



Gwinnett County Board of Commissioners

Tuesday, April 25, 2006 - 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 – April 18, 2006

V. Announcements

Resolution – Brookwood High School Mock Trial Team

VI. Old Business

1. Planning & Development/Michael Williams

2006-0441 SUP-06-042, Freddie G. Dutton, Mobile Home (Renewal), LL021, 5th District, Parcel 006B, 2500 Block of Hutchins Road, 500-600 Block of Arnold Road, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2006-0442 SUP-06-043, Ruby Forest, Inc., Single-Family Conservation Subdivision, LL073 & 082, 6th District, Parcels 180, 268, 004, 034, 087 & 188, 1300-1400 Block of Oleander Drive, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2006-0450 SUP-06-053, Contract Development, Single-Family Conservation Subdivision, LL212, 7th District, Parcel 069, 3600 Block of Smithtown Road, District 1/Green(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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VI. Old Business

1. Planning & Development/Michael Williams

2005-1125 RZC-05-053 (AMENDED), Sydney Investments, LLC, Commercial Retail Uses, RA-200 to C-2 (Amended to R-75 MOD), LL002, 3rd District, Parcel 044, 4000 Block of Braselton Highway, District 3/Beaudreau(Tabled on 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-75 MOD][Planning Commission Recommendation: Approve with Conditions as R-75 MOD]

2005-1126 RZR-06-005 (AMENDED), Sydney Investments, LLC, Modified Single-Family Subdivision, RA-200 to R-75 MOD, LL002, 3rd District, Parcel 044, 4000 Block of Braselton Highway, District 3/Beaudreau(Tabled on 1/24/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0428 RZC-06-006, Bighorn Investments, LLC, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL272, 5th District, Parcel 008, 1900 Block of Hurricane Shoals Road, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0429 RZC-06-007, Bighorn Investments, LLC, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL272, 5th District, Parcels 008 & 010, 500-600 Block of Rabbit Hill Road, 1900-2000 Block of Hurricane Shoals Road, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

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1. Planning & Development/Michael Williams

2006-0430 RZC-06-008, Bighorn Investments, LLC, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL017, 7th District, Parcel 007B, 1900 Block of Hurricane Shoals Road, 1900 Block of Rabbit Hill Circle, District 4/Kenerly(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0426 RZR-06-006, Bighorn Investments, LLC, Single-Family Subdivision, R-100 to R-ZT, LL017, 7th District, Parcel 007B, 1900 Block of Rabbit Hill Circle, 1900 Block of Hood Road, District 4/Kenerly(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100 CSO][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0427 RZR-06-007, Bighorn Investments, LLC, Single-Family Subdivision, R-100 & RA-200 to R-ZT, LL272, 5th District, Parcels 002 & 008, 1800-1900 Block of Hurricane Shoals Road, 500 Block of Rabbit Hill Road, District 3 Beaudreau (East of Rabbit Hill Road), District 4/Kenerly (West of Rabbit Hill Road)(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

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 3/28/2006)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

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1. Planning & Development/Michael Williams

2006-0432 RZR-06-010, Tomoka Springs, LLC, Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL344, 5th District, Parcel 015, 2600 Block of Berry Hall Road, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-100 MOD][Planning Commission Recommendation: Approve with Conditions as R-100 MOD]

2006-0433 RZR-06-011, Dunedin Walk, LLC, Modified Single-Family Subdivision, RA-200 to R-100 Mod, LL345, 5th District, Parcels 001 & 002, 3300 Block of Hall Road, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100 MOD]

2006-0434 SUP-06-050, Dunedin Walk, LLC, Modified Single-Family Subdivision, LL345, 5th District, Parcel 001 & 002, 3300 Block of Hall Road, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100 MOD]

2006-0435 RZR-06-012 (AMENDED), Peggy Slappy Properties, Inc., Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL007, 3rd District, Parcels 001, 001B, 001C, 104, 140, 178 & 218, 4500-4600 Block of Spout Springs Road, District 4/Kenerly(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0436 RZR-06-014, Showcase Communities, Single-Family Conservation Subdivision, RA-200 & R-100 to R-100 CSO, LL266, 5th District, Parcels 009 & 034, 1300 Block of Ewing Chapel Road, District 3/Beaudreau(Tabled on 3/28/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions as R-100]

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VII. Public Hearing

1. Support Services/Connie Hinson

2006-0523 Approval to abandon a portion of a public road known as Old U.S. Highway 78, authorization for Chairman to execute a quitclaim deed in land lot 068 of the 6th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. District 3/Beaudreau (Staff Recommendation: Approval)

