



# Gwinnett County Board of Commissioners

Tuesday, February 28, 2006 - 7:00 PM

## Public Hearing - Minutes

**I. Call To Order, Invocation, Pledge to Flag – Brian Allen**

**II. Opening Remarks by Chairman**

**III. Approval of Agenda** { Action: Approved Motion: Green Second: Kenerly  
Vote: 4-0 (Beaudreau Absent) }

**IV. Approval of Minutes:** **Public Hearing – February 21, 2006**  
{ Action: Approved Motion: Kenerly Second: Green  
Vote: 4-0 (Beaudreau Absent) }  
**Executive Session – February 28, 2006**  
{ Action: Approved Motion: Kenerly Second: Green  
Vote: 4-0 (Beaudreau Absent) }

**V. Announcements**

**VI. Old Business**

**1. Planning & Development/Michael Williams**

**2005-1417 CIC-05-027**, Vintage Communities, Single-Family Subdivision, R-100 CSO to R-100, LL003, 3rd District, Parcels 023, 024, 025, 108, 245 & 251, 4600 Block of Braselton Highway, 1200-1300 Block of Mount Moriah Road, District 4/Kenerly(Tabled on 2/28/2006) (Tabled to 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/21/2006] { Action: Tabled Motion: Kenerly Second: Nasuti Vote: 4-0 (Beaudreau Absent) }

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**VI. Old Business**

**1. Planning & Development/Michael Williams**

**2005-1418 RZR-06-047**, Vintage Communities, Single-Family Subdivision, RA-200 to R-100, LL003, 3rd District, Parcels 258, 071 & 578, 4600 Block of Braselton Highway, 1200-1300 Block of Mount Moriah Road, District 4/Kenerly(Tabled on 1/24/2006) **(Tabled to 3/28/2006)(Public hearing was not held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/21/2006] **{Action: Tabled Motion: Kenerly Second: Nasuti Vote: 4-0 (Beaudreau Absent)}**

**2006-0118 SUP-06-014**, John D. Stephens & Sons, LP, Modified Single-Family Subdivision, R-100, LL096, 6th District, Parcel 001, 1000-1100 Block of Garner Road, 5000 Block of Abbey Lane, District 3/Beaudreau (South of Stream), District 2/Nasuti (North of Stream)(Tabled on 2/28/2006)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}**

**2006-0123 SUP-06-024**, MBC Properties, LLC, Single-Family Conservation Subdivision, R-75, LL045, 5th District, Parcels, 001, 097, 413, 414, 417-420, 2100-2200 Block of Plantation Road, District 4/Kenerly(Tabled on 2/28/2006)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Denied Without Prejudice Motion: Kenerly Second: Green Vote: 4-0 (Beaudreau Absent)}**

**2006-0107 RZC-06-009**, Sandra Funes, Office Uses (Reduction in Buffers), R-75 to O-I, LL256, 6th District, Parcel 045, 5000 Block of Buford Highway, District 2/Nasuti(Tabled on 1/24/2006)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent)}**

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**VI. Old Business**

**1. Planning & Development/Michael Williams**

**2006-0108 RZC-06-010**, David W. Osborn, Commercial Retail Uses (Reduction in Buffers), R-100 & O-I to C-2, LL005, 7th District, Parcel 025, 4700 Block of Sugarloaf Parkway, District 4/Kenerly(Tabled on 1/24/2006)[Planning Department Recommendation: Approve with Conditions as O-I][Planning Commission Recommendation: Approve with Conditions as O-I] {Action: Approved with Stipulations Motion: Kenerly Second: Nasuti Vote: 4-0 (Beaudreau Absent)}

**2005-1245 RZM-05-042**, Contract Development, LLC, Townhomes, C-1 to R-TH, LL181, 6th District, Parcel 290, 3300 Block of Club Drive, 3300 Block of Rolling Ridge Road, District 1/Green(Tabled on 2/28/2006) (Tabled to 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/21/2006] {Action: Tabled Motion: Green Second: Nasuti Vote: 4-0 (Beaudreau Absent)}

