

Gwinnett County Board of Commissioners' Resolutions
for BRD, CIC, RZC, RZM, RZR, MIH, MUO, MUR, and/or SUP
Cases and Amendments acted upon in July 2015

CASE NUMBER BRD2015-00003
GCID 2015-0564

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>ABSENT</u>
Jace Brooks, District 1	<u>ABSENT</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 3-0, the following resolution was adopted:

A RESOLUTION TO REDUCE THE BUFFER ON PROPERTY

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 Reduce the Buffers on property by MORDERCAI YOUNG LEE from 20 FEET to 11 FEET 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of July, 2015 that the aforesaid application for a Buffer Reduction is hereby **DENIED**.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/4/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 55 OF THE 7TH DISTRICT, GWINNETT COUNTY, STATE OF GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO ARRIVE AT THE TRUE POINT OF BEGINNING, BEGIN AT A POINT LOCATED AT THE NORTHEASTERLY RIGHT-OF-WAY INTERSECTION OF PROSPECT ROAD (HAVING A 60 FOOT RIGHT-OF-WAY) AND OLD FOUNTAIN ROAD (HAVING AN 80 FOOT RIGHT-OF-WAY), SAID POINT BEING THE POINT OF BEGINNING, THENCE LEAVING SAID POINT OF BEGINNING IN A NORTHEASTERLY DIRECTION ALONG THE NORTHERLY RIGHT-OF-WAY OF OLD FOUNTAIN ROAD A DISTANCE OF 536.54 FEET TO A ½ INCH IRON PIN FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE LEAVING SAID RIGHT-OF-WAY IN A NORTHERLY DIRECTION NORTH 36 DEGREES 45 MINUTES 30 SECONDS WEST A DISTANCE OF 799.10 FEET TO AN IRON PIN FOUND, THENCE NORTH 58 DEGREEES 45 MINUTES 26 SECONDS EAST A DISTANCE OF 399.21 FEET TO AN IRON PIN FOUND, THENCE SOUTH 31 DEGREES 33 MINUTES 03 SECONDS EAST A DISTANCE OF 799.91 FEET TO AN IRON PIN FOUND ALONG THE NORTHERN RIGHT-OF-WAY OF OLD FOUNTAIN ROAD, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY SOUTH 59 DEGREES 32 MINUTES 45 SECONDS WEST A DISTANCE OF 326.73 FEET TO AN IRON PIN FOUND, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 6.644 ACRES AND BEING MORE PARTICULARLY DESCRIBED ON A BOUNDARY AND TOPOGRAPHIC SURVEY FOR YUNG D. LEE, PREPARED BY PRECISION PLANNING INC., DATED AUGUST 16, 2006, LAST REVISED JANUARY 14, 2015.

BRD '15 003

RECEIVED BY

APR 03 2015

Planning & Development

CASE NUMBER BRD2015-00004
GCID 2015-0717

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>ABSENT</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 4-0, the following resolution was adopted:

A RESOLUTION TO REDUCE THE BUFFER ON PROPERTY

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 Reduce the Buffers on property by LYNWOOD DEVELOPMENT GROUP from 50 FEET to 0 FEET 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28^d day of July, 2015 that the aforesaid application for a Buffer Reduction from 50 FEET to 0 FEET is hereby **APPROVED** with the following enumerated conditions:

1. Natural vegetation shall remain on the property prior to the issuance of a development permit.
2. Peddlers and/or parking lot sales shall be prohibited.
3. No tents, 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.
4. 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: 8/4/15

ATTEST:

Deanne Kemp
County Clerk/Deputy County Clerk

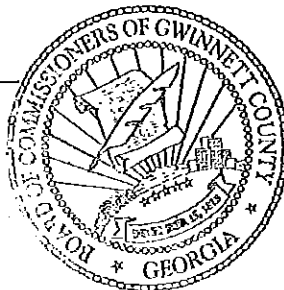


EXHIBIT "A"

LEGAL DESCRIPTION FOR T&B, LLC

All that tract or parcel of land lying and being in Land Lot 81 of the 7th Land District of Gwinnett County, Georgia, being Tract One containing 4.627 acres, Tract Two containing 0.677 acre and "Proposed Easement Area" containing 0.090 acre for a total of 5.394 acres], as shown on that certain Survey for T & B, LLC, dated May 12, 2006, prepared by Apalachee Land Surveying, Inc., Charles D. Norton, GRLS # 2872, Job Number 06-023, and being more particularly described according to said survey as follows:

BEGINNING at an iron pin set on the northerly right of way line of Georgia S.R. 120 a/k/a Duluth Highway (right of way varies), which iron pin set is located 353.68 feet southeasterly along said right of way line to the mitered intersection of Sugarloaf Parkway (right of way varies); run thence along said right of way line of Georgia S.R. 120 a/k/a Duluth Highway North 68 degrees 09 minutes 16 seconds West for a distance of 262.28 feet to an iron pin with cap found; continuing along said right of way line North 80 degrees 38 minutes 50 seconds West for a distance of 202.29 feet to an iron pin with cap found; continuing along said right of way line North 72 degrees 11 minutes 52 seconds West for a distance of 78.64 feet to a concrete monument found; thence leaving said right of way line run North 17 degrees 55 minutes 45 seconds East for a distance of 113.14 feet to a 3/4-inch open top pipe found; run thence North 67 degrees 02 minutes 12 seconds East for a distance of 422.88 feet to a 3/4-inch open top pipe found; run thence North 17 degrees 52 minutes 53 seconds East for a distance of 282.98 feet to a 1/2-inch rebar found; run thence South 54 degrees 05 minutes 08 seconds East for a distance of 199.93 feet to a point; run thence North 77 degrees 58 minutes 19 seconds East for a distance of 91.57 feet to a point located on the southwesterly right of way line of Sugarloaf Parkway (right of way varies); run thence along said right of way line of Sugarloaf Parkway South 13 degrees 10 minutes 13 seconds East for a distance of 60.01 feet to a point; thence leaving said right of way line run South 77 degrees 58 minutes 19 seconds West for a distance of 38.84 feet to a point; run thence South 54 degrees 05 minutes 08 seconds East for a distance of 19.38 feet to a 3/4-inch open top pipe found; run thence South 24 degrees 17 minutes 46 seconds West for a distance of 571.76 feet to an iron pin set on the northerly right of way line of Georgia S.R. 120 a/k/a Duluth Highway (right of way varies), which iron pin set marks the TRUE PLACE OR POINT OF BEGINNING.

2015 004

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MAY 1 2015

Planning & Development

CASE NUMBER CIC2015-00010
GCID 2015-0558

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>ABSENT</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 4-0, 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 JOHN HOWARD for a CHANGE IN CONDITIONS OF ZONING TO ALLOW A LANDSCAPE CONTRACTOR WITH OUTDOOR STORAGE (REDUCTION IN BUFFERS) 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015, 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:

- I. To restrict the use and satisfy the following site development considerations:
 - A. Retail, service commercial, office and accessory uses, which may include a landscape contractor's office with outdoor storage as a special use.
 - B. Upon any expansion or addition to the existing office building, and for any new building, the owner/occupant shall obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes.
 - C. Abide by all requirements of UDO Section 220-30 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application(s).
 - D. Provide interparcel access as required by the Development Division.
 - E. Dumpsters shall be screened by a fence or wall at least eight feet in height.
 - F. Garbage pickup will be limited to between the hours of 8:00 a.m. and 6:00 p.m.
 - 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. Any new buildings shall be finished with architectural treatments of brick or stone; stucco or other masonry finish may only be used as an accent material.
 - I. Provide a sidewalk adjacent to Georgia Highway 20 across the entire property frontage as per the Development Regulations.
 - J. Curb cuts will be subject to the approval and location by the Gwinnett Department of Transportation.
 - K. Provide a 10-foot wide landscaped strip outside of the existing right-of-way.
 - L. Provide a minimum of a 10-foot side yard setback.

