

Gwinnett County Board of Commissioners' Resolutions
for BRD, CIC, RZC, RZM, RZR, MIH, MUO, MUR, and/or SUP
Cases and Amendments acted upon in April 2013

CASE NUMBER RZM2012-00005
GCID 2012-1051

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. BROOKS, which carried 5-0 the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from M-2 to RM-13 by BRAND PROPERTIES, LLC for the proposed use of APARTMENTS on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 23, 2013 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 23rd day of APRIL 2013, that the aforesaid application to amend the Official Zoning Map from M-2 to RM-13 is hereby **APPROVED** with the following enumerated conditions:

I. To restrict the use of the property as follows:

- A. Multifamily residential dwellings and accessory uses and structures at a maximum of 390 units.
- B. The development shall be a gated community, with automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.
- C. Garages shall be provided for a minimum of 12% of the units.
- D. Efficiency units shall be prohibited, and the complex shall be limited to a maximum of 21 units of three-bedrooms.
- E. Buildings shall be constructed primarily of brick or stacked stone on four sides. Stucco may only be used as an accent building material. Building elevations shall be subject to review and approval by the Director of Planning and Development.
- F. Abide by all requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
- G. Prior to issuance of a Development Permit, the applicant shall submit architectural elevations in the form of a Plan Book for review and approval by the Director of Planning and Development. At a minimum, the Plan Book shall include building elevations, colors, materials and other pertinent information as may be required by the Director. Building colors and elevations shall be substantially in accordance with the elevations presented by the applicant at the March 5, 2013 Planning Commission hearing.
- H. All units are to have solid surface counter tops and tile or hardwood entry, kitchen and bathroom floors.

2. To satisfy the following site development considerations:
 - A. Landscaping and entrance monument design along Satellite Boulevard and Cross Pointe Way shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - B. Natural vegetation shall remain on the property prior to issuance of a Development Permit.
 - C. Ground signage shall be limited to monument type sign(s) with a minimum two-foot high brick or stacked stone base. Ground sign(s) shall not exceed 8 feet in height.
 - D. Dumpsters/trash compactors shall be screened by a 100% opaque brick wall.
 - E. In the event of residential tenant eviction, any belongings of the tenant will be placed on a portion of the subject property that is not visible from the street right-of-way of Satellite Boulevard or Cross Pointe Way unless otherwise required by law.
 - F. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
 - G. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - H. Provide a minimum 10-foot wide landscaped strip along the common property line with Cross Pointe Church, where it adjoins the existing church parking lot and driveways. The final location and design of the landscaped strip shall be subject to review and approval by the Director of Planning and Development.
 - I. Provide a minimum 5-foot wide sidewalk connection from the apartment complex's internal entrance (from the location of the proposed clubhouse) connecting to the sidewalk along Satellite Boulevard and to Cross Pointe Way continuing along the entire property frontage(s). The final location, length and design of the sidewalk shall be subject to review and approval by the Director of Planning and Development. Sidewalks shall be constructed with an additional 2-foot by 8-foot concrete pad approximately every 300 linear feet to accommodate future pedestrian amenities as detailed in the Civic Center Overlay District regulations.
 - J. Provide secure pedestrian access gate(s) from the apartment complex to the Cross Pointe Church property and to the required 5-foot sidewalks (referenced above). The final location and design of the gate(s) shall be subject to review and approval by the Director of Planning and Development.

K. A walking/bike path shall be installed by the developer located generally in accordance with the site plan submitted at the March 5, 2013 Planning Commission hearing. Final location and design of the path shall be subject to review and approval by the Director of Planning and Development.

