



Gwinnett County Board of Commissioners

Tuesday, November 27, 2007 - 7:00 PM

Public Hearing - Agenda

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval of Agenda

IV. Approval of Minutes:

Business Session: November 13, 2007
Executive Session: November 27, 2007

V. Announcements

- Resolution of Recognition: Commending the Mill Creek Pee Wee Baseball All-Star Team on their State Championship

VI. New Business

1. County Administration

2007-1700 Approval/authorization For the Chairman to execute an Amendment to the Property Maintenance Ordinance, subject to review and approval by the Law Department.

VII. 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 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

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VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2007-1201 RZC-07-057, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Robert M. Cain, et al, R-100 & C-1 to O-I, Retirement Community (Reduction in Buffers), District 5 Land Lot 013 Parcels 129, 130, 136, 143, 144, 164, and 181, 2800 Block of Hutchins Road and the 2800-2900 Block of Brittney Place, 34.16 Acres, District 3/Beaudreau(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

2007-1202 SUP-07-029, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Robert M. Cain, et al, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Retirement Community, District 5 Land Lot 013 Parcels 129, 130, 136, 143, 144, 164, and 181, 2800 Block of Hutchins Road and the 2800-2900 Block of Brittney Place, 34.16 Acres, District 3/Beaudreau(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

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 054 and 061, 2900 Block of Pleasant Hill Road and the 3800 Block of Bank Street, 4.91 Acres, District 1/Green(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

2007-1547 RZC-08-017, Applicant: Martins Chapel, LLC, Owner: Martins Chapel, LLC, et al, R-75 to C-2, Commercial Retail Uses (Reduction in Buffers), District 5 Land Lot 213 Parcels 002, 003, 015, and 016, 700 Block of Martins Chapel Road and the 1000 Block of Simonton Road, 9.33 Acres, District 4/Kenerly(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 01/15/2008]

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VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2007-1550 RZC-08-020, Applicant: Harry L. Swilley, Owner: Harry L. Swilley, R-75 to M-1, Outdoor Storage Yard, District 6 Land Lot 257 Parcel 003A, 2700 Block of Hamrick Road, NW, 4.36 Acres, District 2/Nasuti(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice]

2007-1558 RZC-08-028, Applicant: William Youngblood, Owner: William Youngblood, et al, R-60 to O-I Office Uses (Reduction in Buffers), District 7 Land Lot 070 Parcel 012, 1700 Block of Lawrenceville-Suwanee Road, 0.90 Acres, District 1/Green(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1559 RZC-08-029, Applicant: Darji and Parma Consultants, LLC, Owner: Fence Road Properties, LLC, RA-200 to C-2, Commercial Retail Uses (Reduction in Buffers), District 2 Land Lot 002 Parcels 043 and 084, 800 Block of Auburn Road and the 3500 Block of Fence Road, 3.46 Acres, District 3/Beaudreau(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as C-2 and O-I][Planning Commission Recommendation: Tabled - Date: 01/15/2008]

2007-0922 RZR-07-021, Applicant: Kathryn Umstead, Owner: Bart Strutts, et al, RA-200 to R-ZT, Single-Family Subdivision, District 1 Land Lot 001 Parcels 172, 362, 370, 414, and 418, 3600 Block of Sardis Church Road and the 2500-2600 Block of West Rock Quarry Road, 27.95 Acres, District 4/Kenerly(Tabled on 8/28/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-75 CSO][Planning Commission Recommendation: Deny without Prejudice]

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VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2007-0923 RZR-07-022, Applicant: Kathryn Umstead, Owner: Kathryn B. Umstead, et al, RA-200 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 1 Land Lot 001 Parcels 406 and 416, 2400-2500 Block of West Rock Quarry Road, 12.64 Acres, District 4/Kenerly(Tabled on 8/28/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-75 CSO][Planning Commission Recommendation: Tabled - Date: 04/15/2008]

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 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-60]

2007-1545 RZR-07-038, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Neal C. Britt et al, RA-200 and R-75 to R-ZT, Single-Family Subdivision (Reduction in Buffers), District 6 Land Lot 159 Parcels 001, 102, and 372, District 6 Land Lot 158B Parcels 021 and 025, 4500 Block of Burns Road and the 700 Block of West Johns Road, 9.6 Acres, District 2/Nasuti(Tabled on 10/23/2007)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-75][Planning Commission Recommendation: Approve with Conditions]

VIII. Public Hearing – New Business

1. Transportation/Brian Allen

2007-1759 Approval of incorporation into the Gwinnett County Speed Hump Program - Oakland North (M-0092-43) estimated cost: \$14,760.00 - 2001 Sales Tax Program - Commission District 4/Kenerly(Staff Recommendation: Approval)

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VIII. Public Hearing – New Business

