

Board of Commissioners

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Charles E. Bannister, Chairman
Shirley Fanning Lasseter, District 1
Bert Nasuti, District 2
Mike Beaudreau, District 3
Kevin Kenerly, District 4



Public Hearing Minutes
Tuesday, October 26, 2010 - 7:00 PM

I. Call To Order, Invocation, Pledge to Flag**II. Opening Remarks by Chairman****III. Approval to Amend Agenda**

Add Items 2010-0937 and 2010-0938

{Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0}

Approval of Amended Agenda

{Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0}

IV. Approval of Minutes: **Business Session:** October 19, 2010

Executive Session: October 26, 2010

{Action: Approved Motion: Beaudreau Second:
Kenerly Vote: 4-0}

V. Announcements

- **Resolution of Recognition:** Commending Christian Baratto and Edmund Thomas for Their Outstanding Act of Bravery
{Action: Approved Motion: Kenerly Second: Nasuti Vote: 4-0}
- **Resolution of Recognition:** 2010 Family Month
{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0}

VI. Old Business**I. Commissioners**

2009-1107 Approval of appointment to the Hospital Authority. Term Expires September 30, 2012. District 1/Lasseter - Appointed Claudia Walters {Action: Approved Motion: Lasseter Second: Beaudreau Vote: 4-0}

2010-0788 Approval to fill the unexpired term of Julie Stuart from the Tree Advisory Committee. Term Expires December 31, 2011. District 2/Nasuti - Appointed Matt Houser {Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0}

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VI. Old Business

2. Support Services/Steve North

2010-0781 Approval/authorization for the Chairman to execute an Intergovernmental Agreement with the City of Lilburn to construct a joint City Hall and Library in the City of Lilburn to be jointly funded with SPLOST revenues and authorization for the County Administrator to enter into additional agreements with the City of Lilburn to more specifically address design and construction issues and the timing and method of the payment of costs by the City to the County related to the design and construction of the Public Facility. District 2/Nasuti (Tabled on 10/26/2010) (Tabled to 11/16/2010) (Staff Recommendation: Approval) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0}

VII. New Business

I. Commissioners

2010-0937 Approval to accept the resignation of Lynette Howard from the Municipal-Gwinnett Planning Commission. District 2/Nasuti {Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0}

2010-0938 Approval to fill the unexpired term of Lynette Howard from the Municipal-Gwinnett Planning Commission. District 2/Nasuti - Appointed Rebecca Peed {Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0}

VIII. Public Hearing – Old Business

I. Financial Services/Aaron Bovos

2010-0405 Approval of revision to Gwinnett County Purchasing Ordinance (6th Revision), 1st reading - June 22, 2010, 2nd reading - July 20, 2010. Authorization for Chairman to sign the ordinance subject to Law Department approval. (Staff Recommendation: Approval) {Action: Removed Motion: Beaudreau Second: Kenerly Vote: 4-0}

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VIII. Public Hearing – Old Business

2. Planning & Development/Bryan Lackey

2008-2133 TSP2008-00023, Construction of a 195 foot Tall Monopole Telecommunication Tower with ground equipment. Location is 2050 Hurricane Shoals Rd. Commission District 3 (Beaudreau). (Tabled on 10/26/2010) (Tabled to 11/16/2010) (Staff Recommendation: Approval with Conditions)(Public hearing was held) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}

2008-2134 TSP2008-00024, Construction of a 199 foot Tall Telecommunication Tower with ground equipment. Location is 2565 Camp Mitchell Road. Commission District 3 (Beaudreau). (Staff Recommendation: Approval with Conditions) {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 4-0}

2009-0975 TSP2009-00027 - Construct a 96 foot tall Monopole Telecommunication Tower with a 4 foot lightning rod (overall height 100 feet). Location is: 792 McCart Road, Lawrenceville. Commission District 4 (Kenerly). (Tabled on 10/26/2010) (Tabled to 11/16/2010)(Public hearing was not held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0}

2010-0639 CIC2010-00012, Applicant: Sentinel Properties, Inc., Owner: Gwinnett County Habitat for Humanity, to Change Conditions of Zoning on property zoned R-ZT to Reduce Dwelling Size, District 7 Land Lot 233 Parcel 430, District 7 Land Lot 233 Parcel 421, 4100 Block of Terrace Oaks Lane, 4100 Block of Terrace Oaks Court, 0.20 Acre. District 1/Lasseter (Tabled on 10/26/2010) (Tabled to 01/25/2011)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 4-0}

