



Gwinnett County Board of Commissioners

Tuesday, July 22, 2008 - 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: July 15, 2008
Executive Session: July 22, 2008

V. Announcements

- Commending the Gwinnett Historical Society for Receiving First Place for the County/Local Genealogical or Historical Society Category in the National Genealogical Society's Newsletter Competition for *The Heritage News Quarterly*

VI. New Business

1. County Administration

2008-2182 Approval of a Resolution objecting to the annexation and rezoning of certain property in unincorporated Gwinnett County by the City of Dacula and authorizing the Chairman of the Board of Commissioners to execute certain notices to the City of Dacula and authorizing the Chairman, County Administrator and/or Deputy County Administrator to take any further action, as may be necessary, to pursue the annexation dispute resolution process as set forth in Title 36, Chapter 36, Article 7 of the Official Code of Georgia. District 3/Beaudreau.

2. Support Services/Steve North

2008-2197 Approval/authorization for the Chairman to execute the purchase and sale agreement between Madison Ventures, LTD and John D. Stephens and Gwinnett County, Georgia approving the purchase of 14.45, more or less, acres at \$90,000 per acre located in land lot 210 of the 5th district, Gwinnett County, Georgia and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. District 4/Kenerly (Staff Recommendation: Approval)

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 2

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-0704 TSP-2008-00017, for Construction of a 125 Foot (Total Height) Monopole Telecommunication Tower with Ground Equipment. Location is 1484 Graves Road. Commission District 2 (Nasuti).(Tabled on 6/24/2008)(Staff Recommendation: Approval with Conditions)(Public hearing was not held)

2008-0460 SUP-08-027, Applicant: Gregory H. Stephens, Owner: Gregory H. Stephens, for a Special Use Permit in a C-2 Zoning District to Allow a Tire Store, District 7 Land Lot 094 Parcel 157, 1900 Block of Braselton Highway, 0.73 Acres, District 3/Beaudreau(Tabled on 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Deny] [Planning Commission Recommendation: None]

2008-0674 MUO-08-002, Applicant: Greene Investments, Inc, Owner: Greene Investments, Inc, R-75 to MUO, Mixed Use Overlay (Reduction in Buffers), District 6 Land Lot 261 Parcels 001, 001A, 001B, 006, 008, 012, 035, 037, 038, 039, and 040, District 6 Land Lot 261A Parcels 023, 024, 025A, 026, 030, 034, 038, 042, 066, 078, 084, and 086, 2800-2900 Block of Pleasant Hill Road, 3700 Block of Woodberry Drive, 2800 Block of Woodruff Drive, 3700 Block of Sunset Street, and the 2800-2900 Block of Pineview Street, 25.75 Acres, District 1/Green(Tabled on 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-0680 BRD-08-001, Applicant: Keystone Holdings, LLC, Owner: Flash Foods, Inc, Buffer Reduction from 75 Feet to 15 Feet for Property Zoned C-2, District 6 Land Lot 270 Parcel 043, 4900 Block of South Old Peachtree Road, 4900 Block of Peachtree Industrial Boulevard, 0.92 Acres, District 2/Nasuti(Tabled on 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 3

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-0676 CIC-08-017, Applicant: Prime Interest, Inc, Owner: DD Suwanee Note Holding Company, LLC, Change Conditions of Zoning for Property Zoned C-2 (Self-Storage Facility), District 7 Land Lot 048 Parcel 403, 1400 Block of Lawrenceville-Suwanee Road, 1300-1400 Block of Riverside Parkway, 10.38 Acres, District 1/Green(Tabled on 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-0677 SUP-08-054, Applicant: Prime Interest, Inc, Owner: DD Suwanee Note Holding Company, LLC, for a Special Use Permit in a C-2 Zoning District to Allow a Self-Storage Facility (Climate Controlled), District 7 Land Lot 048 Parcel 403, 1400 Block of Lawrenceville-Suwanee Road, 1300-1400 Block of Riverside Parkway, 10.38 Acres, District 1/Green(Tabled on 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-0563 SUP-08-041, Applicant: TP Land, LLC, Owner: Donald H. Bohne, for a Special Use Permit in a C-2 Zoning District to Allow a Kennel/Pet Daycare (with Outdoor Facilities), District 6 Land Lot 052 Parcel 229, 2000 Block of Westside Court, 0.87 Acres, District 3/Beaudreau(Tabled on 6/24/2008)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2008-0573 SUP-08-046, Applicant: JEM Land Development, LLC. Owner M&W Land Development, for a Special Use Permit in a C-2 Zoning District to Allow Recreational Vehicle Sales, Service and Rental, District 3 Land Lot 002 Parcels 042, 078, and 082, 2200 Block of East Rock Quarry Road, 4.50 Acres, District 3/Beaudreau(Tabled on 6/24/2008)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 4