3. To abide by the following additional requirements, dedications and improvements:

- A. Prior to the issuance of a Development Permit, the applicant shall provide a traffic impact study and a signal warrant study to GCDOT. Prior to the issuance of the first Certificate of Occupancy, the applicant shall make any improvements recommended by the traffic impact study as approved by the GCDOT.
- B. If it is determined by the signal warrant study that a traffic signal is warranted on Satellite Boulevard and the signal is approved by GCDOT, the applicant shall contract and pay for the signal design and contract for the installation of the signal using a GCDOT approved contractor. All design and construction will be subject to GCDOT review and approval, meeting current GCDOT specifications. All design, permitting, right-of-way acquisition and installation of traffic improvements shall be at the developer's cost. Additionally, the design and installation of the traffic signal if approved shall including full pedestrian facilities, tie to the existing fiber optic interconnect on Satellite Boulevard for connectivity to the traffic management system and include decorative black powder coated mast arms. The traffic signal will be installed and operational prior to the issuance of the first certificate of occupancy.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 4/25/13

ATTEST:

Diana Kemp
County Clerk/Deputy County Clerk



011117 2012

LEGAL DESCRIPTION PROPOSED PROPERTY LINE

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot(s) 122 & 123 of the 7TH District, Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING commence at a point at the Land Lot corner common to Land Lots 114, 115, 122 and 123; thence along the Land Lot line common to Land Lots 115 & 122 South 59 degrees 37 minutes 29 seconds West a distance of 648.82 feet to a point; thence North 30 degrees 20 minutes 45 seconds West a distance of 646.28 feet to a point; thence continue northwesterly along said line, a distance of 166.81 feet to an iron pin found (1"otp); thence North 33 degrees 25 minutes 47 seconds West a distance of 358.54 feet to a point on the northeasterly right-of-way line of Satellite Boulevard (R/W Varies); thence continue northwesterly along said right-of-way line, a distance of 103.42 feet to a point and the TRUE POINT OF BEGINNING; thence continue northwesterly along said right-of-way line, a distance of 62.85 feet to a point; thence leaving said right-of-way line North 88 degrees 25 minutes 30 seconds East a distance of 169.15 feet to a point; thence North 42 degrees 15 minutes 04 seconds East a distance of 55.84 feet to a point; thence North 13 degrees 13 minutes 05 seconds East a distance of 66.44 feet to a point; thence 183.73 feet along an arc of a curve to the right, said curve having a radius of 558.07 feet and a chord bearing and distance of North 26 degrees 53 minutes 33 seconds East 182.90 feet to a point; thence 189.39 feet along an arc of a curve to the right, said curve having a radius of 558.07 feet and a chord bearing and distance of North 46 degrees 39 minutes 33 seconds East 188.48 feet to a point; thence North 67 degrees 52 minutes 46 seconds West a distance of 117.51 feet to a point; thence North 39 degrees 17 minutes 58 seconds West a distance of 143.67 feet to a point at the centerline of a creek said point being referred to as Point "A" (the commencement point on a traverse line); thence following the centerline of said creek and the meanderings thereof, 1719 feet more or less to a point, said point being referred to as point "B", (the terminus of said traverse line) (said traverse line from point "A" to Point "B", having the following courses and distances: thence North 57 degrees 45 minutes 09 seconds East a distance of 192.05 feet to an iron pin and cap; thence North 67 degrees 08 minutes 04 seconds East a distance of 215.05 feet to a point; thence North 71 degrees 35 minutes 28 seconds East a distance of 182.25 feet to an iron pin and cap; thence North 84 degrees 42 minutes 13 seconds East a distance of 242.25 feet to an iron pin and cap; thence North 55 degrees 42 minutes 07 seconds East a distance of 203.74 feet to an iron pin and cap; thence North 47 degrees 57 minutes 28 seconds East a distance of 155.07 feet to an iron pin and cap; thence North 55 degrees 00 minutes 01 seconds East a distance of 192.76 feet to an iron pin and cap; thence North 19 degrees 14 minutes 25 seconds East a distance of 209.79 feet to a point; thence leaving said centerline of creek South 30 degrees 00 minutes 32 seconds East a distance of 1,180.76 feet to a point on the northwesterly right-of-way line of Distribution Drive (R/W Varies); thence along said right-of-way line South 33 degrees 22 minutes 17 seconds West a distance of 780.41 feet; thence leaving said right-of-way line North 68 degrees 59 minutes 19 seconds West a distance of 47.49 feet to a point; thence North 43 degrees 07 minutes 53 seconds West a distance of 68.64 feet to a point; thence North 25 degrees 44 minutes 34 seconds West a distance of 105.16 feet to a point; thence North 32 degrees 45 minutes 31 seconds West a distance of 35.59 feet to a point; thence North 67 degrees 26 minutes 15 seconds West a distance of 32.50 feet to a point; thence North 85 degrees 22 minutes 34 seconds West a distance of 173.52 feet to a point; thence North 70 degrees 49 minutes 16 seconds West a distance of 168.50 feet to a point; thence North 83 degrees 31 minutes 09 seconds West a distance of 108.68 feet to a point; thence North 40 degrees 55 minutes 43 seconds West a distance of 45.66 feet to a point; thence North 00 degrees 29

