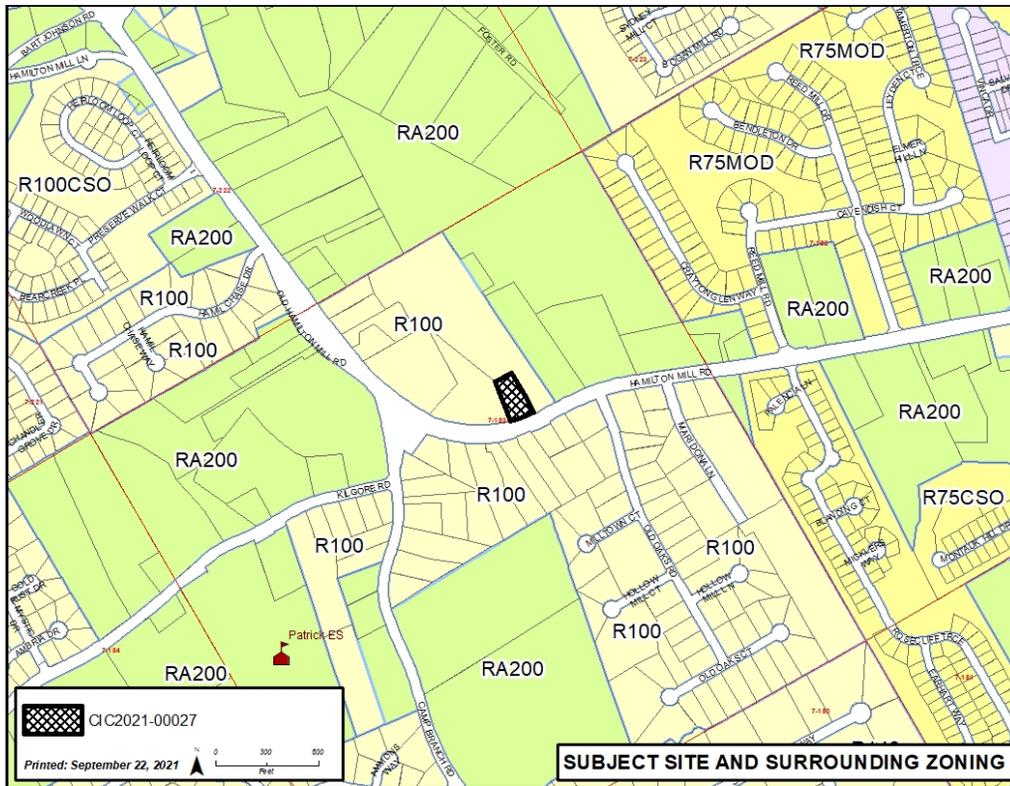
The subject property is zoned O-I (Office-Institutional District). In 2008, case RZC-08-083 rezoned the property from R-100 (Single-Family Residential District) to O-I (Office-Institutional District) for the proposed use of a Chiropractic Office with a reduction in buffers. This request is a change in conditions from this approval. In 2009, a change in conditions to relocate proposed parking lot to front yard was approved, pursuant to CIC-09-013. The property is located within the GA HWY 124/324/Hamilton Mill Overlay District.

Existing Site Condition

The subject site is a 0.83-acre parcel located east of the intersection of Camp Branch Road and Hamilton Mill Road. This parcel is developed with a single-family residential home that has been converted into a medical office. A landscaped strip is present along Hamilton Mill Road abutting the parking lot. Sidewalks are not present along the road frontage. The nearest Gwinnett County transit stop is located 3.5 miles from the site.

Surrounding Use and Zoning

The subject site is surrounded by residential uses which are primarily single-family residences. Single-family homes border the property on all sides. Hamilton Mill Memorial Chapel and Gardens is located to the east on a parcel zoned RA-200 (Agriculture-Residence District). The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning
Proposed	Medical/Professional Office	O-I
North	Single-Family Residential	R-100
East	Single-Family Residential	R-100
South	Single-Family Residential	R-100
West	Single-Family Residential	R-100

Project Summary

The applicant requests a change in conditions for a 0.83-acre property to remove a condition limiting the facility to a medical office and include other professional office uses, including:

- Removal of two conditions of a prior zoning approval in 2008 (RZC-08-083), which read as follows:
 - 1.A. Limited to medical office and accessory uses within the existing structure, with no exterior modification to the structure other than normal maintenance. The development shall be in general accordance with the site plan submitted at the July 16, 2008 Planning Commission hearing.
 - 3.A. Dedicate at no cost to the Gwinnett County Department of Transportation the necessary rights-of-way and easements for the construction of the transportation improvement project (PN: M-0588) at Hamilton Mill Road and Camp Branch Road based on plans of file with the Gwinnett County Department of Transportation.

- The applicant does not propose any other changes to the site. The request would allow the property owner to lease the building to a broader range of potential office users.
- The applicant does not propose any other changes to the site. The request to remove condition 1.A. would allow the property owner to lease the building to a broader range of potential office users. The request to remove condition 3.A. would prevent the applicant from having to dedicate further rights-of-way at no cost. Furthermore, the applicant has been in conversation with members of the Department of Transportation who have indicated that no further dedications will be needed in this area (Exhibit D).

Zoning and Development Standards

The applicant is requesting a Change in Conditions of a rezoning for a chiropractic office in the O-I, Office-Institutional District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35 feet	<35'	YES
Front Yard Setback	Minimum 15 feet	> 15'	YES
Side Yard Setback	Minimum 10 feet	> 10'	YES
Rear Yard Setback	Minimum 25 feet	> 25'	YES
Parking	Minimum 1/500 square feet	>1/500 SF	YES
Landscape Strip	10-foot-wide landscaped strip	10'	YES

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit E). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Change in Conditions Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification or a change in conditions the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether a proposed change in conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The requested change in conditions will not affect the use of the property as a professional or business office, and the site is suitable in view of surrounding single-family residences. The office is located within a single-family residence that has a similar aesthetic of adjacent houses.

B. Whether a proposed change in conditions will adversely affect the existing use or usability of adjacent or nearby property.

The existing use and usability of the adjacent or nearby properties would not be impacted by the requested change in conditions. Expanding the use to include other professional and business offices would not significantly change the use of the property as it had been used as a chiropractic office from 2010 to 2019.

C. Whether the property to be affected by a proposed change in conditions has a reasonable economic use as currently zoned.

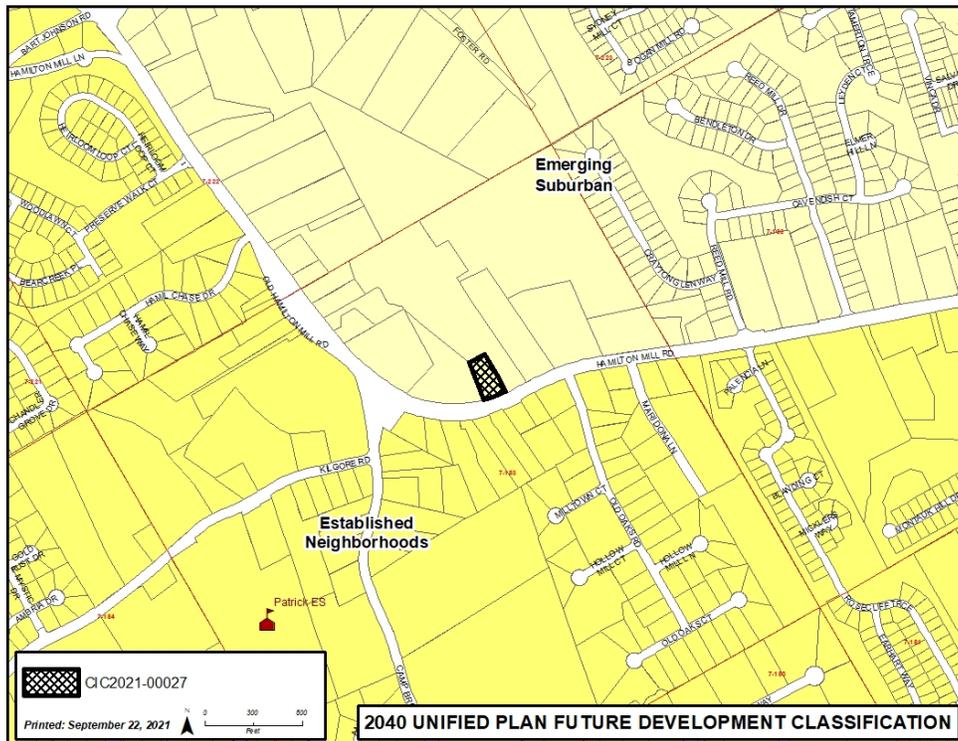
The property, as currently zoned, has a reasonable economic use.

