



Gwinnett County Board of Commissioners

Tuesday, August 22, 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 – August 15, 2006 Executive Session – August 22, 2006

V. Announcements

VI. Old Business

1. Planning & Development/Michael Williams

2006-1069 CIC-06-024, Alpha Omega Developers, LLC, Relocate Subdivision Entrance, R-60 (Change in Conditions), LL197, 7th District, Parcels 002 & 181, 1400 Block of Buford Highway, 3600 Block of Suwanee Creek Road, 3800 Block of Idlewild Place, District 1/Green(Tabled on 8/15/2006)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2006-0595 SUP-06-060 (AMENDED), ZAM, LLC, Automobile Sales, C-2, LL061, 6th District, Parcel 033, 5100 Block of Stone Mountain Highway, District 3/Beaudreau(Tabled on 4/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

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VI. Old Business

1. Planning & Development/Michael Williams

2006-0869 SUP-06-075 (AMENDED), Herrera Shopping Plaza, LLC, Food Store (Reduction in Buffers), C-1, LL002, 7th District, Parcel 016, 2500 Block of Cruse Road, 800 Block of Paden Drive, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1075 SUP-06-082, Vaughn Howington Communities, Inc, Modified Single-Family Subdivision, R-100 MOD, LL064, 7th District, Parcels 005, 009, 093 & 094, 1000-1000 Block of Ridge Road, 1600 Block of Azalea Drive, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0572 RZC-06-017, Coopers 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(Tabled on 6/27/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1041 RZC-06-029, Ruth Investments, LLC, Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL108, 5th District, Parcel 012, 600 Block of Old Snellville Highway, 3000 Block of Sugarloaf Parkway, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as O-I][Planning Commission Recommendation: Approve with Conditions as C-2]

2006-1042 RZC-06-030, Amerco Real Estate Company, Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL182, 6th District, Parcel 042, 1200 Block of Pleasant Hill Road, District 1/Green(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

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1. Planning & Development/Michael Williams

2006-1045 SUP-06-008, Amerco Real Estate Company, Truck Rental (Reduction in Buffers), C-2 (Proposed), LL182, 6th District, Parcel 042, 1200 Block of Pleasant Hill Road, District 1/Green(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2006-1046 RZC-06-031, Vinh P. Huynh, Office Uses (Reduction in Buffers), R-75 to O-I, LL212A, 6th District, Parcel 027, 1900 Block Of Beaver Ruin Road, 1900 Block of Sourwood Road, District 2/Nasuti(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2006-1052 RZC-06-036 (AMENDED), Gilbert Santana, Contractors Office (Reduction in Buffers), RM to C-2, LL047, 5th District, Parcel 001B, 2200 Block of Lawrenceville Highway, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1059 RZC-06-040, DMH Homes, LLC, Commercial Retail Uses (Reduction in Buffers), RA-200 to C-2, LL001, 3rd District, Parcels 005 & 023F, 2700 Block of Braselton Highway, 1900 Block of Hog Mountain Church Road, District 3/Beaudreau(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1060 RZC-06-041, Gwinnett Partners, LLC, Commercial Retail Uses, O-I & C-2 to C-2, LL036, 7th District, Parcels 003A & 019, 1800-1900 Block of Old Norcross Road, 1800-1900 Block of Cruse Road, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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2006-1061 RZC-06-042, Bobbie Cole, Commercial Retail Uses, R-100 to C-2, LL027, 7th District, Parcel 008, 800 Block of Braselton Highway, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1072 RZC-07-005, New Trend Developments, LLC, Commercial Retail Uses, M-1 to C-2, LL172, 7th District, Parcel 001, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/17/2006]

2006-1070 RZM-06-007, New Trend Developments, LLC, Townhomes, M-1 to R-TH, LL172, 7th District, Parcel 001, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/17/2006]

2006-1071 RZR-06-051, New Trend Developments, LLC, Single-Family Zero Lot Line Subdivision (Reduction in Buffers), M-1 to R-ZT, LL173, 7th District, Parcel 004, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 10/17/2006]

2006-0421 RZR-06-002, Richardson Housing Group, Single-Family Subdivision, R-75 to R-ZT, LL158, 6th District, Parcel 009, 4400 Block of Burns Road, District 1/Green(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