- M. Submit a landscaping plan for review and approval by the Director of Planning and Development.
 - N. Provide a minimum 75-foot wide natural undisturbed buffer along the east (rear) property line adjacent to residentially-zoned properties, with replanting where sparsely vegetated to provide an effective visual screen.
 - O. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign(s) shall not exceed 8 feet in height.
 - P. Billboards or oversized signs shall be prohibited.
 - Q. 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.
 - R. Peddlers and/or parking lot sales shall be prohibited.
 - S. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
2. To abide by the following requirements, dedications and improvements:
- A. Design required on-site storm water detention facilities such that they are not located within any required buffers.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/4/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



EXHIBIT "A"
[Attach Legal Description]

All that tract or parcel of land lying and being in Land Lot 65 of the 7th District, Gwinnett County, Georgia, containing 3.299 acres according to a Topographic and Boundary Survey for John Howard dated February 17, 1999, prepared by Gresham Planning & Development, Inc., Charles A. Marmelstein, Jr., C.R.L.S., said tract being more particularly described according to said survey as follows:

BEGINNING at a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20 (right of way varies) said point being located 778.12 feet along said right of way line of Georgia Highway 20 from a concrete right of way marker located at the northwestmost point of the mitered intersection of Georgia Highway 20 with Ridge Road. (right of way varies), and run thence along said right of way line of Georgia Highway 20 following the curvature of an arc a distance of 201.97 feet to a point marked by an iron pin found, said arc having a radius of 2,120.75 feet and being subtended by a chord bearing and distance of North 17 degrees 09 minutes 03 seconds West 201.89 feet; leaving said right of way line, run thence North 62 degrees 25 minutes 52 seconds East a distance of 475.73 feet to a point marked by an iron pin found; run thence South 31 degrees 39 minutes 52 seconds East a distance of 376.59 feet to a point marked by an iron pin found; run thence South 70 degrees 27 minutes 47 seconds West a distance of 258.60 feet to a point marked by an iron pin set; run thence North 19 degrees 32 minutes 13 seconds West a distance of 100.00 feet to a point marked by an iron pin set; run thence South 70 degrees 27 minutes 47 seconds West a distance of 299.98 feet to a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20, said point being the TRUE PLACE OR POINT OF BEGINNING.

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APR 03 2015

Planning & Development

CIC '15 01.0

CASE NUMBER CIC2015-00014
GCID 2015-0710

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>ABSENT</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 4-0, 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 QUIKTRIP CORPORATION for a CHANGE IN CONDITIONS OF ZONING TO REMOVE INTERNAL LANDSCAPE STRIP REQUIREMENT 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015, 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:

- I. To restrict the use of the property as follows:
 - A. Retail and service commercial and accessory uses.
 - B. Limit the height of the building(s) to no more than three stories.
 - C. Buildings shall be finished with architectural treatments of glass and/or brick, stone or stucco.
 - D. The development shall abide by all applicable Activity Center Overlay requirements, including landscaping and tree density provisions.
2. To satisfy the following site development considerations:
 - A. Provide a ten-foot wide landscape strip outside the new dedicated rights-of-way of Old Peachtree Road. Landscape strip may be reduced to 5-feet at right-of-way offset along Old Peachtree Road per site plan received January 2, 2003.
 - B. All new ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign(s) shall not exceed 10 feet in height.
 - C. Provide inter-parcel access as may be required by the Department of Planning and Development.
 - D. Oversized signs shall be prohibited.

- E. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent roadways or nearby residential property.
- 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. Peddlers and/or parking lot sales shall be prohibited.
- H. 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: 8/4/15

ATTEST:

Diane Bernf
County Clerk/Deputy County Clerk



EXHIBIT "A"

**LEGAL DESCRIPTION
QUIKTRIP STORE #755**

All that tract or parcel of land lying and being in Land Lot 124 of the 7th District of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at the intersection of the Westerly right of way of the Northbrook Parkway, a 100 foot right of way, with the Northerly right of way of Old Peachtree Road, a right of way of varying widths; thence along said Northerly right of way of Old Peachtree Road South 19 degrees 55 minutes 35 seconds West a distance of 31.69 feet to a point; thence continuing along said right of way along a curve to the right having a radius of 759.00 feet an arc distance of 642.86 feet (said arc being subtended by a chord bearing South 80 degrees 41 minutes 32 seconds West a distance of 623.82 feet) to an iron pin set, said iron pin being the true point of beginning;

Thence from the true point of beginning thus established and continuing along said right of way along a curve to the right having a radius of 759.00 feet an arc distance of 13.94 feet (said arc being subtended by a chord bearing North 74 degrees 31 minutes 02 seconds West a distance of 13.94 feet) to a point; thence continuing along said right of way North 73 degrees 59 minutes 28 seconds West a distance of 121.57 feet to an iron pin set; thence continuing along said right of way South 16 degrees 00 minutes 32 seconds West a distance of 5.00 feet to an iron pin set; thence continuing along said right of way North 73 degrees 59 minutes 28 seconds West a distance of 255.00 feet to a nail set in concrete; thence leaving said right of way North 16 degrees 00 minutes 32 seconds East a distance of 235.00 feet to an iron pin set; thence South 73 degrees 59 minutes 28 seconds East 377.19 feet to an iron pin set; thence South 12 degrees 41 minutes 29 seconds West 230.26 feet to an iron pin set, said iron pin being the true point of beginning.

CXC 15 014

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Planning & Development

CASE NUMBER RZM2015-00002
GCID 2015-0303

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>ABSENT</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 4-0, 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 MUR to RM-24 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015, that the aforesaid application to amend the Official Zoning Map from MUR to RM-24 is hereby **APPROVED AS RM-13** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. No more than 290 multifamily residential dwellings and accessory uses and structures.
 - B. The development shall be a gated community.
 - C. Buildings shall be constructed with ventilated internal corridors; extended overhangs with architectural accents (such as eave brackets and upper-floor window pediments) shall be incorporated into a 4:12 pitched-roof design. Primary exterior treatments of brick or stacked stone shall be provided on each elevation; the remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of building permits.
 - D. The front building entries shall be addressed architecturally, with elevations submitted for review and approval by the Director of Planning and Development prior to the issuance of building permits.
2. To satisfy the following site development considerations:
 - A. Provide a 50-foot wide landscaped setback along Satellite Boulevard. The landscaped setback shall include a decorative fence or wall and entrance monument(s). Landscaping, fence/wall and entrance monument design shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - B. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign(s) shall not exceed 8 feet in height.

- C. Dumpsters/trash compactors shall be screened by a 100% opaque brick or stone wall.
 - D. No 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.
 - E. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
3. Abide by the following requirements, dedications and improvements:
- A. As directed by the Gwinnett County Department of Transportation, and at no cost to Gwinnett County: design, dedicate and construct the improvements identified and recommended by the submitted Traffic Impact Study.
 - B. Dedicate at no cost to Gwinnett County, all necessary right-of-way and easements for the construction of a greenway trail through the property in accordance with the Gwinnett County Open Space and Greenway Master Plan. Right-of-way/easement width and location shall be subject to review and approval by the Department of Community Services.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairmart

Date Signed: 8/11/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION – TRACT 1

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 78, 117 & 118 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at a point at the Land Lot corner of Land Lots 78, 79, 117 & 118, said point being the TRUE POINT OF BEGINNING;

Thence leaving said Land Lot corner, South 29 degrees 06 minutes 36 seconds East, a distance of 329.17 feet to a point;

Thence South 81 degrees 19 minutes 49 seconds West, a distance of 192.65 feet to an iron pin found;

Thence South 08 degrees 40 minutes 14 seconds East, a distance of 70.00 feet to an iron pin found with cap;

Thence South 29 degrees 03 minutes 16 seconds East, a distance of 548.59 feet to a point;

Thence South 42 degrees 52 minutes 02 seconds East, a distance of 188.50 feet to a point;

Thence North 60 degrees 56 minutes 44 seconds East, a distance of 160.00 feet to a point;

Thence South 29 degrees 03 minutes 16 seconds East, a distance of 222.26 feet to a point;

