



# Gwinnett County Board of Commissioners

Tuesday, May 26, 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: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

### IV. Approval of Minutes:

Business Session: May 19, 2009

{Action: Approved Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

### V. Announcements

### VI. 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 05/26/2009) (Tabled to 07/28/2009) (Staff Recommendation: Approval with Conditions)(Public hearing was held) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

**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 05/26/2009) (Tabled to 07/28/2009) (Staff Recommendation: Approval with Conditions)(Public hearing was not held) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

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**VI. Public Hearing – Old Business**

**1. Planning & Development/Glenn Stephens**

**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 05/26/2009) (Tabled to 06/23/2009) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

**2008-2499 RZC-08-084**, Applicant: Noble Village At Spalding, LLC., Owner: Faith Life Fellowship, Inc., R-100 to O-I, Senior Assisted Living Facility and Daycare Center (Reduction in Buffers), District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 05/26/2009) (Tabled to 07/28/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 7/21/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

**2008-2500 SUP-08-066**, Applicant: Noble Village At Spalding, LLC., Owner: Faith Life Fellowship, Inc. for a Special Use Permit in an O-I (Proposed) Zoning District to allow a Senior Assisted Living Facility, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 05/26/2009) (Tabled to 07/28/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 7/21/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

**2008-2502 SUP-08-067**, Applicant: Noble Village At Spalding, LLC., Owner: Faith Life Fellowship, Inc. for a Special Use Permit in an O-I (Proposed) Zoning District to allow a Daycare Center, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

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**VI. Public Hearing – Old Business**

**1. Planning & Development/Glenn Stephens**

**2008-2503 SUP-08-068**, Applicant: Noble Village At Spalding, LLC., Owner: Faith Life Fellowship, Inc. for a Special Use Permit in an O-I (Proposed) Zoning District to allow a Building Height Increase to Four Stories, District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

**2009-0115 SUP-09-010**, Applicant: Carl (Skip) Cain, Owner: Nadiya Alibhai, for a Special Use Permit in a C-2 Zoning District to allow a Coin Laundry, District 6 Land Lot 275 Parcel 039, 6400 Block of Peachtree Industrial Boulevard and the 6900 Block of Jimmy Carter Boulevard, 1.47 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

**2009-0546 SUP-09-027**, Applicant: Whitney Adventures, Owner: Carmen Lazar, For a Special Use Permit in an R-100 Zoning District to allow a Summer Day Camp and After School Camp (Group Childcare), District 7 Land Lot 181 Parcel 031, 3000 Block of Wallace Road, 7.93 Acres, District 4/Kenerly (Tabled on 05/26/2009) (Tabled to 06/23/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 6/16/2009] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

**2009-0512 RZC-09-019**, Applicant: Myron Baynes, Owner: Myron Baynes, R-100 to C-2, Real Estate Office (Reduction in Buffers), District 7 Land Lot 043 Parcel 007, 5300 Block of Sugarloaf Parkway, 3.58 Acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions As O-I][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

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**VII. Public Hearing – New Business**

**1. Change in Conditions**

**2009-0585 CIC-09-011**, Applicant: Old Fountain Academy, Owner: Sharon Wilson, to Change Conditions of Zoning for property zoned O-I to Allow Outdoor Loudspeakers and Outdoor Lighting, District 7 Land Lot 056 Parcel 005A, 1900 Block of Old Fountain Road and the 1200 Block of Harris Road, 2.83 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

**2009-0586 CIC-09-012**, Applicant: Anthony Powell, Owner: Newell Recycling, to Change Conditions of Zoning for property zoned M-2 to Expand Hours of Operation; Expansion of Facilities, District 6 Land Lot 250 Parcel 004, 2800 Block of Amwiler Road, 22.90 Acres, District 2/Nasuti (Tabled on 05/26/2009) (Tabled to 06/23/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 6/16/2009] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

**2009-0587 SUP-09-030**, Applicant: Anthony Powell, Owner: Newell Recycling, for a Special Use Permit in a M-2 Zoning District to Allow Metal Salvage and Recycling Facility (Renewal), District 6 Land Lot 250 Parcel 004, 2800 Block of Amwiler Road, 22.90 Acres, District 2/Nasuti (Tabled on 05/26/2009) (Tabled to 06/23/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 6/16/2009] {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

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**VII. Public Hearing – New Business**

**1. Change in Conditions**

**2009-0588 CIC-09-013**, Applicant: Timothy W. & Yenhua S. Pugh, Owner: Timothy W. & Yenhua S. Pugh, to Change Conditions of zoning for property zoned O-I to Relocate Proposed Parking Lot, District 7 Land Lot 183 Parcel 003B, 3400 Block of Hamilton Mill Road, 0.85 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Kenerly Absent)}

**2. Special Use Permit**

**2009-0589 SUP-09-029**, Applicant: Pawn Mart, Owner: APCI, Inc. c/o Mill Creek Consulting, for a Special Use Permit in a C-2 Zoning District to allow a Pawn Shop (Expansion), District 5 Land Lot 159 Parcel 120, 200 Block of Athens Highway and the 200 Block of Hill Street, 2.00 Acres, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Kenerly Absent)}

**3. Planning & Development/Glenn Stephens**

**2009-0581 Amendment-09-001**, An Amendment to the 1985 Zoning Resolution of Gwinnett County to redefine the term “Family” and to revise provisions concerning variances from the definition of the term “Family”. {Action: Approved Motion: Beaudreau Second: Kenerly Vote: 3-0 (Lasseter & Nasuti Absent)}

**2009-0590 TSP-2009-00004** - Construct a 170 foot tall Telecommunication Tower with a 4 foot lightning rod for a total overall height of 174 feet. Location is: 84 Patterson Road. Commission District 4 (Kenerly). (Tabled on 05/26/2009) (Tabled to 06/23/2009) (Staff Recommendation: Approval with conditions)(Public hearing was not held) {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

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**VII. Public Hearing – New Business**

**3. Planning & Development/Glenn Stephens**

**2009-0591 TSP-2009-00007** - Construct a 180 foot tall Monopole Telecommunication Tower with a 4 foot lightning rod (overall height 184 feet). Location is: 1800 Block of Collins Hill Road. Commission District 4 (Kenerly) (Staff Recommendation: Approval with conditions) {Action: Approved with Change Motion: Kenerly Second: Beaudreau Vote: 3-0 (Lasseter & Nasuti Absent)}

**VIII. Comments from Audience**

**IX. Adjournment**