01/11/12 005

minutes 30 seconds West a distance of 249.45 feet to a point; thence North 01 degrees 34 minutes 04 seconds East a distance of 84.98 feet to a point; thence North 88 degrees 25 minutes 56 seconds West a distance of 50.64 feet to a point; thence North 01 degrees 37 minutes 09 seconds East a distance of 101.58 feet to a point; thence South 89 degrees 41 minutes 47 seconds West a distance of 253.08 feet to a point; thence 305.28 feet along an arc of a curve to the left, said curve having a radius of 521.80 feet and a chord bearing and distance of South 72 degrees 10 minutes 58 seconds West 300.94 feet to a point; thence 97.57 feet along an arc of a curve to the left, said curve having a radius of 503.50 feet and a chord bearing and distance of South 46 degrees 39 minutes 59 seconds West 97.42 feet to a point; thence 272.99 feet along an arc of a curve to the left, said curve having a radius of 451.55 feet and a chord bearing and distance of South 24 degrees 41 minutes 47 seconds West 268.85 feet to a point; thence South 06 degrees 29 minutes 32 seconds West a distance of 25.70 feet to a point; thence North 89 degrees 59 minutes 25 seconds West a distance of 69.75 feet to a point; thence 119.84 feet along an arc of a curve to the right, said curve having a radius of 125.50 feet and a chord bearing and distance of South 60 degrees 51 minutes 04 seconds West 115.34 feet; thence South 88 degrees 25 minutes 37 seconds West a distance of 53.73 feet to a point on the northeasterly right-of-way line of Satellite Boulevard and the TRUE POINT OF BEGINNING.

Said tract containing 32.67 more or less acres.

1977

1977

CASE NUMBER CIC2013-00007
GCID 2013-0294

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HOWARD, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-2 to C-2 by GEORGIA PAVEMENT PRODUCTS, INC. for a CHANGE IN CONDITIONS OF ZONING TO REVISE USE AND OUTDOOR STORAGE RESTRICTIONS on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of

Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 23, 2013 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 23rd day of APRIL 2013, that the aforesaid application to amend the Official Zoning Map from C-2 to C-2 (CHANGE IN CONDITIONS) is hereby **APPROVED** subject to the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Retail or other commercial uses permitted in the C-2 zoning district, which may include a paving supply company with outdoor storage of equipment and materials as a special use.
 - B. Limit the height of the building(s) to no more than one story.
 - C. The Special Use Permit for auto sales at the property frontage (SUP-02-037/ 0.632 acres) shall remain in effect.
2. To satisfy the following site development considerations:
 - A. Provide a 25-foot enhanced buffer adjacent to residentially-zoned property which must be approved by the Department of Planning and Development to insure adequate screening.
 - B. Provide a ten-foot wide landscape strip outside the new dedicated right-of-way of Buford Highway.
 - C. The development shall be required to share a curb cut with the adjacent tract to the west. Access easement agreements shall be required between these two tracts.
 - D. No billboards are permitted.
 - E. Provide and maintain a six-foot high, 100-percent opaque wood fence adjacent to the westerly property line adjoining residential zoning. The solid (finished) side of the fence shall face residential properties.
 - F. Dumpsters shall be screened by a fence or wall.