Thence South 59 degrees 44 minutes 10 seconds West, a distance of 512.21 feet to a point;

Thence South 34 degrees 40 minutes 21 seconds East, a distance of 217.49 feet to a point;

Thence South 26 degrees 18 minutes 21 seconds East, a distance of 40.01 feet to a point on the Northern Right-of-Way line of Satellite Blvd (R/W Varies);

Thence continuing along said Right-of-Way, South 63 degrees 46 minutes 00 seconds West, a distance of 100.00 feet to a point;

Thence continuing along said Right-of-Way, North 26 degrees 11 minutes 00 seconds West, a distance of 40.00 feet to a point;

Thence continuing along said Right-of-Way, South 63 degrees 46 minutes 00 seconds West, a distance of 15.83 feet to a point in the centerline of Singleton Creek;

Thence leaving the Northern Right-of-Way line of Satellite Blvd (R/W Varies), and following the centerline of Singleton Creek the following courses and distances:

- North 32 degrees 15 minutes 07 seconds West, a distance of 125.13 feet;
- North 34 degrees 02 minutes 36 seconds West, a distance of 69.88 feet;
- North 34 degrees 58 minutes 00 seconds West, a distance of 109.14 feet;
- North 29 degrees 21 minutes 37 seconds West, a distance of 71.07 feet;
- North 39 degrees 08 minutes 18 seconds West, a distance of 105.36 feet;
- North 21 degrees 01 minutes 57 seconds West, a distance of 53.63 feet;
- North 31 degrees 09 minutes 42 seconds West, a distance of 78.64 feet;
- North 35 degrees 36 minutes 04 seconds West, a distance of 87.74 feet;
- North 23 degrees 25 minutes 12 seconds West, a distance of 116.64 feet;
- North 40 degrees 01 minutes 42 seconds West, a distance of 73.94 feet;
- North 25 degrees 20 minutes 56 seconds West, a distance of 86.13 feet;
- North 26 degrees 51 minutes 38 seconds West, a distance of 100.88 feet;
- North 25 degrees 05 minutes 58 seconds West, a distance of 51.85 feet;
- North 29 degrees 19 minutes 18 seconds West, a distance of 77.92 feet;

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North 29 degrees 46 minutes 18 seconds West, a distance of 99.87 feet;
North 29 degrees 31 minutes 59 seconds West, a distance of 64.37 feet;
North 20 degrees 36 minutes 44 seconds West, a distance of 189.95 feet;
North 15 degrees 09 minutes 29 seconds West, a distance of 200.78 feet;
North 09 degrees 09 minutes 00 seconds West, a distance of 238.22 feet;
North 13 degrees 19 minutes 43 seconds West, a distance of 340.04 feet;
North 15 degrees 54 minutes 27 seconds West, a distance of 319.28 feet;
North 18 degrees 37 minutes 08 seconds West, a distance of 132.63 feet;
North 06 degrees 12 minutes 11 seconds East, a distance of 44.71 feet;
North 14 degrees 24 minutes 08 seconds West, a distance of 75.69 feet;
North 26 degrees 57 minutes 01 seconds West, a distance of 50.96 feet;
North 14 degrees 57 minutes 00 seconds East, a distance of 24.96 feet;
North 12 degrees 41 minutes 07 seconds West, a distance of 39.26 feet;
North 17 degrees 16 minutes 44 seconds West, a distance of 58.67 feet;
North 18 degrees 19 minutes 47 seconds West, a distance of 82.10 feet;
North 19 degrees 59 minutes 27 seconds West, a distance of 59.98 feet;
North 06 degrees 06 minutes 28 seconds East, a distance of 34.06 feet;
North 13 degrees 51 minutes 27 seconds West, a distance of 28.89 feet;
North 22 degrees 12 minutes 09 seconds West, a distance of 50.39 feet;
North 06 degrees 25 minutes 52 seconds West, a distance of 56.89 feet;
North 16 degrees 21 minutes 04 seconds West, a distance of 100.78 feet;
North 04 degrees 18 minutes 48 seconds West, a distance of 39.21 feet;
North 30 degrees 47 minutes 42 seconds West, a distance of 33.43 feet;
North 03 degrees 35 minutes 59 seconds East, a distance of 50.33 feet;
North 14 degrees 31 minutes 17 seconds West, a distance of 43.54 feet;

Thence leaving the centerline of Singleton Creek and following the centerline of a stream the following courses and distances:

North 68 degrees 45 minutes 23 seconds East, a distance of 25.17 feet;
South 86 degrees 07 minutes 02 seconds East, a distance of 24.66 feet;
South 62 degrees 28 minutes 05 seconds East, a distance of 32.51 feet;
North 87 degrees 45 minutes 00 seconds East, a distance of 116.15 feet;
North 86 degrees 35 minutes 12 seconds East, a distance of 53.12 feet;

Thence leaving the centerline of a stream, South 31 degrees 39 minutes 47 seconds East, a distance of 1516.00 feet to a point;

Thence South 30 degrees 10 minutes 35 seconds East, a distance of 436.97 feet to a point;

Thence South 59 degrees 50 minutes 01 seconds West, a distance of 263.53 feet to a point at the Land Lot corner of Land Lots 78, 79, 117 & 118, said point being the TRUE POINT OF BEGINNING.

Said tract containing 42.938 acres.

RZM '16 11 0 2

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JAN 5 2015

Planning & Development

LEGAL DESCRIPTION – TRACT 3

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 78 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

Commencing at a point at the Land Lot corner of Land Lots 78, 79, 117 & 118

Thence leaving said Land Lot corner, South 29 degrees 06 minutes 36 seconds East, a distance of 329.17 feet to a point;

Thence South 29 degrees 03 minutes 26 seconds East, a distance of 730.15 feet to a point;

Thence South 29 degrees 03 minutes 16 seconds East, a distance of 222.26 feet to a point, said point being the TRUE POINT OF BEGINNING;

Thence South 29 degrees 03 minutes 16 seconds East, a distance of 20.00 feet to an iron pin found with cap;

Thence along an arc of a curve to the left, an arc length of 432.68 feet with a radius of 341.48 feet, being subtended by a chord bearing South 21 degrees 39 minutes 09 seconds West, a distance of 404.36 feet to a point on the Northern Right-of-Way line of Satellite Blvd (R/W Varies);

Thence continuing along said Right-of-Way, South 63 degrees 46 minutes 00 seconds West, a distance of 180.00 feet to a point;

Thence leaving the Northern Right-of-Way line of Satellite Blvd (R/W Varies), North 26 degrees 18 minutes 21 seconds West, a distance of 40.01 feet to a point;

Thence North 34 degrees 40 minutes 21 seconds West, a distance of 217.49 feet to a point;

Thence North 59 degrees 44 minutes 10 seconds East, a distance of 512.21 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract 1.750 acres.

RZM 15 002

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JAN 5 2015

Planning & Development

CASE NUMBER RZM2015-00004
GCID 2015-0715

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>ABSENT</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 4-0, 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 RM-24 by LYNWOOD DEVELOPMENT GROUP 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015, that the aforesaid application to amend the Official Zoning Map from C-2 to RM-24 is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use of the property as follows:
 - A. No more than 20 multi-family residential dwellings and accessory uses and structures, to be developed as part of the adjacent multi-family property zoned RM-24 pursuant to RZM2015-00001.
 - B. The development shall be a gated community.
 - C. Buildings shall be constructed with internal corridors (no breezeways), with primary exterior treatments of brick or stacked stone on each elevation. The remainder of each elevation may be the same, or fiber-cement shake or siding. Building elevations shall be submitted for review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - D. Abide by the applicable requirements of the Civic Center Overlay District as found in Chapter 220 of the Unified Development Ordinance. This shall not preclude a variance application.
 - E. Garages shall be provided for a minimum of 10% of the units (combined with RZM2015-00001).
 - F. The site shall be limited to a maximum of 10% three-bedroom units.
 - G. Playgrounds and play-yards shall be prohibited.