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2006-1040 RZR-06-039, Richardson Housing Group, Single-Family Subdivision, R-75 to R-ZT, LL158, 6th District, Parcels 007 & 127, 4400 Block of Burns Road, District 2/Nasuti(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-0422 RZR-06-003, Meridian Development, Corp., Single-Family Conservation Subdivision, RA-200 to R-100 CSO, LL268, 5th District, Parcels 015, 032 & 033, 700 Block of Campbell 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 Modified]

2006-0847 RZR-06-015, YDI, Inc, Single-Family Subdivision, R-100, RA-200 & C-2 to R-ZT, LL125, 5th District, Parcels 023 & 028, 700-800 Block of Athens Highway, District 3/Beaudreau(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions as R-75 MOD][Planning Commission Recommendation: Tabled - Date: 10/17/2006]

2006-0822 BDP-2006-001 is requesting to disinter two graves on property and re-inter graves at a church cemetery. Location is 1400 Herrington Road. Commission District 1/Green(Tabled on 6/27/2006)(Staff Recommendation: Denial see attachment)(Public hearing was not held)

VII. Public Hearing

1. Support Services/Connie Hinson

2006-1153 Approval of public hearing and abandonment of a public road known as Natchez Valley Trace, authorization for Chairman to execute a quitclaim deed in land lot 121 of the 5th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A 32-7-2 HB 1539. Commission District 3/Beaudreau

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VII. Public Hearing

1. Support Services/Connie Hinson

2006-1158 Approval of public hearing and abandonment of a portion of a public road known as Commercial Court, authorization for Chairman to execute a quitclaim deed in land lots 169 and 190 of the 6th land district, abandonment in accordance with Georgia statutes on abandonment found in O.C.G.A. 32-7-2 HB 1539. Commission District 2/Nasuti

2. Transportation/Brian Allen

2006-1014 Approval of incorporation into the Gwinnett County Speed Hump Program - North Crestview Drive (M-0092-24) estimated cost: \$9,840.00 - 2001 Sales Tax Program - Commission District 3/Beaudreau(Staff Recommendation: Approval)

2006-1159 Approval of incorporation into the Gwinnett County Speed Hump Program - Roberts Road (M-0092-25) estimated cost: \$8,200.00 - 2001 Sales Tax Program - Commission District 1/Green(Staff Recommendation: Approval)

3. Buffer Reduction:

2006-1215 BRD-06-003, Alain Poux, Buffer Reduction from 75 ft to 37.5 ft, C-2 & R-75, LL152, 6th District, Parcels 013 & 282, 3300 Block of Lawrenceville Highway, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

4. Change in Conditions:

2006-1190 CIC-06-025, Asian Village Atlanta, Commercial Retail Uses, C-2 (Change in Conditions), LL276, 6th District, Parcel 057, 3000 Block of Governors Lake Drive, 6800 Block of Peachtree Industrial Boulevard, District 2/Nasuti [Planning Department Recommendation: Table] [Planning Commission Recommendation: Tabled - Date: 1/2/2007]

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4. Change in Conditions:

2006-1189 RZM-06-015, Asian Village Atlanta, Townhomes & Villas, M-1 to R-TH, LL251, 6th District, Parcel 002, 6600 Block of Governors Lake Parkway, 2700-2800 Block of Jones Mill Road, District 2/Nasuti[Planning Department Recommendation: Table] [Planning Commission Recommendation: Tabled - Date: 01/2/2007]

2006-1203 CIC-06-026, James E. Moon, Buffer Reduction from 50 ft to 0 ft, O-I (Change in Conditions), LL012, 5th District, Parcel 008A, 2700 Block of Five Forks Trickum Road, District 3/Beaudreau[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

5. Mixed Use Redevelopment:

2006-1204 MUR-06-001, Preferred Real Estate Investments Inc, Mixed-Use Redevelopment, LL216, 6th District, Parcel 018, 5600 thru 5700 Block of Jimmy Carter Boulevard, 6100 Block of Brook Hollow Parkway, 6400 Block of Crescent Drive, District 2/Nasuti [Planning Department Recommendation: Table] [Planning Commission Recommendation: Tabled - Date: Indefinitely]

6. Special Use Permit:

2006-0591 SUP-06-054, Raul Sandoval, Contractors Office with Outdoor Storage (Reduction in Buffers), C-2, LL153, 6th District, Parcel 056, 3200 Block of Lawrenceville Highway, District 4/Kenerly(Tabled on 7/25/2006)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2006-1206 SUP-07-003, Raul Sandoval, Contractors Office with Outdoor Storage (Reduction in Buffers), C-2 (Proposed), LL153, 6th District, Parcel 056, 3200 Block of Lawrenceville Highway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