D. Whether the proposed change in conditions will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

An impact on public facilities is not anticipated in the form of traffic, utility demand, and stormwater runoff for the change in conditions request. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements, related to this request, are attached (Exhibit E).

E. Whether the proposed change in conditions is in conformity with the policy and intent of the Unified Plan and Future Development Map.

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Emerging Suburban Character Area. This designation is intended for areas that are expected to experience new development during the 20-year planning period. Corner and neighborhood serving retail or institutional uses may be integrated where appropriate. A professional or business office would thus be appropriate in this area.



Surrounding Future Land Use

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed change in conditions.

The nearby areas are developed with single-family residences. The subject property will not adversely impact the surrounding area with the change in conditions to include professional and business offices, which may include a real estate or insurance office.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the change in conditions request.

Staff Recommended Conditions

NOTE: The conditions below are those from RZC-08-083 with additions in bold and deletions in strikethrough.

Approval of a Change in Conditions for a professional and business office, subject to the following conditions:

1. To restrict the use of the property as follows:
 - a. Limited to medical **and professional** office and accessory uses within the existing structure, with no exterior modification to the structure other than normal maintenance. The development shall be in general ~~accordance~~ **conformance** with **Exhibit B: Site Plan dated received September 1, 2021, by the Department of Planning and Development, with revisions required by conditions and UDO, subject to the review and approval of the Director of Planning and Development.** ~~the site plan submitted at the July 16, 2008 Planning Commission hearing.~~
 - b. Abide all requirements of the Georgia Highway 124/324/Hamilton Mill Activity Center/Corridor Overlay. This shall not preclude a variance application.
2. To satisfy the following site development considerations:
 - a. Business hours of operation shall be limited to the hours between 7:00 a.m. to 9:00 p.m.
 - b. Provide a 10-foot wide landscaped strip along Hamilton Mill Road and along the internal length of the driveway. Provide a 50-foot undisturbed buffer along the northern (rear) property line, incorporating existing structures and mature vegetation. Final landscape design shall be submitted for review and approval by the Director of Planning and Development.
 - c. The existing residential driveway shall be brought up to commercial driveway standards, and be limited to only one driveway connection to Hamilton Mill Road. Exits/entrances design and location shall be subject to the approval of the Gwinnett Department of Transportation.
 - d. Hours of dumpster pick-up shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.
 - e. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property, so as not to shine directly into adjacent or nearby properties.

- f. Complete all site improvements and bring existing structure into compliance with all applicable codes and conditions of zoning prior to the issuance of a Certificate of Occupancy.
 - g. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - h. Peddlers and/or parking lot sales shall be prohibited.
 - i. No 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 or bandit signs shall be prohibited.
- ~~3. Abide the following requirements, dedications and improvements:~~
- ~~a. Dedicate at no cost to the Gwinnett County Department of Transportation the necessary rights-of-way and easements for the construction of the transportation improvement project (PN: M-0588) at Hamilton Mill Road and Camp Branch Road based on plans on file with the Gwinnett County Department of Transportation.~~
 - b. Provide at no cost to the County easements both temporary and permanent and or adequate ROW that may be necessary for the future construction of a trail according to the Gwinnett Trails Master Plan which runs along Hamilton Mill Road in accordance with the UDO

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent & Applicant's Response to Standards
- D. Letter from GC DOT
- E. Internal and External Agency Review Comments
- F. RZC-08-083 Resolution
- G. Maps

Exhibit A: Site Visit Photos



View from Hamilton Mill Road



Existing Parking on Site



Existing Structure on Site

Exhibit B: Site Plan

[attached]

RECEIVED

9/1/21 3:50PM

GENERAL NOTES:

1. SURVEY INFORMATION TAKEN FROM SURVEY FOR "JAMES R. & ADRIE L. BERRY", DATED 8/25/83, PREPARED BY THOMAS WOOD & ASSOCIATES. TOPOGRAPHIC INFORMATION TAKEN FROM GWINNETT COUNTY DE. DATED 2008.
2. NIGHT GWINNETT COUNTY INSPECTOR 24 HOURS PRIOR TO BEGINNING CONSTRUCTION AT 878-318-5000.
3. ALL CONSTRUCTION TO CONFORM WITH GWINNETT COUNTY STANDARDS AND SPECIFICATIONS.
4. PAVING CALCULATIONS:
1 SPACE/ 200 SF DRIVE
1.459 SF AT 1 SPACE/ 200 SF = 7 SPACES

PARKING PROVIDED:
6 STANDARD SPACES (1' X 18')
1 HANDICAP SPACES (8' X 12')
7 TOTAL SPACES
5. ALL LIGHTING SHALL BE OUT-OF-ROCK TYPE (I.E. NO SPILL LIGHTING SHALL BE USED).
6. NO OPEN BURNING OF TRASH, WASTE OR CONSTRUCTION DEBRIS. ONE REQUIRED AT WITH AIR CURTAIN IDENTIFIER FOR COMMERCIAL BURN. PERMIT FOR ALL BURNING MUST BE OBTAINED FROM GWINNETT COUNTY FIRE DEPARTMENT.
7. PROPOSED USE: CONSTRUCTION OFFICE.
8. DURING CONSTRUCTION, AND FOR PERMANENT ADDRESS, ROADWAY WIDTH SHALL BE 30 FT. MINIMUM FOR INTERNATIONAL FIRE CODE, 2000 EDITION, SECTION 503.2.1.
9. APPROVAL OF THESE PLANS DOES NOT CONSTITUTE APPROVAL BY GWINNETT COUNTY OR ANY LAND DISTURBING ACTIVITIES WITHIN RETAINING AREAS. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WETLAND AREA DISTURBANCE.
10. EACH BUILDING AND ITS LOCATION RELATIVE TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2000 STANDARD BUILDING CODE WITH CA STATE AMENDMENTS (SBA) WITH REGARD TO THE HEIGHT AND AREA REQUIREMENTS OF SBC TABLE 503 AND THE FIRE RESISTANCE AND NONFLAMMABLE REQUIREMENTS OF SBC TABLE 501 AND 502 BASED ON OCCUPANCY GROUP CLASSIFICATION AND TYPE OF CONSTRUCTION.
11. EACH BUSINESS SHALL POST AND MAINTAIN THE ADDRESS OF THE BUILDING IN A CONSPICUOUS PLACE VISIBLE FROM THE STREET AND BEING MORE THAN 12 FEET OFF THE CURB OR EDGE OF THE STREET. THE ADDRESS SHALL CONSIST OF FIGURES AT LEAST 4 INCHES HIGH ON CONTRASTING BACKGROUND FOR 24 HOUR VISIBILITY.
12. TOTAL BUILDING HEIGHT: EXISTING 1-STORY HOUSE
TOTAL SQUARE FOOTAGE: 1,453 SF
13. A SEPARATE BUILDING PERMIT SHALL BE OBTAINED FOR ALL RETAINING WALLS GREATER THAN 4 FEET IN HEIGHT AND ALL RETAINING WALLS DEED AS A DRAIN PRIOR TO CONSTRUCTION OF THE WALLS.
14. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
15. NO DRIVE-UP WINDOWS ARE TO BE INSTALLED.
16. HIGH INTENSITY LIGHTING FACILITIES SHALL BE SO ASSURED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM PUBLIC VIEW AND FROM ADJACENT RESIDENTIAL PROPERTY AND DOES NOT INTERFERE WITH TRAFFIC.
17. ALL BUFFERS AND TREE BANE AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
18. NO OUTSIDE STORAGE PROPOSED. THIS INCLUDES SUPPLIES, EQUIPMENT, REFRIGERATORS, ETC.
19. OTHER LOCATION, NUMBER, AND SIZE ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR EACH SIGN.
20. NO BILLBOARDS ARE PERMITTED.
21. THERE IS AN EXISTING STRUCTURE ON THE SITE.
22. THERE ARE NO OVERHEAD LINES ASSOCIATED WITH THIS PROJECT.

