



# Gwinnett County Board of Commissioners

Tuesday, September 25, 2007 - 7:00 PM

## Public Hearing - Minutes

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

### **II. Opening Remarks by Chairman**

### **III. Approval of Agenda**

{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

### **IV. Approval of Minutes:** Business Session: September 18, 2007

{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

### **V. Announcements**

- Resolution of Recognition: Commending Burglary Witnesses for Acts of Heroism  
{Action: Approved Motion: Green Second: Bannister Vote: 4-0 (Kenerly Absent)}
- Resolution of Recognition: Commending the Shiloh Heat 12 and Under Traveling Baseball Team from Lenora Park  
{Action: Approved Motion: Bannister Second: Nasuti Vote: 4-0 (Kenerly Absent)}

### **VI. Old Business**

#### **1. Water Resources/Frank Stephens**

**2007-1393 Approval** for the Board of Commissioners to declare all current and future unserviceable water meters, copper tubing, brass fittings, fire hydrants, metal pipe and all associated metals surplus, and to be sold at a later date. Commission District: All(Tabled on 9/18/2007)(Staff Recommendation: Approval) {Action: Denied Motion: Bannister Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

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**VII. New Business**

**1. Support Services/Connie Hinson**

**2007-1469 Approval/authorization** for the Chairman to execute a purchase and sale agreement between Vendue Properties, LLC and Gwinnett County, Georgia approving the purchase of +/- 14.20 acres, located in land lot 272 of the 5th district, Gwinnett County, Georgia in the amount of \$1,000,000 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. District 3/Beaudreau(Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**VIII. Public Hearing – Old Business**

**1. Planning & Development/Glenn Stephens**

**2007-1220 CIC-07-023**, Applicant: JSA, Inc., Owner JSA, Inc., to Change Conditions of Zoning for Property Zoned C-2, District 6 Land Lot 150 Parcel 441, 600 Block of Beaver Ruin Road, 1.06 Acres, District 2/Nasuti(Tabled on 8/28/2007)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied Without Prejudice Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly)}

**2007-1221 CIC-07-024**, Applicant: Jimmy L. Glenn, Owner: GS&T Properties, LLC, to Change Conditions of Zoning for Property Zoned M-1, District 7 Land Lot 168 Parcel 036, 500 Block of Satellite Boulevard and the 3200 Block of Burnette Road, 7.49 Acres, District 1/Green(Tabled on 8/28/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied Without Prejudice Motion: Green Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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**VIII. Public Hearing – Old Business**

**1. Planning & Development/Glenn Stephens**

**2007-1115 SUP-07-074**, Applicant: Imperial Investments Group, Inc., Owner: Dray Investors, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Building Height Increase, District 1 Land Lot 001 Parcel 048, 2700 Block of Hamilton Mill Road, 3.21 Acres, District 4/Kenerly(Tabled on 9/25/2007) (Tabled to 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**2007-1082 RZC-07-030**, Applicant: Lenox Residential Development, LLC, Owner: Michael Aaron Lee, R-100 to O-I, Personal Care Home (Congregate), District 6 Land Lot 089 Parcel 004, 3800-3900 Block of Five Forks Trickum Road, 16.01 Acres, District 2/Nasuti(Tabled on 9/25/2007) (Tabled to 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/16/2007] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**2007-1083 SUP-07-014**, Applicant: Lenox Residential Development, LLC, Owner: Joann Staples, et al, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Personal Care Home (Congregate), District 6 Land Lot 089 Parcel 004, 3800-3900 Block of Five Forks Trickum Road, 16.01 Acres, District 2/Nasuti(Tabled on 9/25/2007) (Tabled to 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/16/2007] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

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**1. Planning & Development/Glenn Stephens**

