

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, November 15, 2011 - 7:00 PM

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval to Amend Agenda

{Action: Approved Motion: Nash Second: Beaudreau Vote: 4-0 (Lasseter Absent)}
Add GCID Numbers: 2011-0702, 2011-0934 & 2011-1061

Approval of Amended Agenda

{Action: Approved Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

IV. Approval of Minutes: Executive Session: November 15, 2011

{Action: Approved Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

V. Announcements

- **Resolution of Recognition:** Supporting Georgia Tech Basketball in Gwinnett County
{Action: Approved Motion: Beaudreau Second: Howard Vote: 4-0 (Lasseter Absent)}
- **Resolution of Recognition:** Parkview Varsity Baseball Team 2011 Class AAAAA State Champions
{Action: Approved Motion: Heard Second: Howard Vote: 4-0 (Lasseter Absent)}

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VI. Public Hearing – Old Business

2. Planning & Development/Bryan Lackey

2011-0818 CIC2011-00018, Applicant: Beazer Homes, Corp., Owners: Beazer Homes, Corp., Change In Conditions of Zoning on property Zoned R-60 to Remove Building Materials Requirement and 30-Foot Construction Buffer, District 7 Land Lot 197 Parcels 181 and 002, 3600 Block of Suwanee Creek Road, 1400 Block of Buford Highway, 3800 Block of Idlewild Place, 14.62 Acres. District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}**

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[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}**

2011-0822 SUP2011-00061, Applicant: Hondumex Fast Cash Title Loans, LLC: Campbell Real Estate Group, LLC, for a Special Use Permit in a C-2 Zoning District to Allow A Title Loan Facility and Precious Metals Dealer, District 6 Land Lot 164 Parcel 261, 4700 Block of Britt Road, 4500 - 4600 Blocks of Jimmy Carter Boulevard, 9.20 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: 4-0 (Lasseter Absent)}**

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VI. Public Hearing – Old Business

2. Planning & Development/Bryan Lackey

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[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Change Motion: Heard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}**

VII. Public Hearing – New Business

I. Support Services

2011-0956 Approval/authorization of a public hearing and abandonment of a portion of a public road known as Ivy Creek 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/Heard (Staff Recommendation: Approval) **{Action: Approved Motion: Heard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}**

2011-0957 Approval/authorization to declare 0.0507 acres of right of way as surplus and dispose of in accordance with O.C.G.A. 32-7-4. The right of way is located on a public road known as Ivy Creek Road abutting parcel 7142 134 of the 7th Land District. Authorization for Chairman to execute any and all documents necessary to effectuate said transaction. Commission District 4/Heard (Staff Recommendation: Approval) **{Action: Approved Motion: Heard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}**

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VII. Public Hearing – New Business

2. Transportation/Kim Conroy

2011-0947 Approval of incorporation into the Gwinnett County Speed Hump Program Avington Glen-The Arbors, M-0706-04, total cost: \$8,740.00. This project is funded by the 2009 SPLOST Program. Subject to Approval by Law Department. District 3/Beaudreau (Staff Recommendation: Approval) **{Action: Approved Motion: Beaudreau Second: Heard Vote: 4-0 (Lasseter Absent)}**

3. Buffer Reduction

2011-0915 BRD2011-00003, Applicant: Wal-Mart Stores, Inc., Owner: Eliot Properties, A Georgia General Partnership, to Reduce Required Buffer from 75 feet to 0 feet for Property Zoned C-2, District 6 Land Lot 280 Parcel 018, 5000 Block of Winters Chapel Road, 7.52 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: 4-0 (Lasseter Absent)}**

4. Change in Conditions

2011-0914 CIC2011-00021, Applicant: ODwyer Homes, Owner: Killarney Investments, LLC, To Change Conditions of Zoning on property Zoned R-75 CSO to Reduce Dwelling Size and Revise Required Building Materials, District 1 Land Lot 003 Parcels 472 through 504, 3000 Block of Society Trace, 4000-5100 Block of Fellowship Drive, 6.73 Acres. District 4/Heard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] **{Action: Denied Motion: Heard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}**