ACCESSIBILITY NOTES:

1. (SLOPE OF CURB RAMPS) SHALL COMPLY WITH THE REQUIREMENTS OF RULE 120-3-20-18(C), 120-3-20-18, GEORGIA ACCESSIBILITY CODE.
2. (SURFACES OF CURB RAMPS) SHALL COMPLY WITH RULE 120-3-20-18, GEORGIA ACCESSIBILITY CODE.
3. THE (UPPER 180") OF A CURB RAMP SHALL BE 36 INCHES, EXCLUSIVE OF FLARED SIDE. RULE 120-3-20-18(C), GEORGIA ACCESSIBILITY CODE.
4. (GROUND AT FLOOR SURFACES) ALONG ACCESSIBLE ROUTES AND WALKS, RAMPS, STAIRS, AND CURB RAMPS, SHALL BE STABLE, FIRM, SLIP-RESISTANT, AND SHALL COMPLY WITH RULE 120-3-20-18(B), GEORGIA ACCESSIBILITY CODE.
5. (CURB RAMPS) SHALL BE LOCKED OR PROTECTED TO PREVENT THEIR CONSTRUCTION BY PARKED VEHICLES. RULE 120-3-20-18(D), GEORGIA ACCESSIBILITY CODE.
6. (OBJECTS PROJECTING FROM WALKS, (FOR EXAMPLE, TELEPHONES) WITH THEIR LEADING EDGES BETWEEN 27 INCHES AND 30 INCHES ABOVE THE FINISHED FLOOR SHALL PROTRUDE NO MORE THAN 4 INCHES TO WALKS, CORRIDORS, PASSAGEWAYS, OR AREAS. RULE 120-3-20-13, GEORGIA ACCESSIBILITY CODE.
7. (SIDES OF CURB RAMPS) SHALL BE PROVIDED PER THE REQUIREMENT OF RULE 120-3-20-18(C), GEORGIA ACCESSIBILITY CODE.
8. (CURB RAMPS) SHALL HAVE A DETECTABLE WARNING COMPLYING WITH RULE 120-3-20-40, DETECTABLE WARNING REQUIREMENTS SHALL CONSIST OF INDICATED DOMES (DOMES MAY BE USED HOOKS ONLY). FEATURE SHALL CONTRAST IN COLOR WITH SURROUNDING SURFACE. THE DETECTABLE WARNING SHALL EXTEND THE FULL WIDTH AND 2 FT. DEPTH OF THE CURB RAMP. RULE 120-3-20-18 (C), GEORGIA ACCESSIBILITY CODE.

COMMERCIAL DEVELOPMENT DATA

PROJECT DATA
DEVELOPMENT TYPE: MEDICAL (CONSTRUCTION) OFFICE
ZONING: (D-O) OFFICE - INSTITUTIONAL
TOTAL AREA: 0.85 ACRES
LIMITS OF DISTURBED AREA: 3000 SQUARE FEET

PARKING SPACES:
NEW: 7 SPACES
TOTAL: 7 SPACES
PAVEMENT SURFACE TYPE: CONCRETE
REQUIRED PARKING SPACES:
MINIMUM: 3 SPACES
MAXIMUM: 7 SPACES
PROVIDED PARKING SPACES: 7 SPACES

BUILDING DATA:
EXISTING FLOOR AREA (SF): 1,453
NEW FLOOR AREA (SF): 300
TOTAL FLOOR AREA (SF): 1,753
EXISTING BLDG (SQ. FT.)
NEW BLDG (SQ. FT.)
HEIGHT (FEET): 1

RELATED CASES:
300-09-003

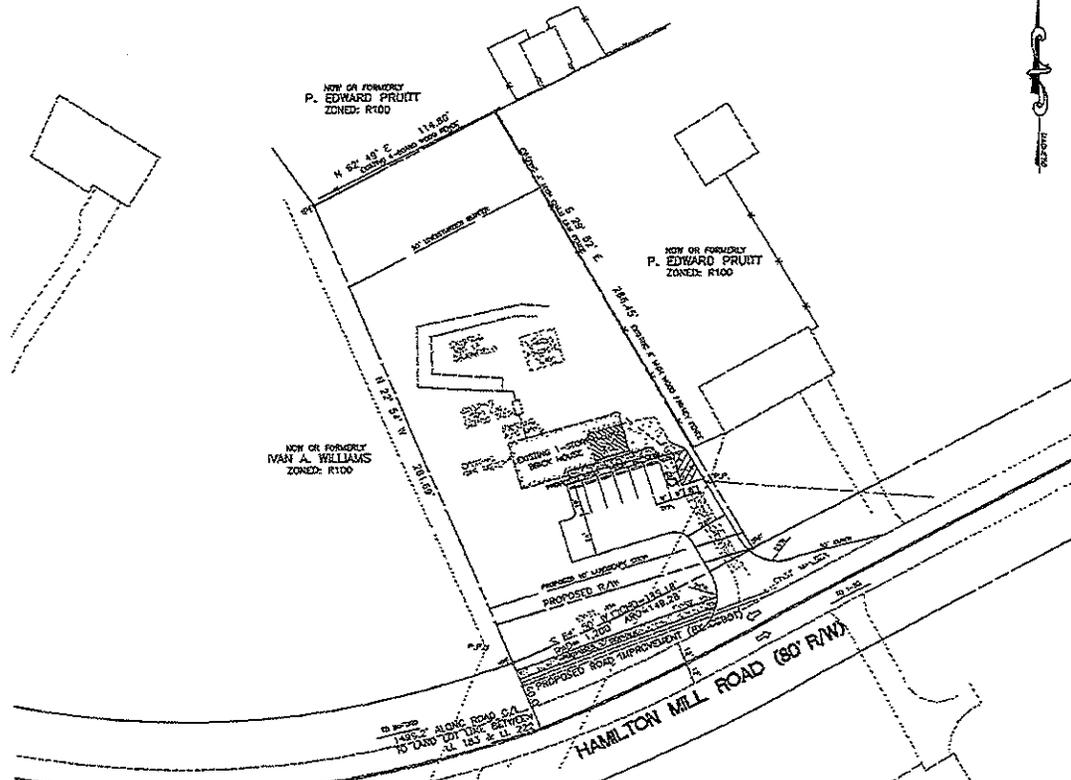
TREES:
EXISTING: 0
NEW/TYPE: 00 UNDESIGNED (NEAR)
NEW/TYPE: 10 UNDESIGNED (PROF.)
BUFFER TREES PLANTED: 0
NON BUFFER TREES PRESERVED: 4
NON BUFFER TREES REPLACED: 9
SANITARY SERVICE: SEPTIC

REVISIONS

NO.	DATE	DESCRIPTION

Professional Seal:
GWINNETT COUNTY PLANNING AND DEVELOPMENT
DATE: 03/06/09
PROJECT NO: 00-101

Graphic Scale:
1" = 30'



RECEIVED
MAR 11 2009
GWINNETT PLANNING DIVISION

SITE ADDRESS:
3555 HAMILTON MILL ROAD
BIRFORD, GA 30579

OWNER/DEVELOPER:
HAMILTON MILL SPINE CENTER
3563 PUCKETTS HILL ROAD, SLATE 300
BIRFORD, GA 30519
PHONE: (770) 614-6443
CONTACT: DR. TIM PUCH

24-HOUR CONTACT:
DR. TIM PUCH
PHONE: (770) 614-6563

UTILITIES PROTECTION CENTER, INC.