- G. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent residential properties.
- H. No outside storage of junked or wrecked vehicles or discarded car parts or materials shall be allowed.
- I. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- J. Owner shall repair or repaint any graffiti or vandalism that occurs on the property within 72 hours.
- K. Ground signage shall be limited to monument-type signs. Signs shall have masonry base that matches the building and shall comply with all requirements of the Gwinnett County sign ordinance.
- L. All equipment and materials associated with the paving supply company shall be stored within the fenced area located to the rear of the building.
- M. Low shrubs shall be planted on the property's front landscaped strip adjacent to Buford Highway, as reviewed and approved by the Director of Planning and Development.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 4/25/13

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lots 247 and 250 of the 6th District, Gwinnett County, Georgia containing 2.804 acres according to a survey for Heon Soon Im and Jin Sook Im, First Intercontinental Bank & Chicago Title Insurance Co. dated October 11, 2001, prepared by Adam & Lee Land Surveying, Gary L. Cooper, Georgia Registered Land Surveyor No. 2606, said tract being more particularly described according to said survey as follows:

TO LOCATE THE TRUE PLACE OR POINT OF BEGINNING, commence at the northeastern most point of the mitered intersection of the southeasterly right-of-way line of U.S. Highway 23 and State Route 13 (aka Buford Highway) (variable right-of-way) with the northeasterly right-of-way line of East Lake Drive, and run thence along said right-of-way line of U.S. Highway 23 and State Route 13 in a generally northeast direction a distance of 80.11 feet to a point marked by a one-half inch rebar found; continue thence along said right-of-way line South 29 degrees 24 minutes 56 seconds East a distance of 9.1 feet to a point marked by an iron pin set, SAID POINT BEING THE TRUE PLACE OR POINT OF BEGINNING.

FROM THE TRUE PLACE OR POINT OF BEGINNING as thus established, run thence along said right-of-way line of U.S. Highway 23 and State Route 13 North 52 degrees 00 minutes 43 seconds East a distance of 117.02 feet to a point; leaving said right-of-way line, run thence South 29 degrees 42 minutes 03 seconds East a distance of 217.20 feet to a point marked by a nail set; run thence North 52 degrees 10 minutes 20 seconds East a distance of 125.0 feet to a point marked by a one-half inch open top pipe found; run thence South 29 degrees 49 minutes 01 second East a distance of 401.25 feet to a point marked by a one-half inch rebar found; run thence South 52 degrees 38 minutes 08 seconds West a distance of 245.62 feet to a point marked by a one-half inch open top pipe found; run thence North 29 degrees 24 minutes 56 seconds West a distance of 616.67 feet to a point marked by an iron pin set located on the southeasterly right-of-way line of U.S. Highway 23 and State Route 13, SAID POINT BEING THE TRUE PLACE OR POINT OF BEGINNING.

TOGETHER WITH, as an appurtenant easement to the above-described land, the right of Grantor herein under that certain Sewer Easement by and between Cliff Johnson and Jackie H. Yancey and T. Kenneth Minchew, Jr., undated, filed for record April 29, 1987 at 12:06 p.m., recorded in Deed Book 4268, page 261, Records of Gwinnett County, Georgia as corrected by that certain Sewer Easement by and between Cliff Johnson and Jackie H. Yancey and T. Kenneth Minchew, Jr., dated July 27, 1987, filed for record August 10, 1987 at 4:23 p.m., recorded in Deed Book 4474, page 346, aforesaid Records; as amended by that certain Sewer and Ingress/Egress Easement by and between Cliff Johnson and Jackie H. Yancey and T. Kenneth Minchew, Jr., dated June 13, 1989, filed for record August 21, 1989 at 3:22 p.m., recorded in Deed Book 5622, page 86, aforesaid Records; and further amended by that certain Sewer and Ingress/Egress Easement by and between Cliff Johnson and Jackie H. Yancey and T. Kenneth Minchew, Jr., dated June 13, 1989, filed for record September 18, 1989 at 9:54 a.m., recorded in Deed Book 5665, page 324, aforesaid Records;