**2005-1396 RZR-05-047**, Davenport Center, Inc, Single-Family Subdivision (Reduction in Buffers), RA-200 to R-ZT, LL002, 3rd District, Parcels 030 & 031, 2900 Block of Braselton Highway, 2100 Block of Cain Circle, District 3/Beaudreau(Tabled on 1/24/2006)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-100 Mod.] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2005-1401 RZR-05-051**, Richardson Housing Group, Inc, Single-Family Conservation Subdivision, R-100 to R-75 CSO, LL132, 5th District, Parcel 003, 500 Block of Hope Hollow Lane, District 3/Beaudreau(Tabled on 2/28/2006) (Tabled to 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100 CSO][Planning Commission Recommendation: Tabled - Date: 3/21/2006] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent)}

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**VII. Public Hearing**

**1. Support Services/Connie Hinson**

**2006-0243 Approval** to abandon a portion of a public road known as Luther Wages Road authorization for Chairman to execute a quitclaim deed in land lot 318 of the 5th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. Commission District 3/Beaudreau(Staff Recommendation: Approval) {Action: Approved Motion: Green Second: Kenerly Vote: 4-0 (Beaudreau Absent)}

**2006-0244 Approval** to abandon a portion of a public road known as DeLay Lane authorization for Chairman to execute the quitclaim deed in land lot 253 of the 7th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A. 32-7 HB 1539. Commission District 1/Green(Staff Recommendation: Approval) {Action: Approved Motion: Green Second: Nasuti Vote: 4-0 (Beaudreau Absent)}

**2006-0247 Approval** to abandon a portion of a public road known as Peachtree Road, authorization for Chairman to execute the quitclaim deeds in land lot 207 and 208 of the 7th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G. A. 32-7-2 HB 1539. Commission District 1/Green(Staff Recommendation: Approval) {Action: Approved Motion: Green Second: Nasuti Vote: 4-0 (Beaudreau Absent)}

**2. Transportation/Brian Allen**

**2006-0238 Approval** of incorporation into the Gwinnett County Speed Hump Program - Kenion Forest Drive (M-0092-21) - estimated cost: \$5,000.00 - 2001 Sales Tax Program - Commission District 2/Nasuti(Staff Recommendation: Approval) {Action: Approved Motion: Nasuti Second: Green Vote: 5-0}

**2006-0237 Approval** of incorporation into the Gwinnett County Speed Hump Program - Chesapeake Drive (M-0092-20) - estimated cost: \$15,000.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau(Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**3. Change in Conditions:**

**2006-0257 CIC-06-003**, Metro Land Investors, LLC, Change in Fence Material (Reduction in Buffers), R-ZT (Change in Conditions), LL084, 5th District, Parcel 034, 3300-3400 Block of Sugarloaf Parkway, District 4/Kenerly(Tabled on 2/28/2006) (Tabled to 3/21/2006)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-0258 CIC-06-004**, Metro Land Investors, LLC, Remove Fence Requirement from Buffer Condition, C-2 (Change in Conditions), LL084, 5th District, Parcel 034, 3300-3400 Block of Sugarloaf Parkway, District 4/Kenerly(Tabled on 2/28/2006) (Tabled to 3/21/2006)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-0259 CIC-06-005**, Hamilton Mill Market Place, LLC, Buffer Reduction from 75' to 20', C-2 (Change in Conditions), LL001, 2nd District, Parcel 008A, 1200 Block of Auburn Road, 3000 Block of Jim Moore Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-0260 CIC-06-006**, Barry W. Coker, Change in Proposed Structure, C-3 (Change in Conditions), LL244, 6th District, Parcel 101, 6100 Block of Buford Highway, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}

**2006-0261 SUP-06-040**, Barry W. Coker, Automobile Sales (Reduction in Buffers), C-2, LL244, 6th District, Parcels 101 & 152, 6300 Block of Jimmy Carter Boulevard, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}