Call FREE THROUGHOUT GEORGIA
1-800-282-7411
IN ATLANTA: 328-3500

THREE WORKING DAYS BEFORE YOU DO IT THE LAW

PROPERTY AREA: 0.85 ACRES
DISTURBED AREA: 0.11 ACRES
ZONED: (D-O) OFFICE - INSTITUTIONAL

GRAPHIC SCALE:
1" = 30'

SITE PLAN FOR:
HAMILTON MILL SPINE CENTER
7TH DISTRICT, LAND LOT 183, PARCEL 0.38
GWINNETT COUNTY, GEORGIA

C2_07
DATE: 03/06/09
PROJECT NO: 00-101

Exhibit C: Letter of Intent and Applicant's Response to Standards

[attached]

RECEIVED

11/03/2021 4:30PM

REZONING APPLICANT'S LETTER OF INTENT

The Applicants, Timothy and Yenhua Pugh, request a Change in Conditions (CIC) for the property in question, located at 3495 Hamilton Mill Road, Buford, GA 30519.

The existing O & I zoning was approved by Gwinnett County in 2009, and was limited to use as a chiropractic or medical facility. The property was used as a chiropractic clinic from July 2010 through December 2019, at which time the doctor retired. It has been vacant since January 2020 due to the effect of the COVID-19 pandemic on the local business climate.

The Applicants are proposing (1) that the use of this property, which is already zoned O & I, be expanded to include other professional and business office; and (2) that the condition requiring dedication of easement/ROW to DOT at no cost be removed.

RECEIVED

9/1/21 3:50PM

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The applicant believes the proposed use is suitable.

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed use will not adversely affect the use of the surrounding properties.

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The applicant believes that the subject property does not have a reasonable economic use without the change in conditions.

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

The proposed use will not produce an adverse effect on the existing infrastructure.

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes, subject property is currently zoned O-1 /office - Institutional.

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

Yes, subject property use was limited to use as a medical/ chiropractic clinic when rezoned in 2008. Clinic closed in Dec. 2019 upon my retirement. Unable to rent for some time due to pandemic. Other businesses, including an insurance office, have expressed an interest in renting the property.

Exhibit D: Letter from GC DOT

[attached]

Fwd: 3495 Hamilton Mill Road, Buford



Eva P. <esp3395@gmail.com>
To: Angulo, Carolina

Reply Reply All Forward

Mon 9/27/2021 2:29 PM

You replied to this message on 9/30/2021 6:09 PM.



CAUTION: This email originated from outside of Gwinnett County Government. Maintain caution when opening links, attachments, or responding. When in doubt, contact phishing@gwinnettcountry.com.

Hi Brittney,

Thank you for your detailed voicemail in response to the message I left for you yesterday regarding our property at 3495 Hamilton Mill Road in Buford.

Please reply to this email and confirm that there are no plans to widen the section of Hamilton Mill Road in front of our property in the current SPLOST.

Thank you very much for your assistance in this matter.

Sincerely,

Tim Pugh

----- Forwarded message -----

From: **Bulfinch, Brittney** <Brittney.Bulfinch@gwinnettcountry.com>

Date: Mon, Sep 27, 2021, 1:06 PM

Subject: RE: 3495 Hamilton Mill Road, Buford

To: **Tim Pugh** <drimpugh@gmail.com>

Mr. **Pugh**,

Gwinnett County Department of Transportation does not currently have any planned or proposed projects that would impact your subject property. Any such plan to widen Hamilton Mill Road would need to be selected for consideration by the CPSC (Citizens Project Selection Committee) and approved by the BOC (Board of Commissioners) in a future SPLOST program.

Please let me know if you have any others questions or concerns I may assist you with.

Sincerely,

Brittney Bulfinch | Construction Division Director, Department of Transportation | Gwinnett County Government | Office
770.822.7489 | 446 West Crogan St., Suite 410, Lawrenceville GA, 30046 | www.gwinnettcountry.com

Exhibit E: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:		January 2022		
Department/Agency Name:		DOCS		
Reviewer Name:		Glenn Booman		
Reviewer Title:		Deputy Division Director – Project Admin – Parks & Recreation		
Reviewer Email Address:		glenn.booman@gwinnettcountry.com		
Case Number:		CIC2022-00004		
Case Address:		3495 Hamilton Mill Road		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Provide at no cost to the County easements both temporary and permanent and or adequate ROW that may be necessary for the future construction of a trail according to the Gwinnett Trails Master Plan which runs along Hamilton Mill Road in accordance with the UDO.			
2				
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Provide at no cost to the County easements both temporary and permanent and or adequate ROW that may be necessary for the future construction of a trail according to the Gwinnett Trails Master Plan which runs along Hamilton Mill Road in accordance with the UDO.			
2				
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TRC Meeting Date:		12-14-2021	
Department/Agency Name:		Transportation	
Reviewer Name:		Michael Johnson	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Michael.johnson2@gwinnettcounty.com	
Case Number:		CIC2022-00004	
Case Address:		3495 Hamilton Mill Road	
Comments:		<input checked="" type="checkbox"/>	YES
		<input type="checkbox"/>	NO
1	Hamilton Mill is a Minor Arterial requiring 40'-50' of Right of Way with a posted speed limit of 45 MPH and an Average Daily Traffic of 14,838 Vehicles Per Day		
2	The nearest Transit Stop is 2.4 miles away		
3	GCDOT recommends retaining the condition for dedication of R/W		
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	YES
		<input checked="" type="checkbox"/>	NO
1			
2			
3			
4			
5			
6			
7			

Exhibit F: RZC-08-083 Resolution

[attached]

CASE NUMBER RZC-08-083
GCID 2008-2154

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>
Charles Bannister, Chairman	<u>AYE</u>
Lorraine Green, District 1	<u>AYE</u>
Albert Nasuti, District 2	<u>AYE</u>
Michael Beaudreau, District 3	<u>AYE</u>
Kevin Kenerly, District 4	<u>AYE</u>

On motion of COMM. KENERLY, 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 R-100 to O-I by TIMOTHY AND YENHUA PUGH for the proposed use of a CHIROPRACTIC OFFICE (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 JULY 22, 2008 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 5TH day of AUGUST 2008, that the aforesaid application to amend the Official Zoning Map from R-100 to O-I is hereby **APPROVED** subject to the following enumerated conditions:

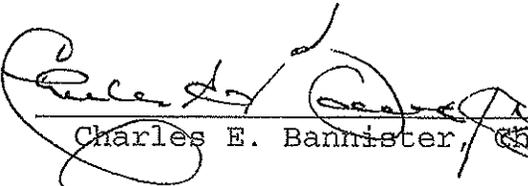
1. To restrict the use of the property as follows:
 - A. Limited to medical office and accessory uses within the existing structure, with no exterior modification to the structure other than normal maintenance. The development shall be in general accordance with the site plan submitted at the July 16, 2008 Planning Commission hearing.
 - B. Abide all requirements of the Georgia Highway 124/324/Hamilton Mill Activity Center/Corridor Overlay. This shall not preclude a variance application.
2. Satisfy the following site development considerations:
 - A. Business hours of operation shall be limited to the hours between 7:00 a.m. to 9:00 p.m.

- B. Provide a 10-foot wide landscaped strip along Hamilton Mill Road and along the internal length of the driveway. Provide a 50-foot undisturbed buffer along the northern (rear) property line, incorporating existing structures and mature vegetation. Final landscape design shall be submitted for review and approval by the Director of Planning and Development.
- C. The existing residential driveway shall be brought up to commercial driveway standards, and be limited to only one driveway connection to Hamilton Mill Road. Exits/entrances design and location shall be subject to the approval of the Gwinnett Department of Transportation.
- D. Hours of dumpster pick-up shall be limited to between the hours of 7:00 a.m. and 7:00 p.m.
- E. Lighting shall be contained in cut-off type luminaries and shall be directed in towards the property, so as not to shine directly into adjacent or nearby properties.
- F. Complete all site improvements and bring existing structure into compliance with all applicable codes and conditions of zoning prior to the issuance of a Certificate of Occupancy.
- G. Owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- H. Peddlers and/or parking lot sales shall be prohibited.
- I. No 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 or bandit signs shall be prohibited.

