

Board of Commissioners

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Charlotte J. Nash, Chairman
Shirley Fanning Lasseter, District 1
Lynette Howard, District 2
Mike Beaudreau, District 3
John Heard, District 4



Public Hearing Minutes Tuesday, September 27, 2011 - 7:00 PM

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval to Amend Agenda

{Action: Approved to add 2011-0881 Motion: Beaudreau Second: Lasseter
Vote: 5-0}

Approval of Amended Agenda

{Action: Approved Motion: Beaudreau Second: Lasseter Vote: 5-0}

IV. Approval of Minutes: Business Session: September 20, 2011

Executive Session: September 27, 2011

{Action: Approved Motion: Beaudreau Second:
Lasseter Vote: 5-0}

V. Announcements

- **Resolution of Recognition:** 2011 National Emergency Preparedness Month
{Action: Approved Motion: Beaudreau Second: Lasseter Vote: 5-0}
- **Resolution of Recognition:** Commending Bradley Newton, 2011 Future
Business Leaders of America National Winner
{Action: Approved Motion: Heard Second: Howard Vote: 5-0}

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VI. Public Hearing – Old Business

I. Planning & Development/Bryan Lackey

2011-0039 CIC2011-00003, Applicant: KRR Partners, LLC, Owners: KRR Partners, LLC, KRR Partners 2, LLC, Community Bank of the South, to Change Conditions of Zoning on property zoned R-TH to Reduce Dwelling Size, Revise Required Building Materials, and Reduce Garage Requirement, District 7 Land Lot 032 Parcels 416 - 430, 439 - 490, and 503, 900 Block of Parkside Walk Lane, 900 - 1000 Block of Parkside Wood Court, 500 - 800 Block of Justin Place Lane, 1000 Block of Justin Place Court, 1000 Block of Haley Woods Court, 900 - 1000 Block of Haley Woods Lane, 9.67 Acres. District 1/Lasseter (Tabled on 09/27/2011) (Tabled to 10/25/2011)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 5-0}

2011-0251 SUP2011-00015, Applicant: Kimberly Weddington, Owner: David Redmon and G. Curtis Swiley, for a Special Use Permit in a C-2 Zoning District to Allow a Kennel, District 6 Land Lot 274 Parcel 047, 7000 Block of Jimmy Carter Boulevard, 5.75 Acres. District 2/Howard (Tabled on 09/27/2011) (Tabled to 01/24/2012)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/3/2012] {Action: Tabled Motion: Howard Second: Beaudreau Vote: 5-0}

2011-0621 SUP2011-00039, Applicant: Chin Woo Lee, Owner: Chin Woo Lee, for a Special Use Permit in a C-2 Zoning District for a Pool or Billards Hall, District 7 Land Lot 152 Parcel 263, 2700 Block of Lawrenceville-Suwanee Road, 3.56 Acres. District 1/Lasseter [Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Lasseter Second: Howard Vote: 5-0}

2010-1035 RZC2010-00021, Applicant: Pointebrand, LLC & Pointebrand II, LLC, Owner: Pointebrand, LLC & Pointebrand II, LLC, R-ZT & C-2 to M-1, Office / Warehouse / Distribution, District 7 Land Lot 172 Parcels 001 & 009, 500 - 600 Block of Horizon Drive, 80.27 Acres. District 4/Heard (Tabled on 09/27/2011) (Tabled to 01/24/2012)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 1/3/2012] {Action: Tabled Motion: Heard Second: Beaudreau Vote: 5-0}

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VII. Public Hearing – New Business

1. Police Services/Charlie Walters

2011-0713 Approval/authorization to adopt resolution to impose a 911 charge on prepaid wireless service at the point of sale. (Staff Recommendation: Approve) **{Action: Approved Motion: Beaudreau Second: Howard Vote: 5-0}**

2011-0714 Approval/authorization to adopt a resolution to amend Code of Ordinances of Gwinnett County, Chapter 18, Occupation Tax and Business Regulation by repealing Article XII, Sections 18-312 and 18-313 in their entirety and replacing them with a new Article XII, Sections 18-312, 18-313, 18-314, 18-315 and 18-316; by repealing Section 18-333 of Article XIII in its entirety and replacing it with a new Section 18-333; and adoption of a new Work Permit/Business Certificate Fee Schedule. (Staff Recommendation: Approve) **{Action: Approved Motion: Beaudreau Second: Lasseter Vote: 5-0}**

2. Buffer Reduction

2011-0737 BRD2011-00001, Applicant: Walmart, Owner: Norcross Trust, To Reduce Required Buffer from 75 feet to 0 - 10 feet for property zoned C-2, District 6 Land Lot 169 Parcel 135, 1100 - 1200 Blocks of Rockbridge Road, 13.04 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Howard Second: Lasseter Vote: 5-0}**

