



Gwinnett County Board of Commissioners

Tuesday, March 24, 2009 - 7:00 PM

Public Hearing - Minutes

I. Call To Order, Invocation, Pledge to Flag

II. Opening Remarks by Chairman

III. Approval of Agenda

{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

IV. Approval of Minutes:

Business Session: March 17, 2009

{Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

V. Announcements

VI. Old Business

1. Commissioners

2008-2526 Approval Formerly 2008-0611, of appointment to fill the unexpired term of Carol Hassell from the Tree Advisory Committee. Term Expires December 31, 2009. District 4/Kenerly (Tabled on 03/24/2009) (Tabled to 04/21/2009) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

VII. New Business

1. Law Department/Karen Thomas

2009-0401 Ratification of the Board of Commissioners' authorization to file a Petition seeking mandatory mediation of the County's Service Delivery Strategy with the municipalities of Gwinnett County. (Staff Recommendation: Approval) {Action: Approved Motion: Nasuti Second: Lasseter Vote: 4-0 (Kenerly Absent)}

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VII. New Business

2. Planning & Development/Glenn Stephens

2009-0371 -Waiver of Time Lapse Requirement for rezoning. The applicant, Tim Pugh (Hamilton Mill Spine Center), requests waiver of the 12-month Time Lapse Requirement in order to schedule a proposed Change In Conditions case for the property. The original rezoning, RZC-08-083, was approved in August 2008. The applicant is seeking May 2009 hearing dates for the proposed Change In Conditions (CIC-09-013). The property is located at 3495 Hamilton Mill Road. Commission District 4 (Kenerly) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

3. Transportation/Brian Allen

2009-0379 Award BL029-09, SR 124 at Lena Carter Road (Twin Rivers MS) 09 school safety project, Department of Transportation, to low bidder ISC, Inc., amount not to exceed \$1,621,086.05. Authorization for Chairman to execute contracts subject to approval by the Law Department and proof of authenticity of bonds. Contracts to follow award. Commission Districts 3/Beaudreau and 4/Kenerly. (Staff Recommendation: Award) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-2133 TSP-2008-00023, Construction of a 195 foot Tall Monopole Telecommunication Tower with ground equipment. Location is 2050 Hurricane Shoals Rd. Commission District 3 (Beaudreau). (Tabled on 03/24/2009) (Tabled to 05/26/2009) (Staff Recommendation: Approval with Conditions)(Public hearing was held) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-2134 TSP-2008-00024, Construction of a 199 foot Tall Telecommunication Tower with ground equipment. Location is 2565 Camp Mitchell Road. Commission District 3 (Beaudreau). (Tabled on 03/24/2009) (Tabled to 05/26/2009) (Staff Recommendation: Approval with Conditions)(Public hearing was not held) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-2319 TSP-2008-00027 - Allow construction of a 155 foot tall Monopole Telecommunication Tower with ground equipment. Location is: 2443 Collins Hill Road, Commission District 4 (Kenerly). (Tabled on 03/24/2009) (Tabled to 04/28/2009) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0264 TSP-2008-00044. Construction of a 154 foot tall Monopine Communication Tower with ground equipment. Location is 1400 Block of Killian Hill Rd. Commission District 3 (Beaudreau). (Tabled on 03/24/2009) (Tabled to 04/28/2009) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0163 SUP-09-017, Applicant: Inland Group, LLC, Owner: Parvin B. Daneshvari, for a Special Use Permit in a C-2 and R-75 Zoning District to Allow Automobile Sales (Used) and Service (Reduction in Buffers), District 6 Land Lot 260 Parcel 012, 4100 Block of Buford Highway, 2.79 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Nasuti Second: Lasseter Vote: 4-0 (Kenerly Absent)}