3. Abide the following requirements, dedications and improvements:

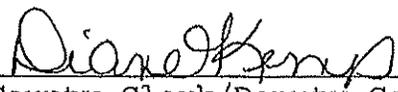
A. Dedicate at no cost to the Gwinnett County Department of Transportation the necessary rights-of-way and easements for the construction of the transportation improvement project (PN: M-0588) at Hamilton Mill Road and Camp Branch Road based on plans on file with the Gwinnett County Department of Transportation.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: 
Charles E. Bannister, Chairman

Date Signed: 08/18/08

ATTEST:


County Clerk/Deputy County Clerk



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Attachment I

convey unto

ALL that tract or parcel of land lying and being in Land Lot #183 of the 7th District of Gwinnett County, Georgia, according to a plat and survey prepared by Higginbotham & James, Surveyors, dated November 30, 1964 as recorded in Plat Book _____, Page _____, public records of Gwinnett County, Georgia. Said tract of land is designated on said plat as Lot #2, Block A of Unit #1 of Winfred Cheek Subdivision and being more particularly described as follows:

BEGINNING at a point on the northwestern side of Hamilton Mill Road, said point being located by running along the center of Hamilton Mill Road in a northeasterly direction, a distance of 1499.2 feet to the line running between Land Lots #183 and #222, from said beginning point in the center of Hamilton Mill Road. From said point in the center of Hamilton Mill Road running north 22 degrees 42 minutes west, a distance of 40 feet to an iron pin stake located on the northwestern margin of the right-of-way of

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7

BOOK 4999 PAGE 83

Hamilton Mill Road, said point being the point of beginning; from said beginning point running north 22 degrees 42 minutes west, a distance of 281.9 feet along the line dividing Lots #2 and #3 of said Subdivision, to an iron pin; thence running north 62 degrees 55 minutes east, a distance of 115 feet along the line dividing Lots #2 and #8 of said Subdivision to an iron pin; thence running south 29 degrees 52 minutes east, a distance of 286.8 feet along the line dividing Lots #1 and #2 of said Subdivision to an iron pin located on the northwestern side of Hamilton Mill Road; thence running in a south-westerly direction along the right-of-way of Hamilton Mill Road, a distance of 150.0 feet to the point of BEGINNING.

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

1998 JUL 13 PM 2:14

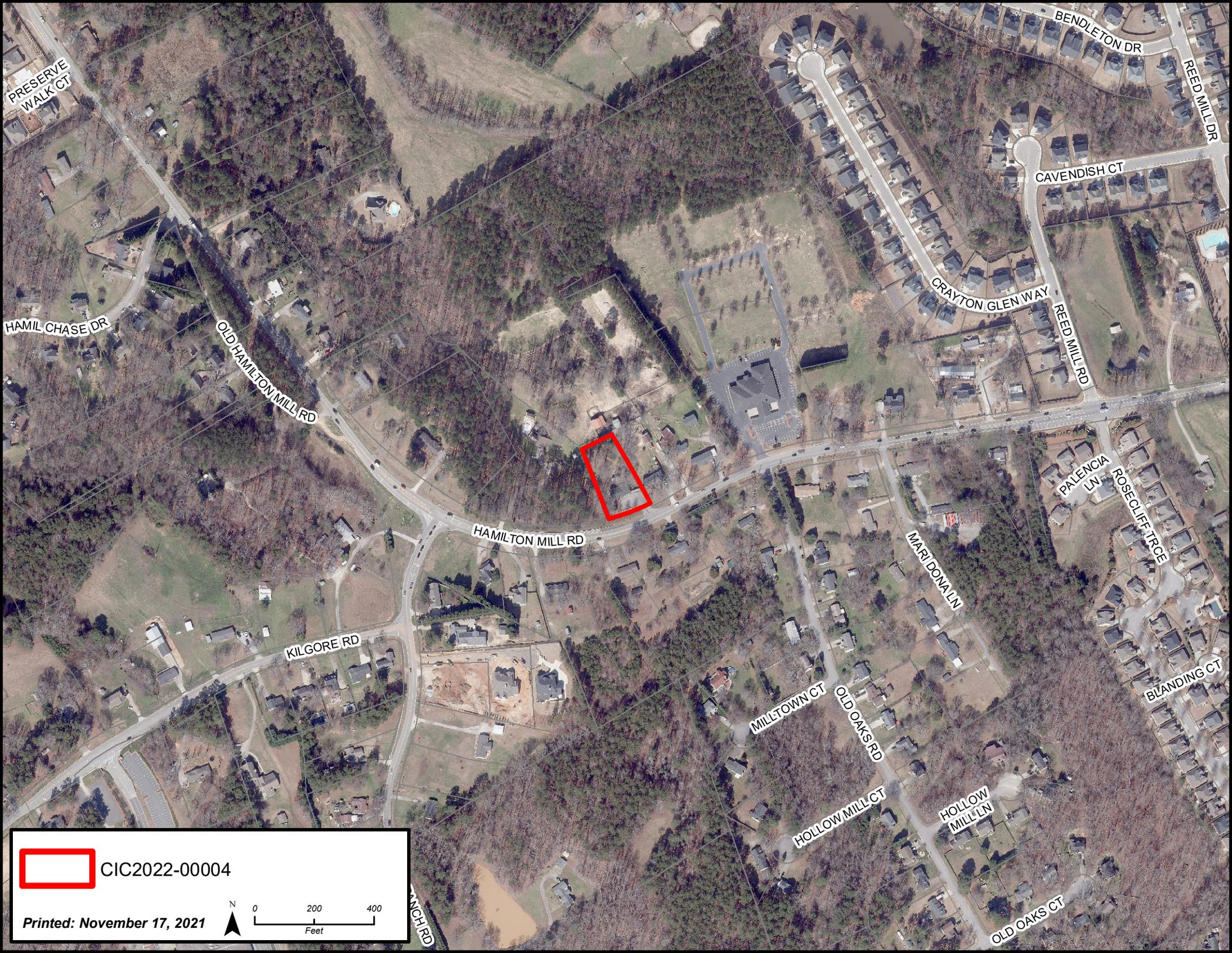
GARY R. YATES, CLERK

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APR 21 2008
GWINNETT PLANNING DIVISION

RZC 08083

Exhibit G: Maps

[attached]