2. To satisfy the following site development considerations:
 - A. Provide a 25-foot wide landscaped setback along Atkinson Road. The landscaped setback shall include a decorative fence or wall and entrance monument(s). Landscaping, fence/wall and entrance monument design shall be subject to review and approval of the Director of Planning and Development prior to the issuance of a development permit.
 - B. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials.
 - C. Dumpsters/trash compactors shall be screened by a 100% opaque brick or stone wall.
 - D. No 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.
 - E. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
 - F. Provide secure pedestrian access gate(s) from the property to the Sugarloaf Mills mall property.
 - G. All units shall have solid-surface counter tops, and tile or hardwood entry, kitchen and bathroom floors.
 - H. Gutters shall blend with the architectural style of the buildings.
 - I. The residential buildings shall include a water-table with a change in materials below the water-table to be masonry or stone.
 - J. Asphalt roof shingles shall be architectural grade with a dimensional textured surface, and shall be algae resistant.

3. Abide by the following requirements, dedications and improvements:

- A. As directed by the Gwinnett County Department of Transportation, and at no cost to Gwinnett County: design, dedicate and construct the improvements identified and recommended by the submitted Traffic Impact Study as part of zoning case RZM2015-00001.

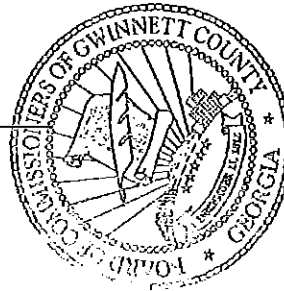
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/4/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION
PARCEL "B"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 81 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

Commencing at a concrete monument found at the intersection of the Northwestern Right-of-Way line of Duluth Hwy (R/W Varies) and the Northeastern Right-of-Way line of Atkinson Road (R/W Varies); thence along said Right-of-Way line of Atkinson Road, North 61 degrees 49 minutes 05 seconds West, a distance of 52.86 feet to a point; thence continuing along said Right-of-Way, North 16 degrees 05 minutes 03 seconds West, a distance of 62.84 feet to a pk nail found, said point being the TRUE POINT OF BEGINNING; thence continuing along said Right-of-Way, North 18 degrees 58 minutes 06 seconds West, a distance of 3.31 feet to a pk nail found; thence continuing along said Right-of-Way, South 67 degrees 23 minutes 31 seconds West, a distance of 10.01 feet to a pk nail found; thence continuing along said Right-of-Way, 40.60 feet along an arc of a curve to the left, said arc having a radius of 656.94 feet and being subtended by a chord bearing and distance of North 20 degrees 48 minutes 04 seconds West 40.59 feet to a point; thence continuing along said Right-of-Way, 113.59 feet along an arc of a curve to the left, said arc having a radius of 1651.94 feet and being subtended by a chord bearing and distance of North 24 degrees 38 minutes 47 seconds West 113.57 feet to a point; thence continuing along said Right-of-Way 49.02 feet along an arc of a curve to the left, said arc having a radius of 1653.93 feet and being subtended by a chord bearing and distance of North 27 degrees 12 minutes 23 seconds West 49.02 feet to an iron pin found; thence leaving the Northeastern Right-of-Way line of Atkinson Road (R/W Varies), North 69 degrees 46 minutes 07 seconds East, a distance of 222.52 feet to an iron pin found; thence South 22 degrees 45 minutes 46 seconds East, a distance of 23.66 feet to an iron pin found; thence South 22 degrees 38 minutes 37 seconds East, a distance of 167.91 feet to an iron pin found; thence South 64 degrees 17 minutes 58 seconds West, a distance of 62.36 feet to a pk nail found; thence South 28 degrees 08 minutes 03 seconds East, a distance of 3.80 feet to a point; thence South 68 degrees 04 minutes 33 seconds West, a distance of 144.11 feet to a pk nail found on the Northeastern Right-of-Way line of Atkinson Road (R/W Varies), said point being the TRUE POINT OF BEGINNING.

Said tract containing 0.989 acres.

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Planning & Development

RZM '15 004

CASE NUMBER RZR2015-00005
GCID 2015-0304

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>ABSENT</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 4-0, 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 RA-200 to OSC by RIDGELINE LAND PLANNING, INC. for the proposed use of an OPEN SPACE CONSERVATION SUBDIVISION 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28TH day of JULY 2015, that the aforesaid application to amend the Official Zoning Map from RA-200 to OSC is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family detached dwellings and accessory uses and structures.
 - B. The minimum heated floor area per dwelling unit shall be 2,500 square feet for single story homes and 2,800 square feet for two-story homes.
 - C. Homes shall be constructed with front facades of primarily brick, stacked stone or stucco, with no more than 25% fiber-cement shake or siding accents. The balance of the home may be the same, or of fiber-cement siding or shake with a minimum 36-inch high brick or stacked stone water table on the sides and rear of the home.
 - D. All dwellings shall have at least a double-car garage.
 - E. Lots shall be a minimum of 70 feet in width.
2. To satisfy the following site development considerations:
 - A. The Jim Moore Road street frontage shall be landscaped by the developer and maintained by the Homeowner's Association, and shall include a decorative masonry entrance feature. Landscape and entrance plans shall be subject to review and approval of the Director of Planning and Development.
 - B. No direct lot access shall be allowed to Jim Moore Road.
 - C. All grassed areas on dwelling lots shall be sodded.
 - D. Provide underground utilities throughout the development.
 - E. Natural vegetation shall remain on the property until the issuance of a development permit.

- F. The 50-foot undisturbed perimeter buffer shall be replanted where sparsely vegetated, with special emphasis on adjacent parcels 3001 131 & 132 (VanDerhei), 3001F265 & 3001 165 (Ledford) and 3001 198 (Russell). Addition of landscaping shall be approved by the Director of Planning and Development.
 - G. All detention ponds shall be fenced by a six-foot high opaque fence, maintained by the Homeowner's Association, screened by landscaping for the adjacent property owners VanDerhei, Ledford and Russell, as applicable. Landscaping shall be approved by the Director of Planning and Development.
3. To abide by the following requirements, dedications, and improvements:
- A. Prior to the issuance of any permits, the developer shall submit an archeological survey of the property. This survey shall be prepared by a professional archeologist in accordance with the guidelines and requirements established in the Georgia Abandoned Cemeteries and Burial Grounds Act. Areas on the property which are interpreted to be stone-mound burial complexes or are otherwise deemed to be archeologically significant shall be preserved from any land disturbance and shall be suitably fenced and posted to prevent unauthorized access. Location and type of fencing shall be subject to review and approval of the Gwinnett County Planning and Development Department.
 - B. Stone mound complexes or other archeologically significant remains, as identified in the archeological survey, shall be included in the open space and designated as archeological preserve areas. These areas shall be maintained as undisturbed natural buffer areas and no grading, grubbing, or development shall be allowed. The above development restrictions shall be incorporated into any deed conveying title to the archeological preserve areas as covenants and conditions running with the title thereto.
 - C. Any archeologically significant sites on the property shall be identified, protected with a decorative fence, 20-foot buffer around the perimeter of the site, and incorporated into permanent open space on the final plat. Location and design of protection measures shall be subject to review by the Director of Planning and Development and the Gwinnett Historical Society.
 - D. A statement shall be placed on the final plat in order to notify future homeowners of the existing sewage lift station, and of odors which may be typical of such facilities.
 - E. A statement shall be placed on the Final Plat in order to notify future homeowners of adjacent residential/agricultural properties that could exhibit noises and smells that are typical of a rural/agricultural area.

F. If Gwinnett D.O.T. warrants it based on existing traffic counts on Jim Moore Road and anticipated traffic from the development; provide, design, construct, and obtain all necessary right-of-way at no cost to Gwinnett County a left-turn lane on Jim Moore Road into the development. All design and construction shall be approved by Gwinnett County D.O.T.