2006-0529 Approval of abandonment of a portion of a public road known as Old Friendship Road and authorization for Chairman to execute a quit claim deed in land lot 003 of the 1st land 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)

2. Transportation/Brian Allen

2006-0524 Approval of incorporation into the Gwinnett County Speed Hump Program - Harris Road (M-0523-14) estimated cost: \$16,400.00 - 1997 Sales Tax Program - Commission District 4/Kenerly(Staff Recommendation: Approval)

2006-0525 Approval of incorporation into the Gwinnett County Speed Hump Program - Eagle Crossing Drive (M-0092-22) estimated cost: \$6,560.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau(Staff Recommendation: Approval)

3. Buffer Reduction:

2006-0597 BRD-06-001, Fortis Partners, LLC, Buffer Reduction from 75 ft. to 0 ft., C-2, LL008, 7th District, Parcel 029, 700 Block of Lawrenceville-Suwanee Road, 900 Block of Duluth Highway, 800 Block of Legacy Park Drive, District 1/Green[Planning Department Recommendation: Approve][Planning Commission Recommendation: Approve with Conditions]

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4. Change in Conditions:

2006-0585 CIC-06-009, Jessica L. Zablah, Taxi Service, C-3 (Change in Conditions), LL208, 6th District, Parcel 004, 3800 Block of Shackelford Road, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0586 CIC-06-010, Golden Eagle Homes, LLC, Reduce 30 foot buffer and Revise Architectural Standards, R-TH (Change in Conditions), LL032, 7th District, Parcels 010, 389 & 414, 900 Block of Parkside Walk Lane, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2006-0587 CIC-06-011, James A. Brown, Jr., Buffer Elimination, O-I (Change in Conditions), LL058, 6th District, Parcel 002, 2200 Block of Rockbridge Road, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0588 CIC-06-012, Wilwat Properties, Inc., Shopping Center, C-2 (Change in Conditions), LL001, 2nd District, Parcel 012, 1100 Block of Auburn Road, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0589 CIC-06-013, Davis Terry, LLC, Allow Additional Outparcels (Reduction in Buffers), C-2 (Change in Conditions), LL073, 7th District, Parcels 004, 357 & 358, 1500-1600 Block of Duluth Highway, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0590 RZC-07-011, Davis Terry, LLC, Commercial/Retail Uses, R-75 to C-2, LL073, 7th District, Parcel 357, 1500 Block of Duluth Highway, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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5. Special Use Permit:

2006-0591 SUP-06-054, Raul Sandoval, Contractor's Office with Outdoor Storage (Reduction in Buffers), C-2, LL153, 6th District, Parcel 056, 3200 Block of Lawrenceville Highway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0592 SUP-06-057, RHC Masonry, Outdoor Storage, C-2, LL153, 6th District, Parcel 072, 3100 Block of Lawrenceville Highway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0593 SUP-06-058, Mohammad Shuyesteh, Automobile Sales, C-2, LL259, 6th District, Parcel 017A, 4200 Block of Buford Highway, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0594 SUP-06-059, Jose Mezquita, Automobile Repair, C-2, LL260, 6th District, Parcel 024, 2900 Block of Duluth Industrial Way, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0595 SUP-06-060, ZAM, LLC, Automobile Sales, C-2, LL061, 6th District, Parcel 033, 5100 Block of Stone Mountain Highway, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-0596 SUP-06-061, Judith Small, Daycare Center (Group), R-100, LL030, 6th District, Parcel 023, 3100 Block of Bethany Church Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

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6. Rezoning:

2006-0570 RZC-06-015, Jackson EMC Jefferson, Outdoor Storage, O-I to M-1, LL012, 7th District, Parcels 033 & 034, 400 Block of Swanson Drive, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0571 RZC-06-016, Rashid Hafiz, Commercial Retail Uses (Reduction in Buffers), R-75 to C-1, LL177, 6th District, Parcels 008 & 345, 1000 Block of Pleasant Hill Road, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0572 RZC-06-017, Cooper's Pond Heritage, LLC, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL003, 3rd District, Parcels 135, 140, 141 & 674, 4200-4300 Block of Braselton Highway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0573 RZC-06-018, N.E. Atlanta Metro Association of Realtors, Office Uses, RM to C-2, LL116, 7th District, Parcel 003, 2100 Block of Duluth Highway, 2400 Block of Meadowbrook Parkway, District 1/Green[Planning Department Recommendation: Approve with Conditions] [Planning Commission Recommendation: Approve with Conditions as O-I]