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**4. Moved In House:**

**2006-0272 MIH-06-001**, Tony R. Hortman, Moved-In-House, LL099A, 7th District, Parcel 022, 2700 Block of Crabapple Circle, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 5-0}

**5. Special Use Permit:**

**2006-0262 SUP-06-029**, Jeff Little, Veterinary Clinic, LL001, 2nd District, Parcel 188, 1100 Block of Auburn Road, 1100 Block of Bailey Woods Drive, District 3/Beaudreau(Tabled on 2/28/2006) (Tabled to 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/21/2006] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent)}

**2006-0263 SUP-06-030**, John Bendik, Automobile Service (Reduction in Buffers), LL271, 5th District, Parcel 009, 1900 Block of Winder Highway, District 3/Beaudreau(Tabled on 2/28/2006) (Tabled to 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/7/2006] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent)}

**2006-0264 SUP-06-031**, John Bendik, Automobile Sales (Reduction in Buffers), LL271, 5th District, Parcel 009, 1900 Block of Winder Highway, District 3/Beaudreau(Tabled on 2/28/2006) (Tabled to 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 3/7/2006] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent)}

**2006-0265 SUP-06-032**, Pamela Hogan, Home Occupation (Hair Salon), LL031, 6th District, Parcel 024, 3000 Block of Centerville Highway, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

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**5. Special Use Permit:**

**2006-0266 SUP-06-033**, Tina Duskis, Daycare Center, LL012, 6th District, Parcel 119, 3900 Block of Forest Dawn Court, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-0267 SUP-06-034**, Bethel Pentecostal Church, Church (Reduction in Buffers), LL189, 6th District, Parcel 007, 1200 Block of Pirkle Road, District 2/Nasuti(Tabled on 2/28/2006) (Tabled to 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 3/21/2006] {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent)}

**2006-0268 SUP-06-035**, Shadetree Properties, LLC, Modified Single-Family Subdivision, LL344, 5th District, Parcel 006 & 027, 2500-2600 Block of Berry Hall Road, District 3/Beaudreau(Tabled on 2/28/2006) (Tabled to 3/21/2006)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 5-0}

**2006-0269 SUP-06-036**, Oh-Hoon Kwon, Automobile Sales, LL260, 6th District, Parcel 023, 4000 Block of Buford Highway, 2900 Block of Duluth Industrial Way, District 1/Green(Tabled on 2/28/2006) (Tabled to 3/21/2006)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Green Second: Nasuti Vote: 5-0}

**2006-0270 SUP-06-039**, Oh-Hoon Kwon, Automobile Repair, LL260, 6th District, Parcel 023, 4000 Block of Buford Highway, 2900 Block of Duluth Industrial Way, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Green Second: Nasuti Vote: 5-0}



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**6. Rezonings:**

**2006-0271 SUP-06-038**, Old Stone Gate Partners, LLC, Single-Family Conservation Subdivision, LL115, 6th District, Parcel 015A, 300 Block of Harmony Grove Road, 300 Block of Nimblewill Way, District 2/Nasuti(Tabled on 2/28/2006) **(Tabled to 3/28/2006)(Public hearing was not held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 3/21/2006] **{ Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent) }**

**2006-0252 RZM-06-001**, Barry W. Coker, Townhomes (Reduction in Buffers), R-100 & R-140 to R-TH, LL037, 7th District, Parcels 004, 005 & 042, 100 Block of Oakland Road, 2300 Block of His Way, District 1/Green(Tabled on 2/28/2006) **(Tabled to 3/21/2006)(Public hearing was held)**[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-ZT DET.] **{ Action: Tabled Motion: Green Second: Nasuti Vote: 5-0 }**

**2006-0253 RZM-06-002**, Richardson Housing Group, Townhomes, C-2 to R-TH, LL139, 6th District, Parcels 008, 009, 010 & 010A, 220-260 Block of Pounds Drive, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{ Action: Approved Motion: Nasuti Second: Green Vote: 5-0 }**