PRESERVE WALK CT

HAMIL CHASE DR

OLD HAMILTON MILL RD

HAMILTON MILL RD

KILGORE RD

MILLTOWN CT

OLD OAKS RD

HOLLOW MILL CT

HOLLOW MILL LN

OLD OAKS CT

CAVENDISH CT

CRAYTON GLEN WAY

REED MIL RD

PALENCIA LN

ROSECLIFF TRCE

BLANDING CT

BENDLETON DR

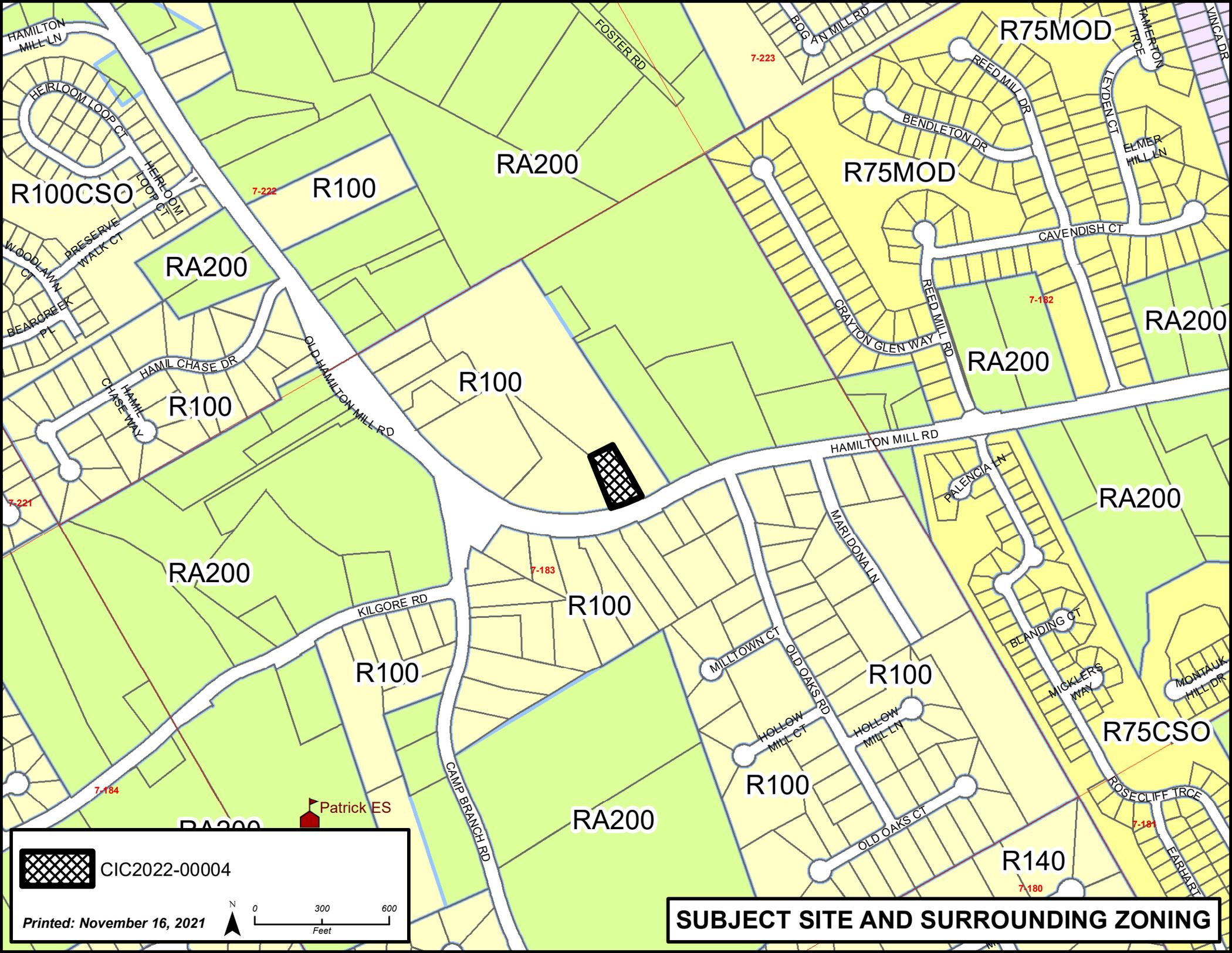
REED MIL DR

MARIONA LN

 CIC2022-00004

Printed: November 17, 2021

N
0 200 400
Feet



 CIC2022-00004

Printed: November 16, 2021  0 300 600 Feet

SUBJECT SITE AND SURROUNDING ZONING



Emerging Suburban

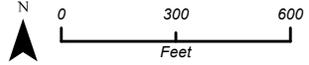
Established Neighborhoods



Patrick ES

 CIC2022-00004

Printed: November 17, 2021



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

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11/03/2021 4:30PM

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 10/2021

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Timothy and Yenhua Pugh</u>	NAME: <u>Yenhua Shen Pugh</u> (DBA YSP Hamilton, LLC)
ADDRESS: <u>3395 Duncan Bridge Drive</u>	ADDRESS: <u>3395 Duncan Bridge Dr.</u>
CITY: <u>Buford</u>	CITY: <u>Buford</u>
STATE: <u>GA</u> ZIP: <u>30519</u>	STATE: <u>GA</u> ZIP: <u>30519</u>
PHONE: <u>(706) 372-6239</u>	PHONE: <u>(706) 372-0771</u>
EMAIL: <u>esp3395@gmail.com</u>	EMAIL: <u>esp3395@gmail.com</u>
CONTACT PERSON: <u>Tim Pugh</u> PHONE: <u>(706) 372-6239</u>	
CONTACT'S E-MAIL: <u>esp3395@gmail.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICTS(S): <u>O-1</u>	PRIOR ZONING CASE: <u>RZC-08-083</u>
PARCEL NUMBER(S): <u>R7183003B</u>	ACREAGE: <u>0.83</u>
ADDRESS OF PROPERTY: <u>3495 Hamilton Mill Rd., Buford, GA 30519</u>	
PROPOSED CHANGE IN CONDITIONS: <u>(1) Expand to include other professional and business offices; (2) Remove the condition that requires dedication of easement/row to DOT at no cost.</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>1</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>1,448</u>
GROSS DENSITY: _____	DENSITY: _____
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

9/1/21 3:56PM

Gwinnett

PRE-APPLICATION INFORMATION FORM

NOTE: Once the Pre-Application Meeting is complete, staff will provide the applicant with a signed copy of this form. This signed copy must be submitted with your official zoning/variance application.

Applicant Information:

Name: Timothy & Yenhua Pugh
Company: Hamilton Mill Spine Center
Mailing Address: 3395 Duncan Bridge Drive
City, State, Zip Code: Buford, GA 30519
Phone Number: (706) 372-6239 Email Address: drtimpugh@gmail.com

Project Summary:

Address of Project: 3495 Hamilton Mill Road, Buford, GA 30519
Name of Project: Hamilton Mill Spine Center
Application Type (Rezoning, Change in Conditions, Special Use Permit, Buffer Reduction, Variance, Other):
Other

Total Project Acreage: 0.83 Total Square Footage: 1448 Total Number of Lots/Units: 1

Detailed Description (Include Proposed Use(s) and Square Footage of Floor Area for each use): Wish to allow property to be used for business purposes permitted under O-I zoning regulations in addition to its current use as a medical/chiropractic facility.

Pre-Application Information Form Submittal Checklist:

- Completed Pre-Application Information Form
- One PDF digital version of Concept Plan

For Internal Use Only:

Pre-Application Meeting Date: 7/22/21

Staff Printed Name: Catherine Long Signed: Catherine Long

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9/1/21 3:50PM

CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The applicant believes the proposed use is suitable.

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

The proposed use will not adversely affect the use of the surrounding properties.

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The applicant believes that the subject property does not have a reasonable economic use without the change in conditions.

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

The proposed use will not produce an adverse effect on the existing infrastructure.

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes, subject property is currently zoned O-1 /office - Institutional.

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

Yes, subject property use was limited to use as a medical/ chiropractic clinic when rezoned in 2008. Clinic closed in Dec. 2019 upon my retirement. Unable to rent for some time due to pandemic. Other businesses, including an insurance office, have expressed an interest in renting the property.