3. Change in Conditions

2011-0736 CIC2011-00016, Applicant: Richard and Myrna Blanton, Owner: Richard and Myrna Blanton, Change Conditions of Zoning on property zoned C-2 to Remove Landscape Strip Requirement, District 6 Land Lot 190 Parcel 053, 6100 Block of Singleton Road, 0.50 Acre. District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Lasseter Second: Beaudreau Vote: 5-0}**

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4. Mixed Use Overlay

2011-0735 MUO2011-00001, Applicant: The Worthing Companies, Owner: Redus Georgia Commercial, LLC, C-2 to MUO, Mixed Use Overlay, District 7 Land Lot 124 Parcels 086, 089 & 090, 1400 Block of Distribution Drive, 1400 Block of Satellite Boulevard, 18.16 Acres. District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Lasseter Second: Howard Vote: 5-0}**

5. Special Use Permit

2011-0723 SUP2011-00046, Applicant: Martha Adams, Owner: Martha Adams, for a Special Use Permit in an R-100 Zoning District for an In-Home Hair Salon (Renewal), District 7 Land Lot 127 Parcel 088, 400 Block of Arbour Run, 2400 Block of Lawrenceville-Suwanee Road, 0.49 Acre. District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Lasseter Second: Beaudreau Vote: 5-0}**

2011-0724 SUP2011-00047, Applicant: Abbas Arman, Owner: Joe Frank, for a Special Use Permit in a C-2 Zoning District for a Precious Metals Dealer, District 6 Land Lot 244 Parcel 160, 6200 Block of Buford Highway, 5.57 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Howard Second: Beaudreau Vote: 5-0}**

2011-0725 SUP2011-00048, Applicant: Maryam Saghaei, Empyrean Jewelers Design Corp., Owner: Mall of GA, LLC, for a Special Use Permit in a C-2 Zoning District for a Precious Metals Dealer, District 7 Land Lot 176 Parcel 004, 3300 Block of Buford Drive, 83.47 Acres. District 4/Heard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Heard Second: Beaudreau Vote: 5-0}**

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VII. Public Hearing – New Business

5. Special Use Permit

2011-0726 SUP2011-00049, Applicant: USA Money Services, Owner: Wons, LLC, for a Special Use Permit in a C-2 Zoning District for a Pawn Shop, District 1 Land Lot 001 Parcel 022, 2500 Block of Hamilton Mill Road, 2.80 Acres. District 4/Heard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Heard Second: Lasseter Vote: 3-2 (Howard & Beaudreau Opposed)}**

2011-0730 SUP2011-00053, Applicant: Xtreme Air, LLC, Owner: Cobalt Industrial Reit, for a Special Use Permit in an M-1 Zoning District for a Recreation Facility - Indoor, District 7 Land Lot 125 Parcel 134, 500 Block of Old Peachtree Road, 500 Block of Peachtree Ridge Drive, 6.10 Acres. District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Lasseter Second: Beaudreau Vote: 5-0}**

2011-0733 SUP2011-00051, Applicant: Progressive Recycling, LLC, Owner: Progressive Recycling, LLC, for a Special Use Permit in an M-2 Zoning District for a Metal and Salvage Recycling Facility (Renewal), District 6 Land Lot 258 Parcel 051, 2700 Block of Simpson Circle, 2700 Block of Keystone Court, 1.01 Acres. District 2/Howard **(Tabled on 09/27/2011) (Tabled to 11/15/2011)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/1/2011] **{Action: Tabled Motion: Howard Second: Beaudreau Vote: 5-0}**

2011-0734 SUP2011-00054, Applicant: Abbas Arman, Owner: Abbas Arman, for a Special Use Permit in a C-2 Zoning District for a Precious Metals Dealer, District 6 Land Lot 190 Parcel 051F, 5900 Block of South Norcross Tucker Road, 1.32 Acres. District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Lasseter Second: Howard Vote: 5-0}**

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VII. Public Hearing – New Business

6. Rezonings

2011-0720 RZC2011-00010, Applicants: Alexander and Judy Osowa, Owners: Alexander and Judy Osowa, R-140 to O-I, Medical Office (Reduction in Buffers), District 1 Land Lot 001 Parcel 167, 3200 Block of Hamilton Mill Road, 0.92 Acre. District 4/Heard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Heard Second: Beaudreau Vote: 5-0}

2011-0721 RZC2011-00018, Applicant: Ace Beverage Refurb & Sales, LLC, Owner: Ace Beverage Refurb & Sales, LLC, C-1 to C-2, Truck Sales, District 6 Land Lot 257 Parcel 014, 4900 Block of Buford Highway, 2600 Block of Pittman Circle, 1.59 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Howard Second: Beaudreau Vote: 5-0}

2011-0722 SUP2011-00045, Applicant: Ace Beverage Refurb & Sales, LLC, Owner: Ace Beverage Refurb & Sales, LLC, for a Special Use Permit in a C-2 (Proposed) Zoning District for Truck Sales and Service, District 6 Land Lot 257 Parcel 014, 4900 Block of Buford Highway, 2600 Block of Pittman Circle, 4.93 Acres. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Howard Second: Beaudreau Vote: 5-0}