AND ALSO TOGETHER WITH, as an appurtenant easement of the above-described land, a non-exclusive and perpetual easement for the construction, installation, maintenance, repair, replacement and use of a sanitary sewer line and related facilities over, through and across the land designated as the "West Sewer Easement Property" in Exhibit "C" of that certain Easement Agreement by and between T. Kenneth Minchew and Columbia Equities, Ltd., dated July 27, 1987, filed for record August 10, 1987 at 1:23 p.m., recorded in Deed Book 4475, page 8, aforesaid Records; and

AND ALSO TOGETHER WITH, as an appurtenant easement to the above-described land, a non-exclusive and perpetual easement for the construction, installation, maintenance, repair, replacement and use of a driveway, with curb and guttering, over, through and across the land designated as the "West Driveway Easement Property" in Exhibit "B" of that certain Easement Agreement by and between T. Kenneth Minchew and Columbia Equities, Ltd., dated July 27, 1987, filed for record August 10, 1987 at 1:23 p.m., recorded in Deed Book 4475, page 8, aforesaid Records.

CASE NUMBER SUP2013-00015
GCID 2013-0289

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HOWARD, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by EDUARDO MORENO for the proposed use of a BUILDING HEIGHT INCREASE on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 23, 2013 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 23rd day of APRIL, 2013 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. Approval of a building increase to 100 feet. Additional building or equipment height extending up to 110 feet may be permitted, subject to the review and approval by the Director of Planning and Development.
2. Final building elevations, building materials and colors shall be subject to the review and approval by the Director of Planning and Development.
3. Illuminated signage on the new building shall be prohibited.

GWINNETT COUNTY BOARD OF COMMISSIONERS

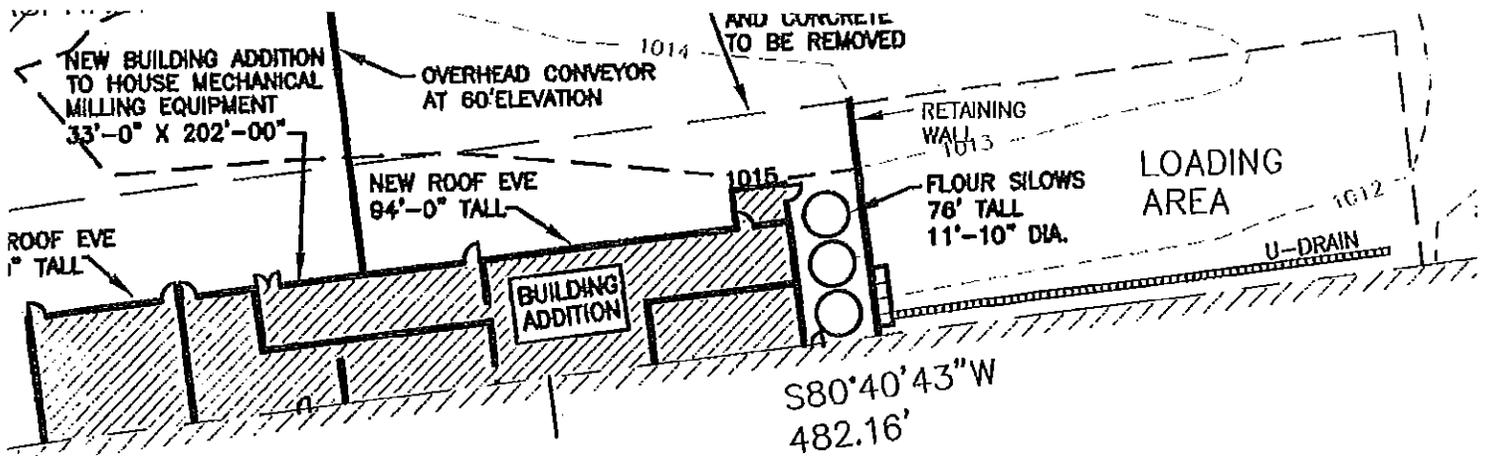
By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 4/25/13