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VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-2504 RZC-08-085, Applicant: Discovery Development, Inc., Owner: Dennis Wayne Wilson, R-100 to O-I, Daycare Center (Reduction in Buffers), District 4 Land Lot 321 Parcel 013, 4500-4600 Block of Mink Livsey Road and the 4500 Block of Rosebud Drive, 2.45 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-2505 SUP-08-078, Applicant: Discovery Development, Inc., Owner: Dennis Wayne Wilson, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center, District 4 Land Lot 321 Parcel 013, 4500-4600 Block of Mink Livsey Road and the 4500 Block of Rosebud Drive, 2.45 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2008-2778 RZC-08-064, Applicant: Dagpau, Inc, Owner: Dagpau, Inc, R-100 to C-1, Commercial Retail Uses, District 5 Land Lot 013 Parcel 058, 2800 Block of Hutchins Road, 1.81 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0094 RZC-09-001, Applicant: Strategic Realty Group, LLC, Owner: Homer and Mary Stark, RM-6 to C-2, Commercial Retail Uses, District 5 Land Lot 086 Parcel 013, 1100 Block of Scenic Highway 9.54 Acres, District 4/Kenerly (Tabled on 03/24/2009) (Tabled to 09/22/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 9/15/2009] {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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VIII. Public Hearing – Old Business

2. Support Services/Steve North

2009-0244 Approval/authorization of a public hearing and abandonment of a portion of a public road know as Arnold Road, authorization for Chairman to execute quitclaim deeds in land lot 047 of the 5th district, abandonment in accordance with Georgia Statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0248 Approval/authorization to declare surplus 0.638 acres of vacant land that was formerly right of way of Arnold Road to dispose of this property in accordance with O.C.G.A 32-7-4 for a price not less that 85% of the appraised value; authorization for the Chairman to execute any and all documents to effectuate said transaction. Land lot 047 of the 5th district. District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

IX. Public Hearing – New Business

1. Support Services/Steve North

2009-0352 Approval/authorization of the abandonment of a portion of a public road known as Brooks Road, authorization for Chairman to execute a quitclaim deed in land lot 313 of the 5th land district, abandonment is in accordance with Georgia Statutes found in O.C.G.A. 32-7-2 HB 1539. District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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IX. Public Hearing – New Business

2. Transportation/Brian Allen

2009-0347 Approval of incorporation into the Gwinnett County Speed Hump Program Norris Lake (Lake Drive) (M-0092-66) - estimated cost: \$18,040.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

3. Change in Conditions

2009-0350 CIC-09-008, Applicant: Dip & DC, LLC., Owner: Theresa Dyer, to Change Conditions of zoning for property zoned C-2, District 3 Land Lot 003 Parcel 039B, 2000 Block of Mineral Springs Road and the 4100 Block of Braselton Highway, 1.16 acres. District 4/Kenerly (Tabled on 03/24/2009) (Tabled to 04/21/2009) (Public hearing was held) [Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Lasseter Vote: 4-0 (Kenerly Absent)}

4. Special Use Permit

2009-0386 SUP-09-019 - Applicant: Shannon Oaks -Gwinnett, LLC, Owner: Shannon Oaks -Gwinnett, LLC, for a Special Use Permit in a C-2 zoning district to allow Outdoor Storage (Pawn Shop), District 5 Land Lot 047 Parcel 096, 2300 Block of Lawrenceville Highway and the 0-100 Block of Oakland Road, 5.1 acres. Commission District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Beaudreau Second: Lasseter Vote: 3-0 (Kenerly Absent & Nasuti Out of Room)}

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IX. Public Hearing – New Business

5. Rezoning

2009-0387 RZM-06-029 - (Reconsidered by Consent Order), Formerly 20061496, Applicant: The Place at Gwinnett, LLC, Owner: Madison Walk, LLC, C-3 to HRR, High-Rise Residential, District 6 Land Lot 207 Parcel 023, 3400 Block of Gwinnett Place Drive, 4.05 acres, Commission District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Lasseter Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0348 RZR-09-001, Applicant: Forest Valley Homes, LLC., Owner: Forest Valley Homes, LLC., R-75 & RA-200 to R-ZT, Single-Family Residences (Reduction In Buffers), District 6 Land Lot 245 Parcels 103, 104, 6500 Block of Sage Street, 0.33 acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

6. Planning & Development/Glenn Stephens

2009-0372 TSP-2008-00046. Construction of a 150 foot tall Monopole Telecommunication Tower with a 10 foot lightning rod (total overall height of 160 ft.) with ground equipment. Location is 2005 Braselton Hwy. Commission District 3 (Beaudreau). (Tabled on 03/24/2009) (Tabled to 04/28/2009) (Staff Recommendation: Denial)(Public hearing was not held) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

X. Comments from Audience

XI. Adjournment