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VII. Public Hearing

4. Change in Conditions

2011-0916 CIC2011-00022, Applicant: Tim Jones Communities, Inc., Owner: Tim Jones Communities, Inc., to Change Conditions of Zoning on Property Zoned R-ZT to Reduce Dwelling Size, Revise Building Materials, and Reduce Garage Requirement, District 5 Land Lot 082 Parcels 200 through 214, District 5 Land Lot 083 Parcels 436 through 443, District 5 Land Lot 083 Parcels 445 and 446, District 5 Land Lot 083 Parcels 448 through 495, 0-200 Block of Cassady Lane, 0-100 Block of Johnson Road, 100-200 Block of August West Way, 1100-1300 Block of Stella Court, 15.83 Acres. District 4/Heard (Tabled on 11/15/2011) (Tabled to 12/13/2011)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/6/2011] {Action: Tabled Motion: Heard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

5. Special Use Permit

2011-0909 SUP2011-00062, Applicant: Ana Morariu, Owner: Ana Morariu, for a Special Use Permit in an R-100 Zoning District for an In-Home Hair Salon (Renewal), District 5 Land Lot 203 Parcel 030, 1100 Block of Hiram Davis Road, 2.27 Acres. District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Heard Vote: 4-0 (Lasseter Absent)}

2011-0910 SUP2011-00063, Applicant: Glorious Global Apostolic Church, Owner: Oakston, LLC, for a Special Use Permit in an M-1 Zoning District for a Church, District 6 Land Lot 196 Parcel 122, 1500 Block of Oakbrook Drive, 4.75 Acres. District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

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VII. Public Hearing – New Business

5. Special Use Permit

2011-0913 SUP2011-00065, Applicant: Christopher M. Quigley, Owner: Anthony James Angerami Trust, for a Special Use Permit in a C-2 Zoning District for a Title Loan Facility, District 6 Land Lot 061 Parcel 029, 5200 Block of Stone Mountain Highway, 0.73 Acre. District 3/Beaudreau (Tabled on 11/15/2011) (Tabled to 12/13/2011)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Heard Vote: 4-0 (Lasseter Absent)}

6. Rezonings

2011-0911 RZC2011-00023, Applicant: Vivian D. Singleton, Owner: Vivian D. Singleton, M-1 to M-2, Salvage Operation and Recovered Materials Processing, District 6 Land Lot 259 Parcel 049 & 050, 4400 Block of Buford Highway, 4400 Block of Freedom Lane, 2.73 Acres. District 2/Howard (Tabled on 11/15/2011) (Tabled to 12/13/2011)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/6/2011] {Action: Tabled Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

2011-0912 SUP2011-00064, Applicant: Vivian D. Singleton, Owner: Vivian D. Singleton, for a Special Use Permit in an M-2 (Proposed) Zoning District for Salvage Operation and Recovered Materials Processing, District 6 Land Lot 259 Parcel 049 & 050, 4400 Block of Buford Highway, 4400 Block of Freedom Lane, 2.73 Acres. District 2/Howard (Tabled on 11/15/2011) (Tabled to 12/13/2011)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/6/2011] {Action: Tabled Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

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VII. Public Hearing

6. Rezonings

2011-0917 RZC2011-00024, Applicant: Tri-Mark Properties, LLC, Owner: Tri-Mark Properties, LLC, M-1 to C-2, Commercial / Retail Uses (Reduction in Buffers), District 7 Land Lot 256 Parcel 011, 700 Block of Buford Highway, 10.10 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: 4-0 (Lasseter Absent)}

VIII. Old Business

I. Commissioners

2011-0702 Approval of appointment to the Gwinnett County Animal Task Force. District 2/Howard's Appointment (Tabled on 11/15/2011) (Tabled to 12/13/2011){Action: Tabled Motion: Howard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

2011-0934 Approval/authorization for the Chairman to execute an Ordinance to amend the Code of Ordinances of Gwinnett County by repealing Sections 60-26 through Section 60-40 entitled Code of Ethics in their entirety; and adopting new Sections 60-26 through 60-43. Subject to review and approval by the Law Department. All Commission Districts {Action: Approved with Change Motion: Nash Second: Beaudreau Vote: 4-0 (Lasseter Absent)}

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IX. New Business

I. County Administration

2011-1061 Approval/authorization of Resolution Amending the Fiscal Year 2011 Budget to Reflect the Restoration of Compensation in the Form of Holiday Pay for November 25, 2011 and December 23, 2011; Approval to Adjust the Salaries and Benefit Appropriations in an Amount Equal to the Restoration of these Holidays; Approval to Increase the Pauper Burial Reserve and the Court Reports Reserve; and Authorization to Approve Adjustments to General Fund Revenues Based on Actual Receipts for Insurance Premium Tax and Emergency Medical Services. **{Action: Approved Motion: Heard Second: Beaudreau Vote: 4-0 (Lasseter Absent)}**

X. Comments from Audience

XI. Adjournment