



Gwinnett County Board of Commissioners

Tuesday, July 28, 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: Lasseter Vote: 4-0 (Kenerly Absent)}

IV. Approval of Minutes:

Business Session: July 21, 2009

Executive Session: July 28, 2009

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

V. Announcements

- **Resolution of Recognition:** Commending 2009 Miss Dacula Representatives
{Action: Approved Motion: Beaudreau Second: Lasseter Vote: 4-0 (Kenerly Absent)}

VI. Old Business

1. Commissioners

2009-0072 Approval of appointment to Tree Advisory Committee - Beaudreau/District 3 Appointment - Term Expires December 31, 2010 (Tabled on 07/28/2009) (Tabled to 09/22/2009) {Action: Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0602 Approval of appointment to the Development Authority of Gwinnett County to fill the unexpired term of Johnny DiBartolo, III. Term expires June 13, 2010. District 2/Nasuti (Tabled on 07/28/2009) (Tabled to 08/18/2009) {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

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VII. New Business

1. Financial Services/Aaron Bovos

2009-0858 Approval/authorization of a resolution reconciling the Adopted Budget for the Fiscal Year 2009 for each fund of Gwinnett County, adjusting appropriations in the amounts shown in the following schedules for selected funds and agencies; adopting the items of anticipated funding sources based on the estimated 2009 Tax Digest and affirming that expenditures in each agency may not exceed appropriations, and prohibiting expenditures from exceeding actual funding sources. (Staff Recommendation: Approval) {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 07/28/2009 (Tabled to 09/22/2009)**) (Staff Recommendation: Approval with Conditions)(**Public hearing was held**) {Action: **Tabled Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly 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 07/28/2009 (Tabled to 09/22/2009)**) (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 07/28/2009 (Tabled to 08/25/2009)**) (Staff Recommendation: Approval with conditions)(**Public hearing was not held**) {Action: **Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)**}

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VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephen

2009-0720 SUP-09-038, Applicant: Land Engineering & Development, Owner: Stock Development #39, LLC., for a Special Use Permit in a C-2 Zoning District to allow an Automotive Car Wash (Full Service), District 6 Land Lot 020 Parcel 284, 3400 Block of Centerville Highway, 1.36 Acres, District 3/Beaudreau.[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Denied without Prejudice Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0722 SUP-09-040, Applicant: Bong Choi, Owner: Sugarloaf Korean Baptist Church, for a Special Use Permit in an R-100 Zoning District to allow a Daycare Center (Accessory), District 7 Land Lot 165 Parcels 009, 019, 1600 Block of Old Peachtree Road, 5.42 Acres, District 1/Lasseter.[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Lasseter Second: Nasuti Vote: 4-0 (Kenerly 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 (Reduction in Buffers), District 6 Land Lot 303 Parcel 195, 5700 Block of Spalding Drive, 8.96 Acres, District 2/Nasuti (Tabled on 07/28/2009) (Tabled to 08/25/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Lasseter Vote: 3-0-1 (Nasuti Abstained) (Kenerly 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 07/28/2009) (Tabled to 08/25/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Beaudreau Second: Lasseter Vote: 3-0-1 (Nasuti Abstained) (Kenerly Absent)}

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VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2009-0697 RZC-09-020, Applicant: Pang Cha Gentry, Owner: Blanco & Janice Pennington, R-75 to O-I, Daycare Center (Reduction in Buffers), District 7 Land Lot 288 Parcel 022, 4900 Block of West Price Road, 2.07 Acres, District 4/Kenerly. (Tabled on 07/28/2009) (Tabled to 08/18/2009)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

2009-0699 SUP-09-033, Applicant: Pang Cha Gentry, Owner: Blanco & Janice Pennington, for a Special Use Permit in an O-I (Proposed) Zoning District to Allow a Daycare Center, District 7 Land Lot 288 Parcel 022, 4900 Block of West Price Road, 2.07 Acres, District 4/Kenerly. (Tabled on 07/28/2009) (Tabled to 08/18/2009)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