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VIII. Public Hearing – Old Business

2. Planning & Development/Bryan Lackey

2010-0723 CIC2010-00013, Applicant: Anthony J. Kippes, Owner: Storesmart of Buford, LLC, to Change Conditions of Zoning on Property Zoned C-2 to Remove Use Restrictions, District 7 Land Lot 146 Parcel 023, 2700 Block of Laurel Drive, 2.27 Acres. District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 4-0}**

2010-0724 SUP2010-00039, Applicant: Anthony J. Kippes, Owner: Storesmart of Buford, LLC, for a Special Use Permit in a C-2 Zoning District to Allow Truck Rental, District 7 Land Lot 146 Parcel 023, 2700 Block of Laurel Drive, 2.27 Acres. District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 4-0}**

2010-0731 SUP2010-00047, Applicant: Calina Hut, Owner: Calina Hut, for a Special Use Permit in an RA-200 Zoning District to Allow a Family Personal Care Home, District 1 Land Lot 002 Parcel 159, 2500 Block of Doc Hughes Road, 1.01 Acres. District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 4-0}**

2010-0341 RZC2010-00004, Applicant: Curt B. Thompson, Owner: Manoj Kootappilly, et al, RM to C-2, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 032 Parcels 020 & 021, 600 Block of Greenvale Road, 900 Block of Lawrenceville-Suwanee Road, 1.19 acres, District 1/Lasseter **(Tabled on 10/26/2010) (Tabled to 12/14/2010)**(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Tabled Motion: Lasseter Second: Beaudreau Vote: 4-0}**

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VIII. Public Hearing – Old Business

2. Planning & Development/Bryan Lackey

2010-0717 RZC2010-00014, Applicant: Right Now Heating and Air, LLC, Owner: Dacula Land Holdings, LLC, C-1 to C-2 (Reduction in Buffers), Contractors Office (Heating and Air Conditioning), District 3 Land Lot 002 Parcel 081, 3000 Block of Braselton Highway, 2200 Block of Cain Circle, 0.63 Acre. District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0}**

2010-0718 SUP2010-00045, Applicant: Right Now Heating and Air, LLC, Owner: Dacula Land Holdings, LLC, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow Outdoor Storage, District 3 Land Lot 002 Parcel 081, 3000 Block of Braselton Highway, 2200 Block of Cain Circle, 0.63 Acre. District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0}**

2010-0721 RZM2010-00003, Applicant: Spark I, LLC, Owner: Spark I, LLC, R-ZT to RM-13 (Reduction in Buffers), Apartments, District 7 Land Lot 188 Parcel 013, 1300 Block of Plunketts Road, 17.79 Acres. District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Denied without Prejudice Motion: Kenerly Second: Beaudreau Vote: 4-0}**

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IX. Public Hearing – New Business

1. Support Services/Steve North

2010-0863 Approval/authorization of a public hearing and abandonment of a portion of a public road known as Ivy Church Road, authorization for Chairman to execute any and all documents necessary to effectuate transaction in Land Lot 142 of the 7th Land District, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2.. Commission District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0}

2010-0864 Approval/authorization of a public hearing and abandonment of a portion of a public road known as Spout Springs Road, authorization for Chairman to execute any and all documents necessary to effectuate said transaction. Land Lot 003 of the 3rd Land District, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2. Commission Districts 3/Beaudreau and 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 4-0}

2. Transportation/Brian Allen

2010-0868 Approval of incorporation into the Gwinnett County Speed Hump Program Hopkins Mill (M-0092-77), estimated cost \$8,740.00, 2001 Sales Tax Program, Commission District 1/Lasseter (Staff Recommendation: Approval) {Action: Approved Motion: Lasseter Second: Beaudreau Vote: 4-0}

3. Special Use Permit

2010-0814 SUP2010-00051, Applicant: Matthew Berrell, Owner: Centerville Plaza, LLC, for a Special Use Permit in a C-1 Zoning District to Allow a Drug Store, District 6 Land Lot 020 Parcel 021, 4000 Block of Annistown Road, 1.44 Acres. District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 4-0}