**2007-0720 RZC-07-038**, Applicant: Wilwat Properties, Inc., Owner: Su-Tzu Huang Living Trust, et al, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 002 Parcels 036, 040, 041, 136, 144, and 190, 700 Block of Auburn Road, 3400 Block of Fence Road, 5.47 Acres, District 3/Beaudreau(Tabled on 8/28/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}**

**2007-1108 RZC-08-031**, Applicant: Wilwat Properties, Inc., Owner: Telia F. Hanks, Owner: Mark A. Hanks, et al, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 001 Parcel 443, 3400 Block of Fence Road, 2.00 Acres, District 3/Beaudreau(Tabled on 8/28/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}**

**2007-1109 RZC-08-032**, Applicant: Wilwat Properties, Inc., Owner: Mark A. Hanks, Owner: Telia F. Hanks, et al, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 001 Parcels 018 and 417, 800 Block of Auburn Road, 3.26 Acres, District 3/Beaudreau(Tabled on 8/28/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}**

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**1. Planning & Development/Glenn Stephens**

**2007-1203 RZC-08-001**, Applicant: Annette Phillips Rogers, Owner: Annette Phillips Rogers, R-100 to M-1, Office/Warehouse (Reduction in Buffers), District 6 Land Lot 087 Parcel 087, 1000 Block of Oak Road, 2.37 Acres, District 3/Beaudreau(Tabled on 9/25/2007) (Tabled to 11/13/2007)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions as O-I][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-1213 RZC-08-009**, Applicant: Mr. Shahbaz Sherwani, Owner: Mr. Shahbaz Sherwani, RA-200 to C-2, Automobile Sales, District 6 Land Lot 259 Parcel 057, 4300 Block of Buford Highway, 0.87 Acres, District 2/Nasuti(Tabled on 8/28/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**2007-1214 SUP-08-003**, Applicant: Mr. Shahbaz Sherwani, Owner: Mr. Shahbaz Sherwani, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Automobile Sales, District 6 Land Lot 259 Parcel 057, 4300 Block of Buford Highway, 0.87 Acres, District 2/Nasuti(Tabled on 8/28/2007)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Denied Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**2007-1219 RZC-08-015**, Applicant: Lian Cong Zhang, Owner: Lian Cong Zhang, M-2 to C-2, Commercial Retail Uses, District 6 Land Lot 261 Parcels 061 and 054, 2900 Block of Pleasant Hill Road and the 3800 Block of Bank Street, 4.91 Acres, District 1/Green(Tabled on 9/25/2007) (Tabled to 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/16/2007] {Action: Tabled Motion: Green Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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**VIII. Public Hearing – Old Business**

**1. Planning & Development/Glenn Stephens**

**2007-0436 RZR-07-012**, Home Crafters, Inc., Modified Single-Family Subdivision, RA-200 to R-100 Modified, LL003, 2nd District, Parcels 023 and 209, 400 Block of Auburn Road. District 3/Beaudreau(Tabled on 9/25/2007) (Tabled to 11/13/2007)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-0437 SUP-07-015**, Home Crafters, Inc., Modified Single-Family Subdivision, R-100 (Proposed), LL003, 2nd District, Parcels 023 and 209, 400 Block of Auburn Road. District 3/Beaudreau(Tabled on 9/25/2007) (Tabled to 11/13/2007)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**IX. Public Hearing – New Business**

**1. Transportation/Brian Allen**

**2007-1347 Approval** of incorporation into the Gwinnett County Speed Hump Program - Chandler Creek (M-0092-39) estimated cost: \$ 8,200.00 - 2001 Sales Tax Program - Commission District 1/Green(Staff Recommendation: Approval) {Action: Approved Motion: Green Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-1403 Approval** of incorporation into the Gwinnett County Speed Hump Program - The Forest (M-0092-40) estimated cost: \$4,920.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau(Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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**IX. Public Hearing – New Business**