2009-0701 RZC-09-022, Applicant: Carl (Skip) Cain, Owner: Nadiya Alibhai, C-2 & RM-10 to C-2, Commercial Retail Uses (Reduction in Buffers), District 7 Land Lot 040 Parcel 001, 2700 Block of Boggs Road and the 1300 Block of Old Norcross Road, 19.86 Acres, District 1/Laseter. (Tabled on 07/28/2009) (Tabled to 08/25/2009)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 8/18/2009] {Action: Tabled Motion: Laseter Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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VIII. Public Hearing – Old Business

1. Planning & Development/Glenn Stephens

2009-0703 RZM-09-001, Applicant: T & B, LLC. c/o Andersen, Tate and Carr, Owner: T & B, LLC. c/o Andersen, Tate and Carr, R-60 to R-TH, Townhomes, District 7 Land Lot 104 Parcel 006A, 1200 Block of Old Peachtree Road and the 1200 Block of Mill Shyre Way, 25.38 Acres, District 4/Kenerly. (Tabled on 07/28/2009) (Tabled to 09/22/2009)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 1/19/2010] { Action: Tabled Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

2009-0704 RZR-09-003, Applicant: Asghar Hossain, Owner: Asghar Hossain, O-I to R-100, Single-Family Residence, District 6 Land Lot 286 Parcel 028, 5100 Block of South Old Peachtree Road, 0.61 Acres, District 2/Nasuti.[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] { Action: Denied Motion: Nasuti Second: Lasseter Vote: 4-0 (Kenerly Absent)}

IX. Public Hearing – New Business

1. Transportation/Brian Allen

2009-0803 Approval of incorporation into the Gwinnett County Speed Hump Program Ellington Springs (Harley Beth Drive) (M-0092-68) - estimated cost: \$5,220.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) { Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2009-0804 Approval of incorporation into the Gwinnett County Speed Hump Program Midway Road (M-0092-69) - estimated cost: \$20,880.00 - 2001 Sales Tax Program - Commission 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

1. Transportation/Brian Allen

2009-0805 Approval of incorporation into the Gwinnett County Speed Hump Program Skylars Mill (Skylars Mill Way) (M-0092-70) - estimated cost: \$3,480.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

2. Change in Conditions

2009-0748 CIC-09-016, Applicant: Benjamin B. Godwin, Owner: Suntrust Bank, to change conditions of zoning for property zoned M-1, District 7 Land Lot 168 Parcel 056, 3000 Block of Shawnee Industrial Way and the 3000 Block of Burnette Road, 24.51 acres, District 1/Lasseter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Lasseter Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

2009-0750 CIC-09-017, Applicant: Greater Atlanta Vedic Temple, Owner: Greater Atlanta Vedic Temple Society, to change conditions of zoning for property zoned R-100, District 6 Land Lot 115 Parcel 019A, 400 Block of Harmony Grove Road, 3.99 acres, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Nasuti Second: Lasseter Vote: 4-0 (Kenerly Absent)}

3. Rezoning

2009-0746 RZC-09-024, Applicant: Barbara Collins, Owner: Barbara Collins, R-100 to O-I, Office Uses (Reduction in Buffers), District 6 Land Lot 013 Parcel 297, 3800 Block of Centerville Highway and the 3800 Block of Laurens Lane, 0.52 acres, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Beaudreau Second: Nasuti Vote: 4-0 (Kenerly Absent)}

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IX. Public Hearing – New Business

4. Planning & Development/Glenn Stephens

2009-0762 TSP-2009-00016 - Construct a steel frame cupola on the roof of a new church building, for a total overall height from ground to top of cross of 94'9". Location is: 801 Tom Smith Road. Commission District 2 (Nasuti). (Staff Recommendation: Approval with condition) {Action: Approved Motion: Nasuti Second: Beaudreau Vote: 4-0 (Kenerly Absent)}

X. Comments from Audience

XI. Adjournment