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9/1/21 3:50PM

CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Yen J. Pugh

Signature of Applicant

9/1/21

Date

Yenhua Pugh

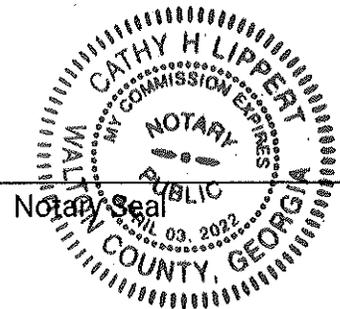
Type or Print Name and Title

Cathy H. Lippert

Signature of Notary Public

9-1-2021

Date



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9/1/21 3:50PM

Gwinnett County Planning Division
Change in Conditions Application
Last Updated 5/2021

CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Y. P. Pugh

Signature of Property Owner

9/1/21

Date

Yenhua Pugh

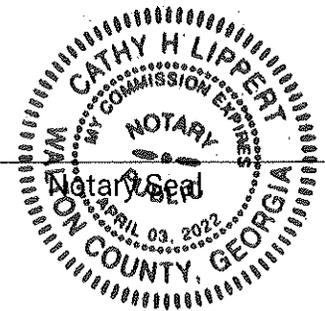
Type or Print Name and Title

Cathy H. Lippert

Signature of Notary Public

9-1-2021

Date



RECEIVED

9/1/21 3:50PM

**VERIFICATION OF CURRENT PAID PROPERTY TAXES
FOR CHANGE IN CONDITIONS**

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*** NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: 07 - 183 - R7183003B
(Map Reference Number) District Land Lot Parcel

Y. S. Pugh 9/1/21
Signature of Applicant Date

Yenhua Pugh
Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

V. Sahaky
NAME
9/1/2021
DATE

TSAII
TITLE

*Current taxes are
7 due 10/15/2021*

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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11/03/2021 4:30PM

REZONING APPLICANT'S LETTER OF INTENT

The Applicants, Timothy and Yenhua Pugh, request a Change in Conditions (CIC) for the property in question, located at 3495 Hamilton Mill Road, Buford, GA 30519.

The existing O & I zoning was approved by Gwinnett County in 2009, and was limited to use as a chiropractic or medical facility. The property was used as a chiropractic clinic from July 2010 through December 2019, at which time the doctor retired. It has been vacant since January 2020 due to the effect of the COVID-19 pandemic on the local business climate.

The Applicants are proposing (1) that the use of this property, which is already zoned O & I, be expanded to include other professional and business office; and (2) that the condition requiring dedication of easement/ROW to DOT at no cost be removed.

WINNETT COUNTY
PLANNING AND DEVELOPMENT
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9/1/21 3:50PM

Attachment I

convey unto

ALL that tract or parcel of land lying and being in Land Lot #183 of the 7th District of Gwinnett County, Georgia, according to a plat and survey prepared by Higginbotham & James, Surveyors, dated November 30, 1964 as recorded in Plat Book _____, Page _____, public records of Gwinnett County, Georgia. Said tract of land is designated on said plat as Lot #2, Block A of Unit #1 of Winfred Cheek Subdivision and being more particularly described as follows:

BEGINNING at a point on the northwestern side of Hamilton Mill Road, said point being located by running along the center of Hamilton Mill Road in a northeasterly direction, a distance of 1499.2 feet to the line running between Land Lots #183 and #222, from said beginning point in the center of Hamilton Mill Road. From said point in the center of Hamilton Mill Road running north 22 degrees 42 minutes west, a distance of 40 feet to an iron pin stake located on the northwestern margin of the right-of-way of

Hamilton Mill Road, said point being the point of beginning; from said beginning point running north 22 degrees 42 minutes west, a distance of 281.9 feet along the line dividing Lots #2 and #3 of said Subdivision, to an iron pin; thence running north 62 degrees 55 minutes east, a distance of 115 feet along the line dividing Lots #2 and #8 of said Subdivision to an iron pin; thence running south 29 degrees 52 minutes east, a distance of 286.8 feet along the line dividing Lots #1 and #2 of said Subdivision to an iron pin located on the northwestern side of Hamilton Mill Road; thence running in a south-westerly direction along the right-of-way of Hamilton Mill Road, a distance of 150.0 feet to the point of BEGINNING.

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

1999 JUL 13 PM 2:11

GARY R. YATES, CLERK

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APR 21 2008
GWINNETT PLANNING DIVISION

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BOOK 4999 PAGE 83

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9/1/21 3:50PM

GENERAL NOTES:

1. SURVEY INFORMATION TAKEN FROM SURVEY FOR "JAMES R. & ADRIE L. BERRY", DATED 6/28/83, PREPARED BY THOMAS WOOD & ASSOCIATES. TOPOGRAPHIC INFORMATION TAKEN FROM GWINNETT COUNTY GIS, DATED 2005.
2. HONEY CREEK COUNTY INSPECTOR 24 HOURS PRIOR TO BEGINNING CONSTRUCTION AT 678-318-9070.
3. ALL CONSTRUCTION TO CONFORM WITH GWINNETT COUNTY STANDARDS AND SPECIFICATIONS.
4. PAVING CALCULATIONS:
1 SPACE/ 200 SF OPEN
1.499 SF A 1 SPACE/ 200 SF = 7 SPACES

PAVING PROVIDED:
5 STANDARD SPACES (1' X 15')
1 HANDICAP SPACES (7.5' X 11')
7 TOTAL SPACES
5. ALL LIGHTING SHALL BE OUT-OF-BOX TYPE (I.E. NO SPILL LIGHTING SHALL BE USED).
6. NO OPEN BURNING OF TRASH, WASTE OR CONSTRUCTION DEBRIS. ONE REQUIRED BY NEW AIR CERTAIN INSTRUMENT FOR COMMERCIAL BURN. PERMIT FOR ALL BURNING MUST BE OBTAINED FROM GWINNETT COUNTY FIRE DEPARTMENT.
7. PROPOSED USE: OFFICE/RETAIL.
8. DURING CONSTRUCTION, AND FOR PERMANENT ACCESS, ROADWAY WIDTH SHALL BE 30 FT. MINIMUM FOR INTERNATIONAL FIRE CODE, 2000 EDITION, SECTION 503.2.1.
9. APPROVAL OF THESE PLANS DOES NOT CONSTITUTE APPROVAL BY GWINNETT COUNTY OR ANY LAND DEPARTMENT ACTIVITIES WITHIN WETLAND AREAS. IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WETLAND AREA DISTURBANCE.
10. EACH BUILDING AND ITS LOCATION RELATIVE TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2000 STANDARD BUILDING CODE WITH CA STATE AMENDMENTS (SBE) WITH REGARD TO THE HEIGHT AND AREA REQUIREMENTS OF SBC TABLE 503 AND THE FEE REDUCTIONS AND NONRESIDENTIAL SEPARATE REQUIREMENTS OF SBC TABLES 501 AND 502 BASED ON OCCUPANCY GROUP CLASSIFICATION AND TYPE OF CONSTRUCTION.
11. EACH BUSINESS SHALL POST AND MAINTAIN THE ADDRESS OF THE BUILDING IN A CORRESPONDING PLACE VISIBLE FROM THE STREET NOT MORE THAN 15 FEET OFF THE CURB OR EDGE OF THE STREET. THE ADDRESS SHALL CONSIST OF FIGURES AT LEAST 4 INCHES HIGH ON CONTRASTING BACKGROUND FOR 24 HOUR VISIBILITY.
12. TOTAL BUILDING HEIGHT: EXISTING 1-STORY HOUSE
TOTAL SQUARE FOOTAGE: 1,453 SF
13. A SEPARATE BUILDING PERMIT SHALL BE OBTAINED FOR ALL RETAINING WALLS GREATER THAN 6 FEET IN HEIGHT AND ALL RETAINING WALLS USED AS A DAM PRIOR TO CONSTRUCTION OF THE WALLS.
14. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
15. NO DRIVE-UP WINDOWS ARE TO BE INSTALLED.
16. HIGH INTENSITY LIGHTING FACILITIES SHALL BE SO ASSIGNED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM PUBLIC VIEW AND FROM ADJACENT RESIDENTIAL PROPERTY AND DOES NOT INTERFERE WITH TRAFFIC.
17. ALL BUFFERS AND TREE SAVAGE AREAS SHALL BE CLEARLY IDENTIFIED BY PLACING AND/OR PAINTING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
18. NO OUTSIDE STORAGE DEPOSED: THIS INCLUDES SUPPLIES, EQUIPMENT, VEHICLES, ETC.
19. CORNER LOCATION, NUMBER, AND SIZE ARE NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR EACH SIGN.
20. NO BILLBOARDS ARE PERMITTED.
21. THERE IS AN EXISTING STRUCTURE ON THE SITE.
22. THERE ARE NO OVERHEAD LINES ASSOCIATED WITH THIS PROJECT.