2. Change in Conditions:

2007-1671 CIC-07-031, Applicant: In Hwa Kim, Owner: In Hwa Kim, to Change Conditions of Zoning for Property Zoned C-2 (Reduction in Buffers), District 7 Land Lot 156 Parcel 006, 1200 Block of Old Peachtree Road, 0.96 Acres, District 1/Green[Planning Department
Recommendation: Approve with Conditions][Planning Commission
Recommendation: Deny without Prejudice]

2007-1672 CIC-07-032, Applicant: Bahram Karimi, Owner: Bahram Karimi, To Change Conditions of Zoning to Allow Outdoor Sales/Storage for Property Zoned C-2, District 6 Land Lot 257 Parcel 001, 5000 Block of Buford Highway, 1.1 Acres, District 2/Nasuti[Planning Department
Recommendation: Deny][Planning Commission Recommendation:
Approve with Conditions]

2007-1673 SUP-07-101, Applicant: Bahram Karimi, Owner: Bahram Karimi, for a Special Use Permit in a C-2 Zoning District to Allow Outdoor Sales/Storage, District 6 Land Lot 257 Parcel 001, 5000 Block of Buford Highway 1.1 Acres, District 2/Nasuti[Planning Department
Recommendation: Deny][Planning Commission Recommendation:
Approve with Conditions]

2007-1674 CIC-07-033, Applicant: Michele Ritsch ACP, LLC, Owner: Peachtree Parkway Properties, LLC, to Change Conditions of Zoning for Property Zoned C-2, District 6 Land Lot 301 Parcel 056, 5200 Block of Peachtree Parkway and the 4900 Block of Peachtree Corners Circle, 8.90 Acres, District 2/Nasuti[Planning Department Recommendation:
Deny][Planning Commission Recommendation: Tabled - Date:
01/15/2008]

2007-1675 CIC-07-034, Applicant: Darrel L. Seibert, Owner: Lee Duncan, to Change Conditions of Zoning for Property Zoned R-ZT, District 7 Land Lot 015 Parcel 097, 2200 Block of Cedars Road, 800-1000 Block of Progress Industrial Boulevard and the 900 Block of Progress Court, 19.57 Acres, District 4/Kenerly[Planning Department
Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

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VIII. Public Hearing – New Business

3. Special Use Permit:

2007-1676 SUP-07-095, Applicant: Staffords Auto-Plex Repair Center, Owner: Joseph Stafford, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Body Repair Shop (Reduction in Buffers), District 6 Land Lot 013 Parcel 197, 3700 Block of Centerville Highway, 2.44 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

2007-1678 SUP-07-096, Applicant: CR Auto Collision, Owner: 3140 Highway 78, LLC, for a Special Use Permit in a C-2 Zoning District to Allow an Automobile Body Repair Shop, District 6 Land Lot 051 Parcel 337, 3100 Block of Main Street, 1.0 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1679 SUP-07-097, Applicant: Highway 124, LLC, Owner: Ken Morton Properties, LLC, et al, for a Special Use Permit in a C-2 Zoning District to Allow Mini-Warehouse Storage Facility, District 6 Land Lot 020 Parcel 024, 3400 Block of Centerville Highway, 3.78 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

2007-1680 SUP-07-098, Applicant: Kings Brothers, LLC, Owner: Kings Brothers, LLC, for a Special Use Permit in a M-2 Zoning District to Allow a Church, Temple, or Synagogue, District 6 Land Lot 268 Parcel 008, 4300 Block of Peachtree Industrial Boulevard and the 3000 Block of Turman Drive, 13.50 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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VIII. Public Hearing – New Business

3. Special Use Permit:

2007-1681 SUP-07-099, Applicant: Kings Brothers, LLC, Owner: Kings Brothers, LLC, for a Special Use Permit in a M-2 Zoning District to Allow a Private School, District 6 Land Lot 268 Parcel 008, 4300 Block of Peachtree Industrial Boulevard and the 3000 Block of Turman Drive, 13.50 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1682 SUP-07-100, Applicant: Home Depot U. S. A., Inc., Owner: Home Depot U.S.A., Inc., for a Special Use Permit in a C-2 Zoning District to Allow Outdoor Sales/Storage, District 7 Land Lot 008 Parcel 035, 800 Block of Lawrenceville-Suwanee Road, 10.21 Acres, District 1/Green (West Portion) and District 4/Kenerly (East Portion)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

2007-1683 SUP-07-103, Applicant: Touchstone Bancshares, Inc., Owner: The Gates at Sugarloaf, LLC, for a Special Use Permit in an O-I Zoning District to Allow a Bank/Financial Services Institution/Drive Through, District 7 Land Lot 155 Parcel 518, 1400 Block of Satellite Boulevard, 9.67 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1684 SUP-07-104, Applicant: Keystone Development Services, LLC, Owner: Karen Maclaurin, for a Special Use Permit in a C-2 Zoning District to Allow a Mini-Warehouse Storage Facility, District 6 Land Lot 055 Parcel 124, 4300 Block of Stone Mountain Highway, 4.11 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice]