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6. Special Use Permit:

2006-1205 RZC-07-006, Raul Sandoval, Contractors Office with Outdoor Storage (Reduction in Buffers), R-75 to C-2, LL153, 6th District, Parcel 056, 3200 Block of Lawrenceville Highway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2006-1207 SUP-06-089, Sinan Nukic, Automobile Sales, C-2, LL018, 5th District, Parcel 025, 2400 Block of Lawrenceville Highway, 200 Block of Bradberry Avenue, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1208 SUP-06-094, Richard Wilder, Automobile Sales, C-2, LL028A, 7th District, Parcel 121, 500 Block of Braselton Highway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1209 SUP-06-096, Luis Cuellar, Automobile Body Repair Shop, C-2, LL259, 6th District, Parcel 361, 4300 Block of Buford Highway, 2900 Block of Woodbine Hill Way, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Deny]

2006-1210 SUP-06-097, PMG Ranch & Stables, Livestock Sales Pavilion & Outdoor Recreation, RA-200, LL280, 5th District, Parcels 017, 018, 019 & 020, 2200 Block of Givens Road, 1500 Block of Ace McMillan Road, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1211 SUP-06-098, Amazing Cars, Inc, Automobile Sales, C-2, LL052, 6th District, Parcel 001, 2100 Block of Parkwood Road, 3500 Block of Stone Mountain Highway, District 3/Beaudreau[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 9/19/2006]

2006-1212 SUP-06-099, Clarence Crim, Metal Building Greater than 550 sq. ft., R-100, LL166, 7th District, Parcel 001H, 3200 Block of Suwanee Creek Road, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice]

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6. Special Use Permit:

2006-1214 SUP-06-100, Clarence Crim, Landfill (Construction and Demolition) (Reduction in Buffers), R-100, LL166, 7th District, Parcel 001H, 3200 Block of Suwanee Creek Road, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice]

7. Rezonings:

2006-1191 RZM-06-016, Ruby Forest, Inc, Townhomes (Reduction In Buffers), RA-200 to R-TH, LL054, 7th District, Parcels 042 & 044, 1300 Block of Old Fountain Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1192 RZC-07-016, Ruby Forest, Inc, Commercial Retail Uses, R-100 & RA-200 to C-2, LL054, 7th District, Parcels 002, 030 & 118, 1200 Block of Braselton Highway, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

2006-1199 RZC-07-028, CSW Management Group LTD, LLP, Commercial Retail Uses (Reduction in Buffers), R-75 to C-2, LL015, 5th District, Parcel 009, LL016, 5th District, Parcels 084 & 002, South of 2700 Block of Lawrenceville Highway, 200 Block of Sutter Rose Lane, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 9/19/2006]

2006-1198 RZM-06-022, CSW Management Group LTD, LLP, Townhomes (Reduction in Buffers), O-I, C-2 & R-75 to R-TH, LL015, 5th District, Parcels 180, 317, 327, 335 & 009, LL016, 5th District, Parcels 002, 002A & 084, South of 2700 thru 2800 Block of Lawrenceville Highway, 200 Block of Sutter Rose Lane, 200 Block of Saratoga Drive, 2900 Block of Rosehill Drive, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 9/19/2006]

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7. Rezoning:

2006-1216 RZC-07-029, Triad-Westervelt, Industrial Uses/Park, R-75 to M-1, LL015, 7th District, Parcel 093, 1500 Block of Progress Industrial Boulevard, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions]

2006-1193 RZM-06-017, Riverside Developers, Inc, Townhomes, R-100 to R-TH, LL347, 7th District, Parcel 027, 400 Block of Riverside Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 9/19/2006]

2006-1194 RZM-06-018, Precision Design & Development, Inc, Townhomes, O-I to R-TH, LL113, 7th District, Parcel 133, 2300 Block of Huntcrest Way, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-ZT]

2006-1195 RZM-06-019, CDI Huff Investments, LLC, Townhomes (Reduction in Buffers), R-75 to R-TH, LL018, 5th District, Parcel 013, 0 thru 100 Block of Huff Drive, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 9/19/2006]

2006-1196 RZM-06-020, CDI Huff Investments, LLC, Townhomes (Reduction in Buffers), R-75 to R-TH, LL018, 5th District, Parcels 013B, 192, 198 & 199, 0 thru 100 Block of Huff Drive, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 9/19/2006]