ACCESSIBILITY NOTES:

1. (SLOPE OF CURB RAMPS) SHALL COMPLY WITH THE REQUIREMENTS OF RULE 120-3-20-18(C), 120-3-20-18, GEORGIA ACCESSIBILITY CODE.
2. (SURFACES OF CURB RAMPS) SHALL COMPLY WITH RULE 120-3-20-18, GEORGIA ACCESSIBILITY CODE.
3. THE (WIDTH) WIDTH OF A CURB RAMP SHALL BE 36 INCHES, EXCLUSIVE OF PLACED SIDES. RULE 120-3-20-18(C), GEORGIA ACCESSIBILITY CODE.
4. (GROUND & FLOOR SURFACES) ALONG ACCESSIBLE ROUTES AND WALKS, RAMPS, STAIRS, AND CURB RAMPS, SHALL BE STABLE, FIRM, SLIP-RESISTANT, AND SHALL COMPLY WITH RULE 120-3-20-18(B), GEORGIA ACCESSIBILITY CODE.
5. (CURB RAMPS) SHALL BE LOCATED OR PROTECTED TO PREVENT THEIR OBSTRUCTION BY PARKED VEHICLES. RULE 120-3-20-18(G), GEORGIA ACCESSIBILITY CODE.
6. (OBJECTS) PROJECTING FROM WALLS, (FOR EXAMPLE, TELEPHONES) WITH THEIR LEADING EDGES BETWEEN 27 INCHES AND 30 INCHES ABOVE THE FINISHED FLOOR SHALL PROTRUDE NO MORE THAN 4 INCHES TO WALLS, WALLS, CORRIDORS, PASSAGE WAYS, OR AREAS. RULE 120-3-20-15, GEORGIA ACCESSIBILITY CODE.
7. (SIDES OF CURB RAMPS) SHALL BE PROVIDED FOR THE REQUIREMENT OF RULE 120-3-20-18(C), GEORGIA ACCESSIBILITY CODE.
8. (CURB RAMPS) SHALL HAVE A DETECTABLE WARNING COMPLYING WITH RULE 120-3-20-40, DETECTABLE WARNING REQUIREMENTS. (GROOVES MAY BE USED GROOVES ONLY). FEATURE SHALL CONTRAST IN COLOR WITH SURROUNDING SURFACE. THE DETECTABLE WARNING SHALL EXTEND THE FULL WIDTH AND 2 FT. BEYOND OF THE CURB RAMP. RULE 120-3-20-18 (C), GEORGIA ACCESSIBILITY CODE.

COMMERCIAL DEVELOPMENT DATA

PROJECT DATA
DEVELOPMENT TYPE: MEDICAL (CONTRACTING) OFFICE
ZONING: (O-O) OFFICE - INSTITUTIONAL

TOTAL AREA: 0.85 ACRES
LIMITS OF DISTURBED AREA: 3000 SQUARE FEET

PARKING SPACES:
EXISTING: 0
NEW: 7 SPACES
TOTAL: 7 SPACES
PAVEMENT SURFACE TYPE: CONCRETE
REQUIREMENT: 7 SPACES
MINIMUM: 3 SPACES
MAXIMUM: 7 SPACES
PROVIDED PARKING SPACES: 7 SPACES

BUILDING DATA:
EXISTING FLOOR AREA (SF): 1,453
NEW FLOOR AREA (SF): 300
TOTAL FLOOR AREA (SF): 1,753
EXISTING BLDG (SQ. FT.)
NEW BLDG (SQ. FT.)
STORYS: 1
DENSITY (PER A):

RELATED CASES:
200-09-003

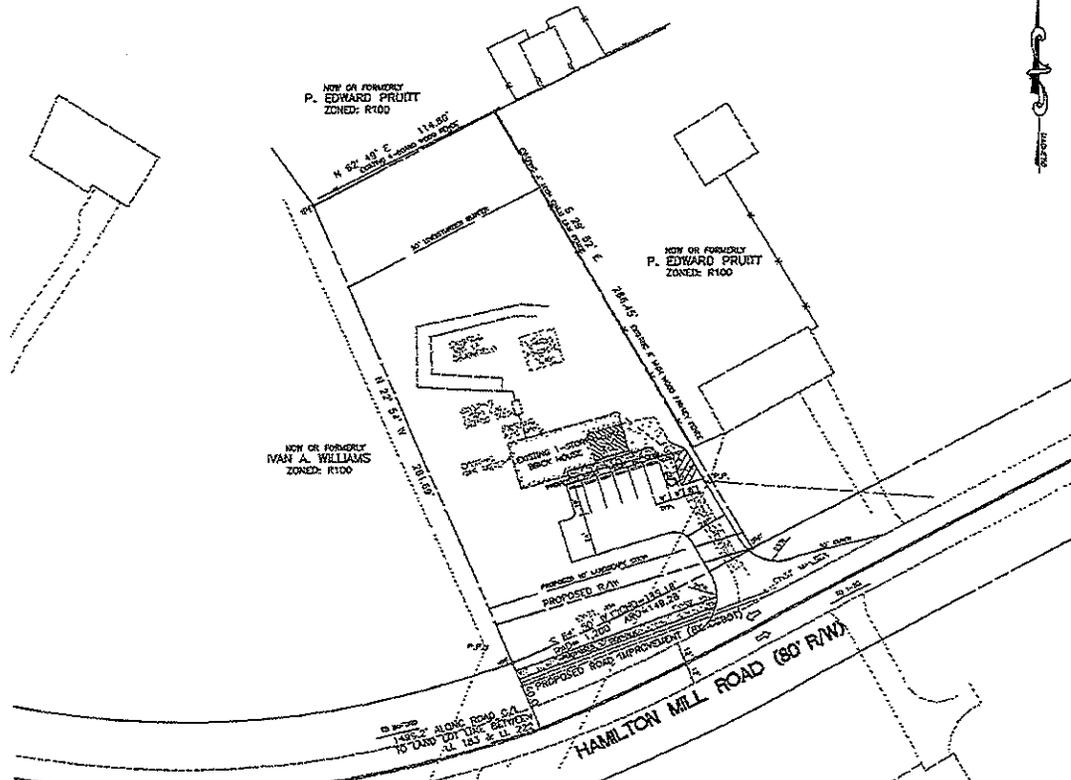
TREES:
EXISTING:
NEW/TYPE: 00 UNDESIGNED (NEAR)
NEW/TYPE: 00 UNDESIGNED (PROVIDE)
BUFFER TREES PLANTED: 0
NON BUFFER TREES PRESERVED: 4
NON BUFFER TREES REPLACED: 0
SANITARY SERVICE: SEPTIC

REVISIONS		
NO.	DATE	DESCRIPTION

Patton & Boyles, Inc.
PLANNING AND DEVELOPMENT
110 BOWEN STREET, SUITE 100
DUBLIN, GA 31006
TEL: 404.487.1111
FAX: 404.487.1111

SITE PLAN FOR
HAMILTON MILL SPINE CENTER
7TH DISTRICT, LAND LOT 183, PARCEL 0.38
GWINNETT COUNTY, GEORGIA

DATE: 03/06/09
PROJECT NO: 00-101



PROPERTY AREA: 0.85 ACRES
DISTURBED AREA: 0.11 ACRES
ZONING: (O-O) OFFICE - INSTITUTIONAL

RECEIVED
MAR 11 2009
GWINNETT PLANNING DIVISION

SITE ADDRESS:
2855 HAMILTON MILL ROAD
DUBLIN, GA 30079

OWNER/DEVELOPER:
HAMILTON MILL SPINE CENTER
3563 PUCKETTS HILL ROAD, SUITE 300
DUBLIN, GA 30019
PHONE: (770) 614-6443
CONTACT: PIR, TIM PUGH

24-HOUR CONTACT:
DR. TIM PUGH
PHONE: (770) 614-6563

UTILITIES PROTECTION CENTER, INC.

OUR FREE THROUGHOUT GEORGIA
1-800-428-7411
IN ATLANTA: 328-3500

THREE WORKING DAYS BEFORE YOU DIG
ITS THE LAW