2006-0574 RZC-06-019, Tracy Billings, Convenience Store with Fuel Pumps (Reduction In Buffers), R-140 to C-1, LL057, 7th District, Parcel 001, 2600 Block of Old Peachtree Road, 2300 Block of Old Fountain Road, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/2/2006]

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6. Rezoning:

2006-0575 RZC-06-020, Funes Auto Sales, Automobile Sales (Reduction in Buffers), C-1 to C-2, LL256, 6th District, Parcel 009, 2700 Block of Herrington Drive, 5200 Block of Buford Highway, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0576 SUP-06-006, Funes Auto Sales, Automobile Sales (Reduction in Buffers), LL256, 6th District, Parcel 009, 2700 Block of Herrington Drive, 5200 Block of Buford Highway, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0577 RZC-06-021, Anthony O. Powell, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL318, 7th District, Parcels 047, 050 & 032, 5500 Block of Suwanee Dam Road, 5500 Block of Kennedy Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0578 RZC-06-022, Shahriyar Bakhtiarnejad, Martial Arts School/Studio, R-100 to C-1, LL319, 6th District, Parcel 045, 4700 Block of Peachtree Parkway, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-0579 RZC-06-023, United Retail Development Co, LLC, Commercial Retail Uses (Reduction in Buffers), R-100 & RA-200 to C-2, LL182, 7th District, Parcels 009, 035, 052, 054, 055, 071, 3400 Block of Ridge Road, 3200 Block of South Puckett Road, 3300 Block of Hamilton Mill Road, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions as O-I][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

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6. Rezoning:

2006-0580 RZC-06-024, Zoar Road Partners, LLC, Commercial Retail Uses, C-1 to C-2, LL030, 6th District, Parcel 077, 3200 Block of Zoar Road, 3200-3300 Block of Centerville Highway, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0581 RZC-06-025, Southern Signature Properties, LLC, Commercial Retail Uses (Reduction in Buffers), R-75 MOD to C-2, LL078, 5th District, Parcel 003, 3800 Block of Sugarloaf Parkway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 6/20/2006]

2006-0582 RZC-06-026, John F. Doran, Jr., Office/Warehouse (Reduction in Buffers), R-75 to M-1, LL019, 5th District, Parcel 004, 100 Block of Huff Drive, 100 Block of Jordan Drive, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 5/2/2006]

2006-0583 RZC-06-027, Avant Garde Properties, Commercial Retail Uses (Reduction in Buffers), R-100 to C-2, LL069, 7th District, Parcel 014, 024 & 025, 1600 Block of Lawrenceville-Suwanee Road, 500 Block of Russell Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 5/16/2006]

2006-0584 RZC-06-028, SASR, Inc, Commercial Retail Uses (Reduction in Buffers), C-1 to C-2, LL191, 6th District, Parcel 088, 6200 Block of South Norcross-Tucker Road, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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7. Planning & Development/Michael Williams

2006-0497 TSP-2006-006 construction of a 130-ft tall flagpole. Location is 4000 Venture Drive. Commission District 1/Green(Staff Recommendation: Denial)

2006-0495 Waiver WVR-2006-011 requesting the elimination of a deceleration lane along Satellite Blvd. Location is 655 Satellite Blvd. Commission District 1/Green(Staff Recommendation: Approval)

2006-0496 Waiver WVR-2006-012 requesting the elimination of a deceleration lane along Evergreen Blvd. Location is 2221-B Northmont Parkway. Commission District 1/Green(Staff Recommendation: Approval)

2006-0473 Rezoning The applicant, Ruby Forest, Inc. (c/o Andersen, Tate, Mahaffey & McGarity) requests that seven related rezoning/SUP cases (RZC-06-055, RZR-06-055, RZR-06-056, RZR-06-057, SUP-06-072, RZM-06-010, RZM-06-013) be rescheduled for concurrent public hearings in August 2006. Properties are located on Gravel Springs Road (S.R. 324) at Ivy Church Road and Ivy Creek Road. Commission District 4 (Kenerly)

VIII. New Business

1. County Administration

2006-0606 Ratification of employment agreement with John Steven Rolader for recording purposes.

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VIII. New Business

2. Support Services/Connie Hinson

2006-0551 Approval/authorization for the Chairman to execute an Assignment Agreement with ReMax Greater Atlanta, Brokers Licensee Bill Barry for the purchase and sale agreement between David J. Furlong and ReMax Greater Atlanta, Brokers Licensee Bill Barry, approving the purchase of 5.24, more or less, acres located in land lot 137 of the 6th district, Gwinnett County, Georgia in the amount of \$395,000 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department.(Staff Recommendation: Approval)

IX. Comments from Audience

X. Adjournment