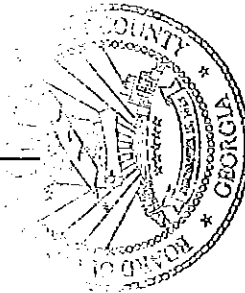
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/4/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



SURVEYED LEGAL DESCRIPTION

TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN GEORGIA MILITIA DISTRICT (GMD) 1749, GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY OF HOG MOUNTAIN-BRASELTON ROAD (HAVING AN 80' RIGHT OF WAY WIDTH) AND THE NORTHEASTERLY RIGHT OF WAY OF JIM MOORE ROAD (HAVING AN 80' RIGHT OF WAY WIDTH), THENCE RUNNING ALONG SAID RIGHT OF WAY OF JIM MOORE ROAD IN A SOUTHEASTERLY DIRECTION, 1180.5' MORE OR LESS TO AN IRON PIN SET AND THE POINT OF BEGINNING:

FROM THE POINT OF BEGINNING AS THUS ESTABLISHED AND LEAVING SAID RIGHT OF WAY N 77°51'31" E A DISTANCE OF 965.29' TO A 1" OPEN TOP FOUND; THENCE S 23°16'24" E A DISTANCE OF 104.89' TO A 1" OPEN TOP FOUND; THENCE S 62°45'44" W A DISTANCE OF 904.60' TO AN IRON PIN SET ON SAID RIGHT OF WAY OF JIM MOORE ROAD; THENCE RUNNING ALONG SAID RIGHT OF WAY N 32°12'24" W A DISTANCE OF 120.80' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 221.58', WITH A RADIUS OF 1573.17', WITH A CHORD BEARING OF N 29°42'45" W, WITH A CHORD LENGTH OF 221.40' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY N 27°38'25" W A DISTANCE OF 14.51' TO AN IRON PIN SET, WHICH IS THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 4.886 ACRES (BEING 211,996+/- SQUARE FEET), INCLUDING AREA WITHIN ANY AND ALL EASEMENTS.

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Planning & Development

SURVEYED LEGAL DESCRIPTION

TRACT 2

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN GEORGIA MILITIA DISTRICT (GMD) 1749, GWINNETT COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY OF HOG MOUNTAIN-BRASELTON ROAD (HAVING AN 80' RIGHT OF WAY WIDTH) AND THE NORTHEASTERLY RIGHT OF WAY OF JIM MOORE ROAD (HAVING AN 80' RIGHT OF WAY WIDTH), THENCE RUNNING ALONG SAID RIGHT OF WAY OF JIM MOORE ROAD IN A SOUTHEASTERLY DIRECTION, 1189.5' MORE OR LESS TO AN IRON PIN SET; THENCE CONTINUING ALONG SAID RIGHT OF WAY S 27°38'25" E A DISTANCE OF 14.51' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 221.58', WITH A RADIUS OF 1573.17', WITH A CHORD BEARING OF S 29°42'45" E, WITH A CHORD LENGTH OF 221.40' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY S 32°12'24" E A DISTANCE OF 120.80' TO AN IRON PIN SET, AND THE POINT OF BEGINNING:

FROM THE POINT OF BEGINNING AS THUS ESTABLISHED AND LEAVING SAID RIGHT OF WAY, THENCE N 62°45'44" E A DISTANCE OF 1295.21' TO A 1/2" REBAR FOUND; THENCE S 38°50'58" E A DISTANCE OF 952.98' TO A POINT LOCATED IN THE CENTERLINE OF LITTLE MULBERRY RIVER; THENCE RUNNING ALONG SAID CENTERLINE THE FOLLOWING 12 COURSES AND DISTANCES:

- 1. THENCE S 34°40'59" W A DISTANCE OF 6.71' TO A POINT;**
- 2. THENCE S 54°12'26" W A DISTANCE OF 113.07' TO A POINT;**
- 3. THENCE S 70°00'17" W A DISTANCE OF 58.57' TO A POINT;**
- 4. THENCE S 40°00'16" W A DISTANCE OF 18.93' TO A POINT;**
- 5. THENCE S 09°19'38" W A DISTANCE OF 22.80' TO A POINT;**
- 6. THENCE N 73°47'09" W A DISTANCE OF 86.92' TO A POINT;**
- 7. THENCE S 28°51'08" W A DISTANCE OF 50.29' TO A POINT;**
- 8. THENCE S 35°38'54" W A DISTANCE OF 99.32' TO A POINT;**
- 9. THENCE S 83°01'21" W A DISTANCE OF 81.42' TO A POINT;**
- 10. THENCE N 43°22'13" W A DISTANCE OF 34.06' TO A POINT;**
- 11. THENCE N 30°36'14" W A DISTANCE OF 94.56' TO A POINT;**
- 12. THENCE S 89°20'02" W A DISTANCE OF 24.62' TO A POINT;**

THENCE LEAVING SAID CENTERLINE OF LITTLE MULBERRY RIVER N 23°29'09" W A DISTANCE OF 347.58' TO AN IRON PIN SET; THENCE S 65°05'12" W A DISTANCE OF 645.12' TO A 1/2" TUBE FOUND WITH CAP (PLS 2029); THENCE S 64°47'25" W A DISTANCE OF 106.58' TO AN IRON PIN SET; THENCE N 14°04'20" W A DISTANCE OF 95.14' TO A 1/2" REBAR FOUND; THENCE N 57°12'14" W A DISTANCE OF 90.13' TO A 1/2" REBAR FOUND; THENCE S 64°59'39" W A DISTANCE OF 193.73' TO A 1/2" REBAR FOUND ON SAID RIGHT OF WAY OF JIM MOORE ROAD; THENCE RUNNING ALONG SAID RIGHT OF WAY N 33°20'37" W A DISTANCE OF 265.45' TO AN IRON PIN SET, WHICH IS THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 18.026 ACRES (BEING 785,252+/- SQUARE FEET), INCLUDING AREA WITHIN ANY AND ALL EASEMENTS.

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JAN - 2 2015

Planning & Development

CASE NUMBER RZR2015-00010
GCID 2015-0474

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>ABSENT</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 4-0, 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 R-100 to R-60 by GDP HOLDINGS, LLC for the proposed use of a SINGLE-FAMILY SUBDIVISION 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 JULY 28, 2015 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015, that the aforesaid application to amend the Official Zoning Map from R-100 to R-60 is hereby **APPROVED AS R-75** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family residential and accessory uses and structures. A revised layout meeting the requirements of the R-75 zoning district shall be submitted for review and approval by the Director of Planning and Development prior to the issuance of any permits, and shall be substantially similar to the site plan presented at the July 7, 2015 Planning Commission meeting.
 - B. Homes shall be constructed primarily of brick or stacked stone on three sides. The balance shall be the same or fiber-cement siding or shake with a minimum 2-foot masonry water table.
 - C. The minimum heated floor area per dwelling shall be 2,800 square feet.
 - D. All homes shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. Natural vegetation shall remain on the property until issuance of a Development Permit.
 - B. Provide a 25-foot wide enhanced buffer adjacent to all exterior property lines where abutting Evergreen Lakes properties. The enhancements will be a mixture of plantings to have rear-round screening, as approved by the Director of Planning and Development.
 - C. The Brownlee Road frontage shall include a landscaped entrance feature at the new subdivision street. Landscape and signage plans shall be subject to review and approval of the Director of Planning and Development.
 - D. All grassed areas on dwelling lots shall be sodded.
 - E. Underground utilities shall be provided throughout the development.