2006-1197 RZM-06-021, Corridor Property Group, LLC, Townhomes (Reduction in Buffers), R-100 to R-TH, LL001, 7th District, Parcels 026, 027, 028, 063, 065 & 068, 600 Block of Bethesda School Road, District 4/Kenerly[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny]

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7. Rezoning:

2006-1200 RZM-06-023, Platinum Development, Townhomes, R-100 to R-TH, LL003, 7th District, Parcels 002, 003 & 009, 2100 Block of Cruse Road, 800 Block of Oakland Road, District 1/Green[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions]

2006-1201 RZM-06-024, RW Acquisitions, LLC, Townhomes (Reduction in Buffers), R-75 to R-TH, LL206, 5th District, Parcels 011, 015, 017, 020 & 026, 60 thru 70 Block of Sweetgum Road, District 4/Kenerly[Planning Department Recommendation: Approve with Conditions as R-ZT][Planning Commission Recommendation: Tabled - Date: 9/19/2006]

2006-1202 RZM-06-025, Precision Design & Development, Inc, Townhomes, R-100, O-I & C-2 to R-TH, LL270, 6th District, Parcels 007 & 082, LL287, 6th District, Parcel 007A, 4900 Block of South Old Peachtree Road, District 2/Nasuti[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 9/5/2006]

8. Planning & Development/Michael Williams

20061131 Waiver WVR-2006-023 requesting a subdivision be a gated community with private streets and drainage systems. Existing subdivision is Natchez Trace. Location is 1900 Block of Bennett Road. Commission District is 3/Beaudreau(Staff Recommendation: Approval with conditions - See Attachment)

2006-1140 Waiver WVR-2006-024 is requesting a new street name, Legacy Parkway, to be used for new street and discontinue the use of street name Meadowbrook Parkway once it crosses Duluth Highway. Article 11.2.2.d. Also requesting additional use of street name Legacy in proposed development (Legacy Avenue) Article 11.3.2.e. Location is Duluth Highway and Meadowbrook Parkway. Commission District 1/Green(Staff Recommendation: Approval)

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8. Planning & Development/Michael Williams

2006-1141 Waiver WVR-2006-025 requesting not to have to tie into existing stub street (Mill Shyre Way). Location is 1247 Old Peachtree Road. Commission District 4/Kenerly(Staff Recommendation: Approval)

2006-1142 Waiver WVR-2006-026 requesting the elimination of approximately 560 ft of required sidewalk along property frontage of Winder Highway. Location is 3044 Winder Highway. Commission District 3/Beaudreau(Staff Recommendation: Approval with conditions - See attachment)

2006-1143 Waiver WVR-2006-027 requesting the elimination of required sidewalks along Duluth Highway and Whippourwill Circle. Location is 2578 Duluth Highway. Commission District 1/Green(Staff Recommendation: Approval with conditions - See attachment)

2006-1009 Rezoning The applicant, Thompson Mill Partners, requests that case RZR-07-014 originally scheduled for March 2007 public hearings be re-scheduled for concurrent public hearings with SUP-06-106 in September 2006. The property is located on Thompson Mill Road. Commission District 4 (Kenerly)

2006-1093 Rezoning Waiver of 12 Month Time Lapse Requirement For Rezoning. The applicant requests waiver of the Time Lapse Requirement for a Change In Conditions. The property was rezoned to R-75 Modified in January 2006, and they are seeking October 2006 hearing dates for a proposed Change In Conditions to eliminate the zoning condition requirement for a recreation area. Property is located on Doc Hughes Road. Commission District 4 (Kenerly).

2006-1165 Rezoning Waiver of Time Lapse Requirement for rezoning. The applicant requests a waiver of the 12-month time lapse requirement to submit a change of conditions (CIC-06-034) of a prior change in conditions case (CIC-05-022) approved in January 2006. CIC-06-034 would allow for construction of a drive-through restaurant at the corner of Peachtree Industrial Boulevard and South Old Peachtree Road. Commission District 2/Nasuti

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2006-1244 Rezoning A-06-005 - An Amendment to the 1985 Zoning Resolution of Gwinnett County to Article XIII Use Provisions and Article VI General Provisions to amend the R-TH Zoning Classification entitled Section 1302B. R-TH Single Family Residence and Townhouse District and Section 604 Minimum Floor Area Requirements, to add residential dormitories as an allowable use in the R-TH Zoning District (Staff Recommendation: Approval)

VIII. Comments from Audience

IX. Adjournment