ATTEST:

Diane King
County Clerk/Deputy County Clerk





OLE MEXICAN FOODS
BLOCK AND METAL
BLDG F.F. EL. 1015.58'

Legal Description

All that tract or parcel of land lying and being in Land Lots 217 and 222 of the 6th district of Gwinnett County, Georgia, and being more particularly described as the follows:

Beginning at an iron pin found at the intersection of the southern property of the Southern Railway Company right-of-way and the western property line of the OFS Brightwave Solutions (formally Western Electric Company) thence South 6 degrees 9 minutes 38 seconds East a distance of 409.47 feet; thence South 80 degrees 40 minutes 43 seconds West a distance of 482.16 feet along the north face of the building owned by Bronco Enterprises, LLC to a point on the east right-of-way property line of the Southern Railway Company; thence North 9 degrees 11 minutes 18 seconds East for a distance of 76.60 feet to a arc tangent point of the Southern Railway Company east Right-of-way line; thence northeasterly along the southeast right-of-way of the Southern Railway company's lead track no. 4 on a arc of 567.75 feet (said arc having a chord of 531.23 feet on a bearing of North 45 degrees 01 minutes 43 seconds East) to an iron pin found; thence North 80 degrees 40 minutes 43 seconds East along the southern right-of-way of said track no. 4 a distance of 48.01 feet to an iron pin found on the westerly property line of above referenced Brightwave Solutions (formerly Western Electric Company) to the point of beginning. The above property containing 3.46 acres and being more particularly shown and delineated on the attached plot dated December 28, 2012.

CASE NUMBER SUP2013-00016
GCID 2013-0290

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HUNTER, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by JARED GROFF for the proposed use of AUTOMOBILE SERVICE on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 23, 2013 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 23rd day of APRIL, 2013 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

1. Retail, service commercial and accessory uses, which may include automotive service and repair as a special use.
2. The hours of operation shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 4:00 p.m. on Saturdays. Dynamometer testing shall be prohibited.
3. Outdoor sales, storage or display of tires or parts shall be prohibited. The site shall be kept free of junk cars or other debris at all times. Any vehicle(s) parked overnight shall be kept inside the building or stored to the rear of the building within the fence enclosure.
4. Abide by all applicable requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
5. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
6. Peddlers and/or parking lot sales shall be prohibited.

7. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 4/25/13

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 53, 6TH DISTRICT, OF GWINNETT COUNTY, GEORGIA, CONTAINING 0.923 ACRES, AND BEING MORE PARTICULARLY DECRIBED AS FOLLOWS:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, BEGIN AT A POINT LOCATED AT THE NORTHEASTERLY RIGHT-OF-WAY INTERSECTION HEWATT COURT AND HEWATT ROAD (HAVING A 80' RIGHT-OF-WAY), THENCE CONTINUING ALONG THE EASTERN RIGHT-OF-WAY OF HEWATT ROAD IN A NORTHWESTERLY DIRECTION A DISTANCE OF 383.50 FEET TO AN PK NAIL SET, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 29 DEGREES 36 MINUTES 01 SECONDS WEST A DISTANCE OF 128.18 FEET TO AN IRON PIN SET, THENCE LEAVING SAID RIGHT-OF-WAY NORTH 60 DEGREES 24 MINUTES 48 SECONDS EAST A DISTANCE OF 317.13 FEET TO AN IRON PIN SET, THENCE SOUTH 31 DEGREES 23 MINUTES 05 SECONDS EAST A DISTANCE OF 110.70 FEET TO AN IRON PIN FOUND, THENCE SOUTH 58 DEGREES 48 MINUTES 43 SECONDS WEST A DISTANCE OF 39.85 FEET TO AN IRON PIN FOUND, THENCE SOUTH 30 DEGREES 52 MINUTES 07 SECONDS EAST A DISTANCE OF 16.29 FEET TO AN IRON PIN SET, THENCE SOUTH 60 DEGREES 23 MINUTES 08 SECONDS WEST A DISTANCE OF 281.13 FEET TO AN PK NAIL SET ON THE EASTERN RIGHT-OF-WAY OF HEWATT ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY SHOWN ON A BOUNDARY SURVEY FOR TOMMY MARTIN, PREPARED BY BOUNDARY ZONE, INC., DATED JANUARY 16, 2013.