**2006-0254 RZM-06-003**, Clayt S. Mason, Apartments (Reduction in Buffers), R-100 to RM-6, LL348, 4th District, Parcel 012, 4500 Block of Anderson-Livsey Land, District 3/Beaudreau(Tabled on 2/28/2006) **(Tabled to 3/28/2006)(Public hearing was not held)**[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 3/21/2006] **{ Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent) }**

**2006-0255 RZM-06-004**, Rasso Properties, Villas (Attached), R-100 to R-TH, LL042, 7th District, Parcels 005 & 038, 1300 Block of Herrington Road, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] **{ Action: Approved Motion: Green Second: Nasuti Vote: 5-0 }**



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**6. Rezonings:**

**2006-0256 RZM-06-005**, Morsberger Group, Townhomes (Reduction in Buffers), C-2 to R-TH, LL190, 6th District, Parcel 190, 1200 Block of Commercial Court, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] **{Action: Approved with Stipulations Motion: Nasuti Second: Green Vote: 5-0}**

**7. Planning & Development/Michael Williams**

**2006-0215 Approval** Of the 2005 Update to the Gwinnett County 2020 Comprehensive Plan **{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}**

**2006-0181 TSP-2005-035** construction of a 155-ft monopine telecommunications tower with ground equipment(Staff Recommendation: Denial) **{Action: Denied Motion: Beaudreau Second: Kenerly Vote: 5-0}**

**2006-0175 Waiver WVR-2005-029** requesting the elimination of the requirement for the construction of sidewalks across property frontage (approximately 660 ft). Location is 2790 Horizon Ridge Court. Commission District 1/Green (Staff Recommendation: Denial) **{Action: Approved with Stipulations Motion: Green Second: Nasuti Vote: 5-0}**

**2006-0177 Waiver WVR-2005-030** requesting the elimination of the requirement for the construction of sidewalks along the road frontage of Virgil Moon Road. Location is 1520 Knight Circle, Commission District 3/Beaudreau(Tabled on 2/28/2006) **(Tabled to 3/28/2006)**(Staff Recommendation: Denial)**(Public hearing was not held) {Action: Tabled Motion: Nasuti Second: Green Vote: 4-0 (Beaudreau Absent)}**

**2006-0178 Waiver WVR-2005-031** requesting the elimination of the deceleration requirement along Scientific Drive. Location is 275 Scientific Drive, Commission District 2/Nasuti(Staff Recommendation: Approval) **{Action: Approved Motion: Nasuti Second: Green Vote: 5-0}**

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**7. Planning & Development/Michael Williams**

**2006-0179 Waiver WVR-2006-001** requesting the elimination of the landscaping strip requirement on Singleton Road. Location is 5627 Singleton Road, Norcross, Commission District 2/Nasuti(Staff Recommendation: See Attachment) {Action: Approved Motion: Nasuti Second: Green Vote: 5-0}

**2006-0202 Rezoning The applicant, New Trend Developments, LLC,** requests that five related rezoning cases RZM-06-006, RZM-06-007, RZR-06-050, RZR-06-051, and RZC-07-005 be rescheduled for concurrent public hearings in May 2006. The property is located at Horizon Drive, extending along Interstate 85 to Spriggs Road. Commission District 4 (Kenerly) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 5-0}

**2006-0228 Rezoning Waiver of Time Lapse Requirement for Rezoning -** The applicant (Golden Eagle, LLC) requests a waiver of the 12 month time lapse requirement for re-hearing of a Change-In-Conditions case. The original rezoning (RZM-05-030) was heard by the Board in August 2005. The applicant seeks April 2006 hearing dates for a Change-In-Conditions (CIC-06-010). Property is located on Parkside Walk Lane. Commission District 1 (Green) {Action: Approved Motion: Green Second: Nasuti Vote: 5-0}

**VIII. Comments from Audience**

**IX. Adjournment**