VII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2008-0576 SUP-08-047, Applicant: JEM Land Development, LLC, Owner: M&W Land Development, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Sales (Used), District 3 Land Lot 002 Parcels 042, 078, and 082, 2200 Block of East Rock Quarry Road, 4.50 Acres, District 3/Beaudreau(Tabled on 6/24/2008)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2008-0679 SUP-08-053, Applicant: JB's Enterprises, Owner: Elizabeth Hopkins for a Special Use Permit in a C-2 Zoning District to Allow Automobile Repair and a Tire Store, District 6 Land Lot 169 Parcel 166, 4800 Block of Jimmy Carter Boulevard, 0.57 Acres, District 2/Nasuti(Tabled on 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-0449 RZC-08-067, Applicant: Progressive Recycling, LLC, Owner: Progressive Recycling, LLC, M-1 to M-2, Salvage Operation, District 6 Land Lot 258 Parcel 051, 2700 Block of Simpson Circle and the 2700 Block of Keystone Court, 1.01 Acres, District 2/Nasuti(Tabled on 4/22/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2008-0450 SUP-08-025, Applicant: Progressive Recycling, LLC, Owner: Progressive Recycling, LLC, for a Special Use Permit in a M-2 (Proposed) Zoning District to Allow a Salvage Operation, District 6 Land Lot 258 Parcel 051, 2700 Block of Simpson Circle and the 2700 Block of Keystone Court, 1.01 Acres, District 2/Nasuti(Tabled on 6/24/2008)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 5

VIII. Public Hearing – New Business

1. Change in Conditions

2008-2155 CIC-08-018, Applicant: Luz M. Mercado, Owners: Dennis W. and Judith P. Smith, to Change Conditions of Zoning for Property Zoned C-2 (Reduction in Buffers), District 5 Land Lot 017 Parcel 186, District 5 Land Lot 018 Parcel 001, 2500 Block of Lawrenceville Highway, 1.91 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 8/6/2008]

2. Special Use Permit

2008-2156 SUP-08-055, Applicant: Sonny Yeahee Lee, Owner: Ju Ha, for a Special Use Permit in a C-2 Zoning District to Allow Auto Body Repair (Reduction in Buffers), District 6 Land Lot 245 Parcel 029, 6300 Block of Buford Highway, 0.59 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2008-2157 SUP-08-057, Applicant: Northeast Community Baptist Church, Owner: Northeast Community Baptist Church, for a Special Use Permit in a R-75 Zoning District to Allow a Daycare Center (Accessory), District 6 Land Lot 241 Parcel 017, 5300 Block of Light Circle and the 2500 Block of Beaver Ruin Road, 5.82 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2158 SUP-08-058, Applicants: Jairo Arriaga and Elsa Cely, Owners: Jairo Arriaga and Elsa Cely, for a Special Use Permit in a R-75 Zoning District to Allow a Daycare Center (Group), District 7 Land Lot 001 Parcel 051, 600 Block of Bethesda School Road, 1.05 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 8/6/2008]

2008-2159 SUP-08-059, Applicant: Arthur E. Hicks, Owner: Harmony Grove UMC, for a Special Use Permit in a R-75 Zoning District to Allow for a Daycare Center (Accessory), District 6 Land Lot 137 Parcel 020, 0-100 Block of Harmony Grove Road, 6.64 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 6