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IX. Public Hearing – New Business

3. Special Use Permit

2010-0815 SUP2010-00059, Applicant: W. Paces Investment Group, Inc., Owner: W. Paces Investment Group, Inc., for a Special Use Permit in a C-2 Zoning District to Allow a Residential Shelter, District 7 Land Lot 033 Parcels 254, 299 & 300, 1100 Block of McKendree Church Road, 2.6 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: 4-0}**

4. Rezonings

2010-0806 RZC2010-00016, Applicant: Larissa K. Benson, Owner: Jeff Kirves, R-100 to O-I, Real Estate Office (Reduction in Buffers), District 5 Land Lot 074 Parcel 300, 1400 Block of Scenic Highway, 0.41 Acre. District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Beaudreau Second: Kenerly Vote: 4-0}**

2010-0807 RZR2010-00002, Applicant: Jerry T. and Sara Jean Herrington, Owner: Jerry T. and Sara Jean Herrington, O-I to R-100, Single-family Residence, District 7 Land Lot 070 Parcel 026, 1700 Block of Lawrenceville-Suwanee Road; 2.97 Acres. District 1/Lasseter[Planning Department Recommendation: Approve][Planning Commission Recommendation: Approve] **{Action: Approved Motion: Lasseter Second: Beaudreau Vote: 4-0}**

2010-0808 RZR2010-00004, Applicant: Ruth H. Yancey, Owner: Ruth H. Yancey, R-100 to RA-200, Special Events Facility, District 5 Land Lot 185 Parcel 107, 300 Block of Grayson New Hope Road, 1800 Block of Chandler Road, 11.23 Acres. District 3/Beaudreau **(Tabled on 10/26/2010) (Tabled to 11/16/2010)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/3/2010] **{Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}**

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IX. Public Hearing – New Business

4. Rezonings

2010-0809 SUP2010-00050, Applicant: Ruth H. Yancey, Owner: Ruth H. Yancey, for a Special Use Permit in an RA-200 (Proposed) Zoning District to Allow a Special Events Facility, District 5 Land Lot 185 Parcel 107, 300 Block of Grayson New Hope Road, 1800 Block of Chandler Road; 11.23 Acres. District 3/Beaudreau (Tabled on 10/26/2010) (Tabled to 11/16/2010)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/3/2010] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0}

2010-0810 RZR2010-00005, Applicant: Benjamin R. Hartsock, Owner: Benjamin R. Hartsock, R-100 to RA-200, Single-family Residence, District 2 Land Lot 002 Parcel 099, 500 Block of Hayes Road, 9.89 Acres. District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Beaudreau Second: Kenerly Vote: 4-0}

2010-0811 SUP2010-00053, Applicant: Benjamin R. Hartsock, Owner: Benjamin R. Hartsock, for a Special Use Permit in an RA-200 (Proposed) Zoning District to Allow a Mobile Home (Temporary), District 2 Land Lot 002 Parcel 099, 500 Block of Hayes Road, 9.89 Acres. District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Beaudreau Second: Kenerly Vote: 4-0}

2010-0812 RZR2010-00006, Applicant: American Islamic Institute, Owner: Ace Homes, LLC, et al, R-75 Modified & R-75 to R-75, Mosque and Islamic Center (Reduction in Buffers), District 6 Land Lot 158B Parcels 021, 024 and 025, 4400 Block of Burns Road, 3.19 Acres. District 2/Nasuti (Tabled on 10/26/2010) (Tabled to 11/16/2010)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/3/2010] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0}

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IX. Public Hearing – New Business

4. Rezonings

2010-0813 SUP2010-00054, Applicant: American Islamic Institute, Owner: Ace Homes, LLC, et al, for a Special Use Permit in an R-75 (Proposed) Zoning District to Allow a Mosque and Islamic Center, District 6 Land Lot 158B Parcels 021, 024 and 025, 4400 Block of Burns Road, 3.19 Acres. District 2/Nasuti (Tabled on 10/26/2010) (Tabled to 11/16/2010)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 11/3/2010] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0}

X. Comments from Audience

XI. Adjournment