F. Any concrete walls constructed in the detention pond areas shall be painted forest green.

G. Provide a six-foot fence around the outparcel on Brownlee Road, in lieu of a buffer.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/4/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



Freeman Property – Brownlee North

All that tract or parcel of land lying and being in Land Lot 76 of the Sixth Land District of Gwinnett County, Georgia and being more particularly described as follows:

COMMENCING at a point at the intersection of the western right-of-way margin of Pounds Road (80' R/West) with the southern right-of way margin of Brownlee Road (80' R/West)

Thence South 63 degrees 00 minutes 00 seconds West for a distance of 56.07 feet to the beginning of a curve;

Thence 459.53 feet along the arc of a curve to the right having a radius of 1676.02 feet and a being subtended by a chord bearing South 70 degrees 51 minutes 00 seconds West and being subtended by a chord distance of 458.09 feet to a point on the southern right-of way margin of Brownlee Road (80' R/West);

Thence North 44 degrees 16 minutes 00 seconds West for a distance of 95.35 feet to a point on the northern right-of way margin of Brownlee Road (80' R/West);

Thence, continue along the northern right of way margin of Brownlee Road, the following courses and distances:

South 78 degrees 42 minutes 00 seconds West for a distance of 11.66;

Thence 131.94 feet along the arc of a curve to the left having a radius of 612.96 feet and being subtended by chord bearing South 72 degrees 31 minutes 59 seconds West for a distance of 131.69 feet;

Thence South 66 degrees 22 minutes 00 seconds West for a distance of 81.87 feet;

Thence 233.02 feet along the arc of a curve to the left having a radius of 517.46 feet and being subtended by a chord bearing South 53 degrees 28 minutes 00 seconds West for a distance of 231.06 feet;

Continue 139.98 feet along a curve to the left having a radius of 517.46 feet and being subtended by a chord bearing South 32 degrees 48 minutes 59 seconds West for a distance of 139.55 feet;

Thence South 25 degrees 04 minutes 00 seconds West for a distance of 150.86 feet;

Thence South 10 degrees 24 minutes 00 seconds West a distance of 131.38 feet to a point on the northern right of way margin of Brownlee Road, said point being the **POINT OF BEGINNING**.

From the **POINT OF BEGINNING** South 10 degrees 24 minutes 00 seconds West for a distance of 94.38 feet;

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Thence 113.12 feet along a curve to the left having a radius of 1472.39 feet, and being subtended by a chord bearing South 08 degrees 11 minutes 57 seconds West for a distance of 113.09 feet;

Thence South 06 degrees 00 minutes 00 seconds West for a distance of 124.88 feet;

Thence 431.92 feet along a curve to the right having a radius of 532.96 feet, and being subtended by a chord bearing South 29 degrees 13 minutes 00 seconds West for a distance of 420.19 feet;

Thence South 52 degrees 26 minutes 00 seconds West for a distance of 33.06 feet;

Thence, leaving the northern right of way margin of Brownlee Road, North 36 degrees 56 minutes 56 seconds West for a distance of 209.04 feet;

Thence South 53 degrees 03 minutes 04 seconds West for a distance of 210.00 feet;

Thence South 36 degrees 56 minutes 56 seconds East for a distance of 210.00 feet a point on the northern right of way margin of Brownlee Road;

Thence 222.73 feet along a curve to the right having a radius of 400.74 feet and being subtended by a chord bearing South 72 degrees 58 minutes 40 seconds West for a distance of 219.87 feet;

Thence South 88 degrees 54 minutes 00 seconds West for a distance of 528.26 feet;

Thence 198.61 feet along a curve to the left having a radius of 421.97 feet, and being subtended by a chord bearing South 75 degrees 24 minutes 59 seconds West for a distance of 196.78 feet;

Thence departing the northern right of way margin of Brownlee Road and following the meanders of the centerline of an un-named branch, represented by the following courses and distances:

North 37 degrees 24 minutes 00 seconds West for a distance of 190.03 feet;

North 21 degrees 47 minutes 50 seconds West for a distance of 156.21 feet;

North 64 degrees 36 minutes 50 seconds West for a distance of 130.85 feet;

Thence, leaving said branch, North 58 degrees 23 minutes 05 seconds East for a distance of 1538.80 feet;

Thence South 61 degrees 36 minutes 00 seconds East a distance of 403.38 feet to the **POINT OF BEGINNING**

Said tract or parcel contains 24.19 acres, more or less, and is a portion of the property transferred to Mrs. Dorthea Freeman described in Deed Book 143, Page 81 of the Gwinnett County Public records.

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RZR 15 0 1 0

MAR 6 2015

CASE NUMBER RZR2015-00011
GCID 2015-0475

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.

Present

VOTE

Charlotte J. Nash, Chairman
Jace Brooks, District 1
Lynette Howard, District 2
Tommy Hunter, District 3
John Heard, District 4

ABSENT

YES

YES

YES

YES

On motion of COMM. HOWARD, which carried 4-0, 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 R-100 to R-60 by GDP HOLDINGS, LLC for the proposed use of a SINGLE-FAMILY SUBDIVISION 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 JULY 28, 2015 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015, that the aforesaid application to amend the Official Zoning Map from R-100 to R-60 is hereby **DENIED WITHOUT PREJUDICE**.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/4/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



Freeman Property – Brownlee South

All that tract or parcel of land lying and being in Land Lots 75 and 76 of the sixth Land District of Gwinnett County, Georgia and being more particularly described as follows:

THE POINT OF BEGINNING is located at the intersection of the western right-of-way margin of Pounds Road (80' R/West) with the southern right-of way margin of Brownlee Road (80' R/West) ,

From said point follow the western right-of-way margin of Pounds Road (80' R/West) the following courses and distances:

225.46 feet along a curve to the right having a radius of 1369.61 feet and being subtended by a chord bearing South 17 degrees 27 minutes 57 seconds East for a distance of 225.21 feet.

Thence South 12 degrees 45 minutes 00 seconds East for a distance of 167.45 feet;

Thence 274.41 feet along a curve to the right having a radius of 1065.92 feet and being subtended by a chord bearing South 05 degrees 22 minutes 30 seconds East for a distance of 273.65 feet.;

Thence South 02 degrees 00 minutes 00 seconds West for a distance of 575.81 feet;

Thence, leaving aforementioned right-of-way line, North 87 degrees 35 minutes 10 seconds West for a distance of 16.40 feet;

Thence North 30 degrees 09 minutes 35 seconds West for a distance of 271.02 feet;

Thence South 60 degrees 17 minutes 25 seconds West for a distance of 871.58 feet;

Thence South 60 degrees 17 minutes 25 seconds West for a distance of 423.43 feet;

Thence South 60 degrees 17 minutes 25 seconds West for a distance of 804.52 feet;

Thence South 58 degrees 46 minutes 00 seconds West for a distance of 44.54 feet;

Thence along an un-named branch, being represented by North 56 degrees 18 minutes 27 seconds West for a distance of 600.89 feet to a point on the southerly right-of-way margin of Brownlee Road;

Thence 114.70 feet along a curve to the right having a radius of 341.97 feet, and being subtended by a chord bearing North 79 degrees 17 minutes 29 seconds East for a distance of 114.16 feet;

Thence North 88 degrees 54 minutes 00 seconds East for a distance of 528.26 feet,

Thence 305.97 feet along a curve to the left having a radius of 480.74 feet and being subtended by a chord bearing North 70 degrees 39 minutes 59 seconds East for a distance of 300.83 feet

Thence North 52 degrees 26 minutes 00 seconds East for a distance of 210.76 feet to the beginning of a curve,

Thence 259.38 feet along a curve to the left having a radius of 612.96 feet, and being subtended by a chord bearing North 40 degrees 18 minutes 40 seconds East for a distance of 257.45 feet to;

Thence 166.77 feet along a curve to the left having a radius of 612.96 feet, and being subtended by a chord bearing North 20 degrees 23 minutes 38 seconds East for a distance of 166.26 feet;

Thence 70.60 feet along a curve to the left having a radius of 612.96 feet, and being subtended by a chord bearing North 09 degrees 17 minutes 59 seconds East for a distance of 70.56 feet.