**2. Buffer Reduction:**

**2007-1479 BRD-07-003**, Applicant: Edward E. Loudermilk, P.E., Owner: Barbara McCoy, for a Buffer Reduction in a C-2 Zoning District from 75 Feet to Zero Feet, District 6 Land Lot 266 Parcel 057, 3600 Block of Buford Highway and the 3000 Block of Creek Drive, 4.81 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved Motion: Green Second: Nasuti Vote: 4-0 (Kenerly Absent)}**

**3. Change in Conditions:**

**2007-1463 CIC-07-028**, Applicant: Quinton Homes, Inc., Owner: Trammell Construction to Change Conditions of Zoning for Property Zoned R-ZT, District 5 Land Lot 047 Parcel 004, 2000 Block of Lawrenceville Highway and the 200 Block of Clearwater Place, 10.31 Acres, District 4/Kenerly(Tabled on 9/25/2007) (Tabled to 10/16/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}**

**2007-1464 CIC-07-029**, Applicant: Foothills Development Group, LLC, Owner: Foothills Development Group, LLC, to Change Conditions of Zoning for Property Zoned C-2 (Reduction in Buffers), District 6 Land Lot 054 Parcel 026, 3900 Block of Stone Mountain Highway and the 3100 Block of Monterey Drive, 0.84 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}**

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**4. Special Use Permit:**

**2007-1473 SUP-07-080**, Applicant: Charlie C. Cannon, Owner: Charles Cannon, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales, District 6 Land Lot 056 Parcels 030 and 118, 4500 Block of Stone Mountain Highway, 3.66 Acres, District 3/Beaudreau(Tabled on 9/25/2007) (Tabled to 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 10/16/2007] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-1474 SUP-07-081**, Applicant: Rose M. Staples, Owner: Owen Kempton, for a Special Use Permit in an O-I Zoning District to Allow a Daycare Center, District 5 Land Lot 074 Parcel 297, 1400 Block of Scenic Highway, 0.41 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-1475 SUP-07-082**, Applicant: Maria C. Giang, Owner: David Giang, et al, for a Special Use Permit in a R-75 Zoning District to Allow a Home Occupation (Accounting Office), District 6 Land Lot 188 Parcel 360, 5600 Block of Singleton Road, 0.39 Acres, District 2/Nasuti [Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Without Prejudice Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

**2007-1476 SUP-07-084**, Applicant: Vintage Communities, Inc., Owner: Vintage Communities, Inc., for a Special Use Permit in a C-2 Zoning District to Allow Automobile Repair, District 5 Land Lot 156 Parcel 002, 0-100 Block of Ozora Road, 0.42 Acres, District 3/Beaudreau(Tabled on 9/25/2007) (Tabled to 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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**4. Special Use Permit:**

**2007-1477 SUP-07-086**, Applicant: Duncan Creek Station, LLC, Owner: Duncan Creek Station, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Mini-Warehouse Storage Facility, District 3 Land Lot 002 Parcel 035, 3500 Block of Braselton Highway, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}**

**5. Rezonings:**

**2007-1459 RZR-07-040**, Applicant: Tahoe Development Group, LLC, Owner: Louis Cancilla, et al, R-140 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 5 Land Lot 077 Parcels 026, 027, 028, 029 and 030, 300 Block of Rack Road, 11.45 Acres, District 4/Kenerly(**Tabled on 9/25/2007**) (**Tabled to 10/23/2007**)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/16/2007] **{Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}**

**2007-1460 RZM-07-013**, Applicant: Tahoe Development Group, LLC, Owner: Louis Cancilla, et al, R-ZT to R-TH, Townhomes (Reduction in Buffers), District 5 Land Lot 084 Parcels 011, 012 and 013, 3400 Block of Sugarloaf Parkway, 6.23 Acres, District 4/Kenerly(**Tabled on 9/25/2007**) (**Tabled to 10/23/2007**)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/16/2007] **{Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}**