VIII. Public Hearing – New Business

2. Special Use Permit

2008-2160 SUP-08-060, Applicant: Ordner Construction Company, Inc., Owner: Lisa Steward Ordner, for a Special Use Permit in a M-1 Zoning District to Allow Aircraft Hanger/Maintenance, District 6 Land Lot 205 Parcel 033, 1600 Block of Executive Drive South and the 3000 Block of Old Norcross Road, 6.0 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2161 SUP-08-061, Applicant: Ordner Construction Company, Inc., Owner: Lisa Steward Ordner, for a Special Use Permit in a M-1 Zoning District to Allow an Aircraft Landing Field, District 6 Land Lot 205 Parcel 033, 1600 Block of Executive Drive South and the 3000 Block of Old Norcross Road, 6.0 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2162 SUP-08-062, Applicant: Bingrui Xu, Owners: Bingrui Xu and Zhiling Zhang, for a Special Use Permit in a C-2 Zoning District to Allow a Pool or Billiards Hall, District 6 Land Lot 151 Parcel 181, 500 Block of Pleasant Hill Road, 4.01 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

2008-2163 SUP-08-063, Applicant: Ivy Creek Community Church, Owner: Ivy Creek Community Church, for a Special Use Permit in a R-100 Zoning District to Allow a Private School, District 7 Land Lot 063 Parcel 094, 1400 Block of Braselton Highway, 12.13 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2164 SUP-08-064, Applicant: Jong H. Heo, Owner: Jong H. Heo, for a Special Use Permit in a C-2 Zoning District to Allow Automobile Service/Auto Body Repair Shop (Reduction in Buffers), District 6 Land Lot 245 Parcels 293 and 294, 6500 Block of Buford Highway and the 1000 Block of Hillside Drive. 0.66 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 7

VIII. Public Hearing – New Business

3. Rezonings

2008-2138 RZC-08-070, Applicant: John Eberhart, Owner: John Eberhart, R-100 and RA-200 to O-I, Office Uses (Reduction in Buffers), District 7 Land Lot 054 Parcel 030, 1200 Block of Braselton Highway, 2.15 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2008-2139 RZC-08-071, Applicant: Dr. Satish Poddar, Owners: Jerry Thurmond Staton and Opal and Timothy Bruce, R-100 to C-2, Commercial Retail Uses/Medical Office, District 7 Land Lot 073 Parcels 001A and 105, District 7 Land Lot 074 Parcels 009 and 012, 1700 Block of Duluth Highway and the 1700 Block of Sugarloaf Parkway, 11.26 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2140 RZC-08-072, Applicant: J & J Construction Group Inc., Owner: J & J Construction Group, Inc., RA-200 to O-I, Daycare Center (Reduction in Buffers), District 1 Land Lot 001 Parcel 430, 2800 Block of Hamilton Mill Road, 1.67 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2141 SUP-08-031, Applicant: J & J Construction Group, Inc., Owner: J & J Construction Group, Inc., for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center (Reduction in Buffers), District 1 Land Lot 001 Parcel 430, 2800 Block of Hamilton Mill Road, 1.67 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2142 RZC-08-074, Applicant: Robert Brett Slack, Owner: Robert Brett Slack, M-2 to C-2, Veterinary Clinic/Pet Shop, District 6 Land Lot 258 Parcel 334, 4500 Block of Buford Highway and the 4500 Block of Remington Park Court, 1.36 Acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 8

VIII. Public Hearing – New Business

3. Rezonings

2008-2143 RZC-08-075, Applicant: John Hardy Jones, Owner: John Hardy Jones, R-ZT to O-I, Bank/Office Uses (Reduction in Buffers), District 5 Land Lot 074 Parcel 004, 1600 Block of Webb Gin House Road and the 1200 Block of Old Snellville Highway, 7.68 Acres, District 3/Beaudreau (South of Creek), and District 4/Kenerly (North of Creek)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

2008-2144 SUP-08-036, Applicant: John Hardy Jones, Owner: John Hardy Jones, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Bank/Drive Through Facility, District 5 Land Lot 074 Parcel 004, 1600 Block of Webb Gin House Road and the 1200 Block of Old Snellville Highway, 7.68 Acres, District 3/Beaudreau (South of Creek), and District 4/Kenerly (North of Creek)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