Thence North 06 degrees 00 minutes 00 seconds East for a distance of 124.97 feet;

Thence 82.92 feet along a curve to the right having a radius of 1392.39 feet and being subtended by a chord bearing North 07 degrees 42 minutes 28 seconds East for a distance of 82.91 feet;

Thence, leaving the southerly right-of-way margin of Brownlee Road, North 70 degrees 17 minutes 30 seconds East for a distance of 385.73 feet;

Thence North 07 degrees 26 minutes 25 seconds East for a distance of 18.59 feet;

Thence North 32 degrees 24 minutes 30 seconds West for a distance of 371.37 feet to a point on the southerly right-of-way margin of Brownlee Road;

Thence 197.00 feet along a curve to the right having a radius of 437.47 feet, and being subtended by a chord bearing North 53 degrees 28 minutes 00 seconds East for a distance of 195.34 feet;

Thence North 66 degrees 22 minutes 00 seconds East for a distance of 81.87 feet;

Thence 114.72 feet along a curve to the right having a radius of 532.96 feet and being subtended by a chord bearing North 72 degrees 31 minutes 59 seconds East for a distance of 114.50 feet;

Thence North 78 degrees 42 minutes 00 seconds East for a distance of 63.55 feet;

Thence 459.53 feet along a curve to the left having a radius of 1677.02 feet and being subtended by a chord bearing North 70 degrees 51 minutes 00 seconds East for a distance of 458.09 feet.

Thence North 63 degrees 00 minutes 00 seconds East a distance of 56.07 feet to the POINT OF BEGINNING

Said tract or parcel contains 33.72 acres, more or less, and is a portion of the property transferred to Mrs. Dortha Freeman described in Deed Book 143, Page 81 of the Gwinnett County Public records.

RECEIVED BY

MAR 6 2014

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Planning & Development

CASE NUMBER RZR2015-00014
GCID 2015-0714

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>ABSENT</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 4-0, 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 R-100 to R-75 by DEVELOPMENT PLANNING & ENGINEERING for the proposed use of a SINGLE-FAMILY SUBDIVISION 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015, that the aforesaid application to amend the Official Zoning Map from R-100 to R-75 is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single-family dwellings and accessory uses and structures.
 - B. The minimum heated floor area per dwelling unit shall be 2,500 square feet.
 - C. Homes shall be constructed primarily of brick or stacked stone on three sides. The balance of the home may be the same, or of fiber-cement siding with a minimum 3-foot brick water table.
 - D. All dwellings shall have at least a double car garage.
2. To satisfy the following site development considerations:
 - A. The Suwanee Dam Road frontage shall be landscaped, and shall be maintained by the Homeowner's Association. The frontage shall also include a masonry entrance feature, a decorative fence along the entire frontage. Landscaping, fencing and monument signage plans shall be subject to review and approval of the Director of Planning and Development.
 - B. Direct lot access to Suwanee Dam Road shall be prohibited.
 - C. Natural vegetation shall remain on the property prior to the issuance of a Development Permit.
 - D. All grassed areas on dwelling lots shall be sodded.
 - E. Provide underground utilities throughout the development.

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

- A. As required by Gwinnett DOT, provide a left turn on Suwanee Dam Road at the project entrance.

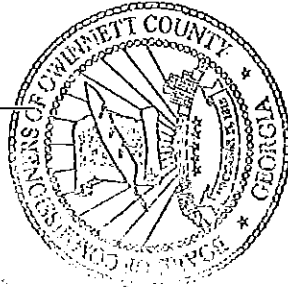
GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/5/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk



Legal Description

All that tract or parcel of land lying and being in Land Lot 340 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

Begin at a point common to land lots 319, 320, 339 and 340, Thence along the southern land lot line of land lot 340 in a southwesterly direction for a total distance of 1,134.69 feet to a point in the centerline of a creek, said point being THE TRUE POINT OF BEGINNING;

Thence South 60 degrees 34 minutes 00 seconds West a distance of 525.70 feet to a point;

Thence South 58 degrees 08 minutes 00 seconds West a distance of 74.30 feet to a point;

Thence North 39 degrees 30 minutes 00 seconds West a distance of 30.00 feet to a point;

Thence South 53 degrees 34 minutes 00 seconds West a distance of 91.80 feet to a point;

Thence North 33 degrees 23 minutes 00 seconds West a distance of 378.00 feet to a point;

Thence North 48 degrees 44 minutes 00 seconds West a distance of 255.00 feet to a point on the southeasterly right-of-way of Suwanee Dam Road;

Thence along the aforesaid right-of-way the following (3) courses and distances;

Thence North 20 degrees 37 minutes 24 seconds East a distance of 192.20 feet to a point;

Thence North 17 degrees 32 minutes 25 seconds East a distance of 330.11 feet to a point;

Thence with a curve turning to the right with an arc length of 227.98 feet, with a radius of 676.20 feet, with a chord bearing of North 26 degrees 58 minutes 50 seconds East, with a chord length of 226.91 feet to a point;

Thence South 41 degrees 50 minutes 00 seconds East a distance of 229.50 feet to a point leaving aforesaid right-of-way;

Thence North 65 degrees 01 minutes 13 seconds East a distance of 349.86 feet to a point;

Thence North 31 degrees 29 minutes 00 seconds West a distance of 302.10 feet to a point on the southeasterly right-of-way of Suwanee Dam Road;

Thence North 67 degrees 33 minutes 25 seconds East a distance of 54.01 feet to a point along the aforesaid right-of-way;

Thence South 31 degrees 22 minutes 00 seconds East a distance of 817.59 feet to a point in the centerline of a creek leaving the aforesaid right-of-way;

Thence along the centerline of a creek in a southwesterly direction approximately 420 feet and being subtended by a traverse line of South 06 degrees 12 minutes 51 seconds West a distance of 411.05 feet to a point, said point being THE TRUE POINT OF BEGINNING. RECEIVED BY

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Together with and subject to covenants, easements, and restrictions of record.
Said property contains 19.38 acres more or less.

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Planning & Development

15014

CASE NUMBER SUP2015-00014
GCID 2015-0561

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>ABSENT</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 4-0, 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 INGRID SINGH for the proposed use of a FAMILY PERSONAL CARE HOME 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 JULY 28, 2015 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015 that the aforesaid application for a Special Use Permit is hereby **DENIED WITHOUT PREJUDICE** with the following enumerated conditions:

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/19/15

ATTEST:

Diane Kemp
County Clerk/Deputy County Clerk

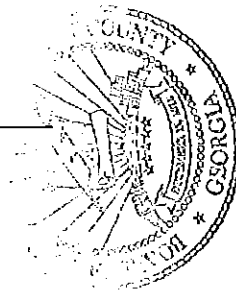


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 3 of the 5th District, Gwinnett County, Georgia, being Tract "A", 1.7703 acres, as shown on that particular plat of survey for Jimmy Franklin prepared by McNally and Patrick and certified by Lloyd C. McNally, Jr. G.R.L.S. No. 2040, dated 8/17/2000 and being more particularly described as follows:

BEGIN at the intersection of the easterly right of way of Lenora Church Road (60 foot R/W), with the northerly right of way of Andrea Lee Court (50 foot R/W); from the point of beginning thus established, run thence northeasterly along the easterly right of way of Lenora Church Road and following the curvature thereof an arc distance of 248.48 feet to a point; said arc being subtended by a radius of 1943.43 feet and having a chord bearing and distance of north 15 degrees 17 minutes 09 seconds east 240.31 feet; thence leaving the right of way of Lenora Church Road; run north 59 degrees 34 minutes 59 seconds east, a distance of 93.75 feet to a point, run thence south 30 degrees 53 degrees 18 seconds east, a distance of 347.63 feet to a point; run thence south 57 degrees 32 minutes 41 seconds west, a distance of 113.31 feet to a point, run thence south 40 degrees 46 minutes 00 seconds west, a distance of 95.00 feet to a point on the northerly right of way of Andrea Lee Court, thence run westerly along said right of way north 49 degrees 14 minutes 00 seconds west a distance of 220.67 feet to a point and THE TRUE POINT OF BEGINNING.