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3. Special Use Permit:

2007-1685 SUP-07-113, Applicant: Keystone Development Services, LLC, Owner: Karen Maclaurin, for a Special Use Permit in a C-2 Zoning District to Allow a Building Height Increase to Four Stories, District 6 Land Lot 055 Parcel 124, 4300 Block of Stone Mountain Highway, 4.11 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice]

4. Rezonings:

2007-1659 RZC-08-033, Applicant: Panorama Hospitality, Inc., Owner: J. C. and Imogene Mooney, et al, R-100 to C-2, Commercial/Retail (Reduction in Buffers), District 7 Land Lot 176 Parcels 007, 008, 009, 022, 042, 099, and 116, 3100 Block of Financial Center Way, 8.78 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 01/15/2008]

2007-1660 SUP-07-072, Applicant: Panorama Hospitality, Inc., Owner: J. C. and Imogene Mooney et al, for a Special Use Permit in a C-2 Zoning District for Building Height Increase to Six Stories, District 7 Land Lot 176 Parcels 007, 008, 009, 022, 042, 099, 116, 3100 Block of Financial Center Way, 8.78 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 01/15/2008]

2007-1661 RZC-08-034, Applicant: Gilbert M. Taylor, Owner: Wing Hong Company, Inc., C-1 to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 169 Parcel 001A, 4700 Block of Jimmy Carter Boulevard, 1.59 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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4. Rezonings:

2007-1662 RZC-08-035, Applicant: Atlanta Paving and Concrete Construction, Inc., Owner: Ernest T. Lopez, R-75 to M-1, Contractors Office (Reduction in Buffers), District 6 Land Lot 251B Parcels 005, 006, 022, and 024, 4400 Block of Peachtree Street, 4400 Block of Georgia Avenue, and the 6100 Block of Second Street, 1.18 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 01/15/2008]

2007-1663 RZC-08-036, Applicant: Crown Point Properties, LLC, Owner: Harvie Ewing, Jr., MH to C-2, Commercial Retail Uses, District 5 Land Lot 162 Parcels 005 and 058, 3700 Block of Loganville Highway , 200 Block of Willowwind Drive, and the 3600 Block of Bay Creek Road, 9.94 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions as C-1 and O-I][Planning Commission Recommendation: Deny]

2007-1664 RZC-08-037, Applicant: Denise Corum, Owner: Denise Corum, R-100 to C-2, Commercial Retail Uses (Reduction in Buffers), District 3 Land Lot 001 Parcel 184, 2500 Block of Braselton Highway, 0.61 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2007-1665 RZC-08-038, Applicant: Hayes Automotive, Inc., Owner: Harvie Ewing, Jr., M-1 to C-3, Automobile Sales and Service, District 5 Land Lot 240 Parcel 001, 1400 Block of Hurricane Shoals Road, 400 Block of Hurricane Trail, and the 300 Block of University Parkway, 20.0 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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VIII. Public Hearing – New Business

4. Rezonings:

2007-1666 RZC-08-039, Applicant: Spalding Station, LLC, Owner: Spalding Station, LLC., C-1 to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 286 Parcels 016 and 279, 3400 Block of Medlock Bridge Road and the 5200 Block of Spalding Drive, 3.34 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2007-1667 RZC-08-040, Applicant: Tung Q. Le, Owner: New Saigon Plaza, LLC, O-I to C-2, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 169 Parcel 008A, 4700 Block of Jimmy Carter Boulevard, 2.85 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 12/04/2007]

2007-1668 RZM-07-014, Applicant: 20 Loaf Partners, LLC, Owner: 20 Loaf Partners, LLC, R-100 to R-SR, Senior Oriented Residences, District 5 Land Lot 155 Parcels 014 and 015, 100 Block of Ozora Road, 40.5 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2007-1669 RZM-07-015, Applicant: Mahaffey Pickens Tucker, LLP, Owner: Ghassan Sabbah, R-100 to R-TH, Townhomes, District 7 Land Lot 037 Parcel 004, District 7 Land Lot 042 Parcel 042, 1100 Block of Oakland Road, 5.35 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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VIII. Public Hearing – New Business

5. Planning & Development/Glenn Stephens

2007-1630 Amendment-07-007 - An Amendment to the 1985 Zoning Resolution of Gwinnett County to Article XIII Use Provisions, Section 1302C.A. R-ZT Single Family Residence District, and to Article XIX, Appendix of Inactive Zoning Districts Section 1902.A. R-ZT Single Family Residence Zero Lot Line/Townhouse District to include customary home occupations as a permitted use in the R-ZT zoning district.(Staff Recommendation: Approval)

2007-1695 TSP-2007-00043 construction of a 184 tall galvanized steel monopole telecommunication tower with ground equipment. Location: 12 Bethesda Church Rd. Commission District 4/ Kevin Kenerly(Staff Recommendation: Approval with Conditions)

IX. Comments from Audience

X. Adjournment