**2007-1442 RZR-07-027**, Applicant: Carmen Lazar, Owner: Carmen Lazar, RA-200 to R-100, Single-Family Subdivision, District 7 Land Lot 181 Parcel 031, 3000 Block of Wallace Road, 7.81 Acres, District 4/Kenerly(**Tabled on 9/25/2007**) (**Tabled to 10/16/2007**)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}**

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**5. Rezonings:**

**2007-1443 RZR-07-030**, Applicant: Hall Builders, Inc., Owner: A Will Away Construction, R-100 and RA-200 to R-60, Single-Family Subdivision, District 7 Land Lot 322 Parcels 010, 011, 059 and 112, 5500 Block of Sycamore Road, 14.34 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

**2007-1444 RZR-07-031**, Applicant: WJ Ventures, LLC, Owner: Joenelle Hetland, et al, RA-200 and R-100 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 6 Land Lot 006 Parcel 084, District 6 Land Lot 005 Parcels 001A, 212, 213 and 214, 4100 Block of Centerville Highway, 51.69 Acres, District 3/Beaudreau(Tabled on 9/25/2007) (Tabled to 1/22/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 01/15/2008] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-1445 RZR-07-033**, Applicant: South Rockbridge Properties, LLC, Owner: South Rockbridge Properties, LLC, R-100 to R-ZT, Single-Family Subdivision, District 6 Land Lot 010 Parcels 004 and 061, 8000 Block of Rockbridge Road, 13.60 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied Without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-1446 RZR-07-034**, Applicant: Hemlock Holdings, LLC, Owner: Hulon L. Minor, R-75 to R-ZT, Single-Family Subdivision, District 6 Land Lot 227 Parcel 004, 2200 Block of Ingram Road, 5.62 Acres, District 2/Nasuti(Tabled on 9/25/2007) (Tabled to 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/16/2007] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}

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**5. Rezonings:**

**2007-1455 RZR-07-036**, Applicant: Megan Real Estate Developers, Inc., Owner: Harvie J. Ewing, Jr., RA-200 to R-100, Single-Family Subdivision, District 5 Land Lot 356 Parcels 005, 006 and 009, 2800 Block of Harbins Road, 104.53 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied Without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

**2007-1456 RZR-07-037**, Applicant: Andrew Perry, Owner: Berkeley Hills Country Club, Inc., RA-200 to R-75 CSO, Single-Family Conservation Subdivision, District 6 Land Lot 228 Parcel 076, 2300 Block of Pond Road and 4600-4700 Block of Bogie Road, 46.80 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

**2007-1457 SUP-07-090**, Applicant: Andrew Perry, Owner: Berkeley Hills Country Club, Inc., for a Special Use Permit in an R-75 CSO (Proposed) Zoning District to Allow a Single-Family Conservation Subdivision, District 6 Land Lot 228 Parcel 076, 2300 Block of Pond Road and the 4600-4700 Block of Bogie Road, 46.80 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

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**IX. Public Hearing – New Business**

**5. Rezonings:**

**2007-1458 RZR-07-039**, Applicant: Vintage Communities, Owner: Vintage Communities, RA-200 to R-100, Single-Family Subdivision, District 3 Land Lot 003 Parcel 286, 6100 Block of Mount Moriah Road, 4.99 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Kenerly Absent)}**

**2007-1461 RZR-07-041**, Applicant: Coral Lindsay, Owner: Coral Lindsay, RA-200 to R-100, Single-Family Subdivision, District 6 Land Lot 037 Parcel 005, 2900 Block of Ross Road, 1.68 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Green Vote: 4-0 (Kenerly Absent)}**

**2007-1462 RZR-07-042**, Applicant: James Corcoran, Owner: Emory Morsberger, R-100 to R-75, Single-Family Subdivision, District 5 Land Lot 005 Parcel 005, 3000 Block of Greenvalley Road, 4.94 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] **{Action: Denied Without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}**

**X. Comments from Audience**

**XI. Adjournment**