JAN 29 2013

SUP 13 05 13

03 11 13 11 11 11

CASE NUMBER SUP2013-00018
GCID 2013-0292

BOARD OF COMMISSIONERS
GWINNETT COUNTY
LAWRENCEVILLE, GEORGIA
RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

<u>Present</u>	<u>VOTE</u>
Charlotte J. Nash, Chairman	<u>YES</u>
Jace Brooks, District 1	<u>YES</u>
Lynette Howard, District 2	<u>YES</u>
Tommy Hunter, District 3	<u>YES</u>
John Heard, District 4	<u>YES</u>

On motion of COMM. HEARD, which carried 5-0, the following resolution was adopted:

A RESOLUTION TO GRANT A SPECIAL USE PERMIT

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application for a Special Use Permit by ELITE PAINT AND BODY, LLC for the proposed use of an AUTOMOBILE BODY REPAIR SHOP on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Special Use Permit Application has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on APRIL 23, 2013 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 23rd day of APRIL, 2013 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial uses, which may include an automobile body repair shop as a Special Use. Automobile sales shall be prohibited.
 - B. Abide by all applicable requirements of Section 1315 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application.
2. To satisfy the following site development considerations.
 - A. Outdoor automotive repair or outdoor storage of parts, tires, junked vehicles, or other materials is prohibited.
 - B. Automobiles waiting for repair (or parked) for more than five (5) business days, shall be parked indoors or enclosed in a holding area screened by an opaque fence.
 - C. No outdoor loudspeakers shall be permitted.
 - D. Hours of operation shall be limited to between 6:00 a.m. and 11:00 p.m. Monday through Friday, and between 7:00 a.m. and 7:00 p.m. on Saturday and Sunday.
 - E. Ground signage shall be limited to a monument-type sign, with a minimum two-foot high brick or stacked stone base.

- F. Neon, LED or blinking window signs or wall signs shall be prohibited.
- G. No banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
- H. Peddlers and/or parking lot sales are prohibited.
- I. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 4/25/13

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 12 and 28 of the 7th district, Gwinnett County, Georgia and being more particularly described as follows:

To find the True Point of Beginning, begin at the intersection of the Southwesterly right-of-way of Buford Drive a.k.a. Ga. Hwy 20 & 124 (apparent right-of-way varies) and the Northerly right-of-way of Cripple Creek Drive (apparent 60' right-of-way); THENCE along the right-of-way of Cripple Creek Drive for a distance of 271.07 feet to a ½ inch rebar found, said point being The True Point of Beginning; Thence continuing along said right-of-way North 85 degrees 01 minutes 57 seconds West for a distance of 113.33 feet to a ½ inch rebar found; THENCE leaving said right-of-way North 04 degrees 18 minutes 16 seconds East for a distance of 120.12 feet to a ½ inch rebar found; THENCE North 04 degrees 06 minutes 06 seconds East for a distance of 103.66 feet to a ½ inch rebar found; THENCE South 85 degrees 53 minutes 39 seconds East for a distance of 125.33 feet to a p.k. nail found; THENCE South 04 degrees 10 minutes 01 seconds West for a distance of 144.36 feet to a ½ inch rebar found; THENCE South 12 degrees 38 minutes 04 seconds West for a distance of 82.03 feet to a ½ inch rebar found on the northerly right-of-way of Cripple Creek Drive, said point being the True Point of Beginning.

Said property contains 0.635 acres.

2008
1000

8/20/08