2011-0727 RZC2011-00019, Applicant: David E. Hunt, Owners: Rick L. and Belinda Rupard, O-I to C-2, Commercial/Retail and Automobile Service (Reduction in Buffers), District 6 Land Lot 063 Parcel 026, 4600 Block of Stone Mountain Highway, 0.60 Acre. District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Heard Vote: 5-0}

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VII. Public Hearing – New Business

6. Rezonings

2011-0728 SUP2011-00050, Applicant: David E. Hunt, Owners: Rick L. and Belinda Rupard, for a Special Use Permit in a C-2 (Proposed) Zoning District for Automobile Service, District 6 Land Lot 063 Parcel 026, 4600 Block of Stone Mountain Highway, 0.60 Acre. District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Heard Vote: 5-0}**

2011-0729 RZC2011-00021, Applicant: John McGee, Owner: John and Christine McGee, R-75 to O-I, Church (Reduction in Buffers), District 5 Land Lot 016 Parcel 005, 2900 Block of Lawrenceville Highway, 2.41 Acres. District 4/Heard **(Tabled on 09/27/2011) (Tabled to 11/15/2011)** (Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/1/2011] **{Action: Tabled Motion: Heard Second: Beaudreau Vote: 5-0}**

VIII. Old Business

I. Commissioners

2011-0699 Approval of appointment to the Gwinnett County Animal Task Force. Chairman's Appointment **(Tabled on 09/27/2011) (Tabled to 10/04/2011)** **{Action: Tabled Motion: Nash Second: Beaudreau Vote: 5-0}**

2011-0701 Approval of appointment to the Gwinnett County Animal Task Force. District 1/Lasseter's Appointment **(Tabled on 09/27/2011) (Tabled to 10/25/2011)** **{Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 5-0}**

2011-0702 Approval of appointment to the Gwinnett County Animal Task Force. District 2/Howard's Appointment **(Tabled on 09/27/2011) (Tabled to 10/25/2011)** **{Action: Tabled Motion: Howard Second: Beaudreau Vote: 5-0}**

2011-0707 Approval of appointment to the Gwinnett County Animal Task Force. District 4/Heard's Appointment - **Appoint Wanda Johnson** **{Action: Approved Motion: Heard Second: Beaudreau Vote: 5-0}**

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VIII. Old Business

I. Commissioners

2011-0708 Approval of appointment to the Gwinnett County Animal Task Force. District 4/Heard's Appointment - **Appoint James Freeman** {Action: Approved Motion: Heard Second: Beaudreau Vote: 5-0}

2011-0792 Approval of appointment to the Board of Tax Assessors. Term Expires September 24, 2017. District 4/Heard Appointment – **Appoint Norman Nash** {Action: Approved Motion: Heard Second: Beaudreau Vote: 5-0}

2011-0793 Approval of appointment to the Hospital Authority. Term Expires September 30, 2014. District 1/Lasseter Appointment - **Appoint Keith Carnes, MD** {Action: Approved Motion: Lasseter Second: Beaudreau Vote: 5-0}

IX. New Business

I. County Administration

2011-0837 Approval of the August 31, 2011 financial status report and ratification of all budget amendments. (Staff Recommendation: Approval) {Action: Approved Motion: Heard Second: Beaudreau Vote: 5-0}

2. Planning & Development/Bryan Lackey

2011-0716 Approval/authorization for the Chairman to execute an Amendment to the Annual Registration of Telecommunications Towers including modifications to fee structure subject to review and approval by the Law Department. (Tabled on 09/27/2011) (Tabled to 10/25/2011) (Staff Recommendation: Approval){Action: Tabled Motion: Beaudreau Second: Heard Vote: 5-0}

2011-0717 Approval/authorization for the Chairman to execute an Amendment to the Annual Registration of Oversized Signs including modifications to fee structure subject to review and approval by the Law Department. (Tabled on 09/27/2011) (Tabled to 10/25/2011) (Staff Recommendation: Approval){Action: Tabled Motion: Beaudreau Second: Heard Vote: 5-0}

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IX. New Business

2. Planning & Development/Bryan Lackey

2011-0776 Approval/authorization of a Resolution to modify portions of the Gwinnett County land development and other services fee schedule previously approved by the Board of Commissioners.

(Tabled on 09/27/2011) (Tabled to 10/25/2011){Action: Tabled Motion: Beaudreau Second: Heard Vote: 5-0}

2011-0881 Approval/authorization for the Chairman to execute an Amendment to the Annual Registration of Telecommunication Towers and Oversized Signs to extend the time within which the initial annual return must be filed through and including December 30, 2011. {Action: Approved Motion: Beaudreau Second: Lasseter Vote: 5-0}

X. Comments from Audience

XI. Adjournment