2008-2145 RZC-08-076, Applicant: Smith, Gambrell and Russel, LLP, Owners: William and Jennifer Holland, R-75 to C-2, Contractor's Office with Outdoor Storage (Reduction in Buffers), District 6 Land Lot 280A Parcel 020, 5000 Block of Winters Chapel Road and the 7000 Block of Lake View Lane, 0.54 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

2008-2146 SUP-08-040, Applicant: Smith, Gambrell and Russel, LLP, Owners: William and Jennifer Holland, for a Special Use Permit in a C-2 (Proposed) Zoning District to Allow a Contractor's Office with Outdoor Storage, District 6 Land Lot 280A Parcel 020, 5000 Block of Winters Chapel Road and the 7000 Block of Lake View Lane, 0.54 Acres, District 2/Nasuti[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 9

VIII. Public Hearing – New Business

3. Rezonings

2008-2147 RZC-08-077, Applicant: Amrut Investment, LLC, Owner: Amrut Investment, LLC, R-100 to C-1, Commercial Retail Uses (Reduction in Buffers), District 6 Land Lot 033 Parcel 018, 2700 Block of Centerville Highway, 1.0 Acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as O-I with SUP]

2008-2148 RZC-08-078, Applicant: Mahaffey Pickens Tucker, LLP, Owners: Chiu Wen-Hsiung, Wickersham Development Company, and Rubin Lansky, etal, R-100 to C-2, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 105 Parcels 115, 188 and 254, 2300 Block of Buford Drive and the 2200-2300 Block of Azalea Drive, 46.96 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2149 RZC-08-079, Applicant: Kyu-Man Park, Owner: FBC Family, LLP, O-I to C-2 Commercial Retail Uses, District 5 Land Lot 108 Parcels 010 and 062, 800 Block of Scenic Highway and the 2800 Block of Sugarloaf Parkway, 3.69 Acres, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2008-2150 RZC-08-080, Applicant: G-T Grading - Tae Yong Kang: Owner: Rickard Baker, RA-200 to O-I, Retirement Community (Reduction in Buffers), District 7 Land Lot 094 Parcel 005B, 2000 Block of Sunny Hill Road, 3.89 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 10

VIII. Public Hearing – New Business

3. Rezonings

2008-2151 SUP-08-052, Applicant: G-T Grading - Tae Yong Kang, Owner: Richard Baker, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Retirement Community, District 7 Land Lot 094 Parcel 005B, 2000 Block of Sunny Hill Road, 3.89 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

2008-2152 RZC-08-081, Applicant: Kim Lee Lim, Owner: Kim Lee Lim, RM to O-I, Office Uses (Reduction in Buffers), District 6 Land Lot 188 Parcel 355, 5600 Block of Singleton Road, 0.21 Acres, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

2008-2153 RZC-08-082, Applicant: Cesar Cordovi, Owner: Cesar Cordovi, R-75 to O-I, Office Uses, District 6 Land Lot 196 Parcel 021, 5800 Block of Singleton Road, 0.38 Acres, District 1/Green[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 8/19/2008]

2008-2154 RZC-08-083, Applicants: Timothy W. & Yenhua S. Pugh, Owners: John Guy Green, III and Carol S. Green, R-100 to O-I, Chiropractic Office (Reduction in Buffers), District 7 Land Lot 183 Parcel 003B, 3400 Block of Hamilton Mill Road, 0.85 Acres, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

4. Planning & Development/Glenn Stephens

2008-2168 CRC-2008-00003, Application of Gary Beck for Metropolitan River Protection Act Certificate to Construct One Detached Garage on 1.42 Acres at 3898 River Walk Drive, Lot 16A, of River Walk Subdivision, located in the Chattahoochee River Corridor, District 6 Land Lot 300 Parcel 160, District 2/Nasuti (Staff Recommendation: Approval)

Gwinnett County Board of Commissioners
Tuesday, July 22, 2008 - 7:00 P. M.
Public Hearing - Agenda
Page 11

VIII. Public Hearing – New Business

4. 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). (Staff Recommendation: Approval with Conditions)

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). (Staff Recommendation: Approval with Conditions)

IX. Comments from Audience

X. Adjournment