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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>ABSENT</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 4-0, 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 JOHN HOWARD for the proposed use of a LANDSCAPE CONTRACTOR WITH OUTDOOR STORAGE 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 JULY 28, 2015 and objections were not filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28th day of JULY 2015 that the aforesaid application for a Special Use Permit is hereby **APPROVED** with the following enumerated conditions:

- I. To restrict the use and satisfy the following site development considerations:
 - A. Retail, service commercial, office and accessory uses, which may include a landscape contractor's office with outdoor storage as a special use.
 - B. Upon any expansion or addition to the existing office building, and for any new building, the owner/occupant shall obtain all necessary development and building permits, and bring the site and structure(s) up to all applicable zoning, development and building codes.
 - C. Abide by all requirements of UDO Section 220-30 (Activity Center/Corridor Overlay District). This condition shall not preclude a variance application(s).
 - D. Provide interparcel access as required by the Development Division.
 - E. Dumpsters shall be screened by a fence or wall at least eight feet in height.
 - F. Garbage pickup will be limited to between the hours of 8:00 a.m. and 6:00 p.m.
 - 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. Any new buildings shall be finished with architectural treatments of brick or stone; stucco or other masonry finish may only be used as an accent material.
 - I. Provide a sidewalk adjacent to Georgia Highway 20 across the entire property frontage as per the Development Regulations.
 - J. Curb cuts will be subject to the approval and location by the Gwinnett Department of Transportation.
 - K. Provide a 10-foot wide landscaped strip outside of the existing right-of-way.
 - L. Provide a minimum of a 10-foot side yard setback.

- M. Submit a landscaping plan for review and approval by the Director of Planning and Development.
 - N. Provide a minimum 75-foot wide natural undisturbed buffer along the east (rear) property line adjacent to residentially-zoned properties, with replanting where sparsely vegetated to provide an effective visual screen.
 - O. Ground signage shall be limited to monument type sign(s), and shall be subject to review and approval by the Director of Planning & Development. The sign shall include a minimum two-foot high brick or stacked stone base, complementing the building's architectural treatment. The masonry base shall extend at least the full width of the sign cabinet, and the cabinet shall be fully surrounded by the same materials. Ground sign(s) shall not exceed 8 feet in height.
 - P. Billboards or oversized signs shall be prohibited.
 - Q. 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.
 - R. Peddlers and/or parking lot sales shall be prohibited.
 - S. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
2. To abide by the following requirements, dedications and improvements:
- A. Design required on-site storm water detention facilities such that they are not located within any required buffers.

GWINNETT COUNTY BOARD OF COMMISSIONERS

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

Date Signed: 8/4/15

ATTEST:

[Signature]
County Clerk/Deputy County Clerk

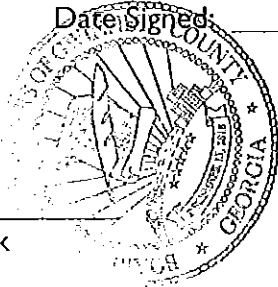


EXHIBIT "A"
[Attach Legal Description]

All that tract or parcel of land lying and being in Land Lot 65 of the 7th District, Gwinnett County, Georgia, containing 3.299 acres according to a Topographic and Boundary Survey for John Howard dated February 17, 1999, prepared by Gresham Planning & Development, Inc., Charles A. Marmelstein, Jr., G.R.L.S., said tract being more particularly described according to said survey as follows:

BEGINNING at a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20 (right of way varies) said point being located 778.12 feet along said right of way line of Georgia Highway 20 from a concrete right of way marker located at the northwesternmost point of the mitered intersection of Georgia Highway 20 with Ridge Road (right of way varies), and run thence along said right of way line of Georgia Highway 20 following the curvature of an arc a distance of 201.97 feet to a point marked by an iron pin found, said arc having a radius of 2,120.75 feet and being subtended by a chord bearing and distance of North 17 degrees 09 minutes 03 seconds West 201.89 feet; leaving said right of way line, run thence North 62 degrees 25 minutes 52 seconds East a distance of 475.73 feet to a point marked by an iron pin found; run thence South 31 degrees 39 minutes 52 seconds East a distance of 376.59 feet to a point marked by an iron pin found; run thence South 70 degrees 27 minutes 47 seconds West a distance of 258.60 feet to a point marked by an iron pin set; run thence North 19 degrees 32 minutes 13 seconds West a distance of 100.00 feet to a point marked by an iron pin set; run thence South 70 degrees 27 minutes 47 seconds West a distance of 299.98 feet to a point marked by an iron pin set located on the easterly right of way line of Georgia Highway 20, said point being the TRUE PLACE OR POINT OF BEGINNING.

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Planning & Development

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GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: Sign Ordinance of Gwinnett County, Georgia.

READING AND ADOPTION: July 28, 2015

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

Name	Present	Vote
Charlotte J. Nash, Chairman	Absent	Absent
Jace Brooks, District 1	Yes	Yes
Lynnette Howard, District 2	Yes	Yes
Tommy Hunter, District 3	Yes	Yes
John Heard, District 4	Yes	Yes

On motion of Comm. Brooks, and seconded by Comm. Heard, which carried 4-0, the Code of Ordinances of Gwinnett County is hereby amended by amending Chapter 86 of the Gwinnett County Code of Ordinances by replacing and adding certain definitions in Section 86-101 "Definitions," repealing section 86-115 "Oversized Signs" in its entirety and replacing it with a new section 86-115 entitled "Oversized Signs" and adding Section 86-115A entitled "Reduction in number of oversized signs."

WHEREAS, the Gwinnett County Board of Commissioners is committed to utilizing available resources to promote the preservation and improvement of the health, welfare and public safety of the citizens of Gwinnett County; and

WHEREAS, the Gwinnett County Board of Commissioners is committed to protecting the health and welfare of its citizens through the regulation of oversized signs and electronic message center signage in order to prevent driving distractions, visual clutter and other harmful effects of improperly or poorly regulated signs; and

WHEREAS, the Gwinnett County Board of Commissioners finds that it is in the best interest of the citizens of Gwinnett County to provide for the proper regulations and controls on oversized signs and electronic message center signage in unincorporated Gwinnett County; and

WHEREAS, the Gwinnett County Board of Commissioners determined a study concerning electronic message center signage and oversized signs was necessary in order to determine the appropriate level of regulation; and

WHEREAS, the results of this study showed that in some limited circumstances, oversized electronic signs would be appropriate in Gwinnett County, Georgia;

NOW, THEREFORE, BE IT ORDAINED that the Gwinnett County Board of Commissioners hereby amends Chapter 86 of the Gwinnett County Code of Ordinances by replacing and adding certain definitions in Section 86-101 "Definitions," repealing section 86-115 "Oversized Signs" in its entirety and replacing it with a new section 86-115 entitled "Oversized Signs" and adding Section 86-115A entitled "Reduction in number of oversized signs," with such revisions being attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that all ordinances, regulations or parts of the same in conflict with this Resolution are hereby rescinded to the extent of said conflict.

Be it hereby ordained this 28th day of July, 2015.

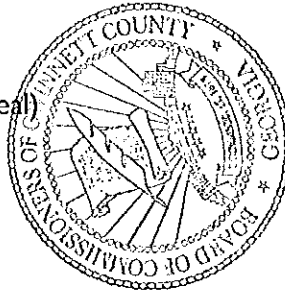
Gwinnett County Board of Commissioners

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

Date Signed: 8/4/15

Attest:

By: Diane Kemp (seal)
Diane Kemp
County Clerk



Approved as to form:

By: Van Stephens
Van Stephens
Chief Assistant County Attorney

EXHIBIT A

Section 86-101. Definitions.

Activity Center/Corridor Overlay District: Areas defined in Section 220-230 of the Gwinnett County Unified Ordinance including but not limited to the following unincorporated areas shown on:

1. Mall of Georgia Overlay District Map
2. Civic Center Overlay District Map
3. U.S. Highway 78 Corridor Overlay District Map
4. Grayson/Highway 20 Corridor Overlay District Map
5. Centerville/Highway 124 Overlay District Map
6. Highway 124/324/Hamilton Mill Road Overlay District Map
7. Any Activity Center/Corridor Overlay Districts approved by the Gwinnett County Board of Commissioners after the adoption of this Ordinance

Electronic Oversized Sign: An electronic ground sign which exceeds 30 feet in sign height and/or 300 square feet of surface sign area and whose message may be changed at intervals by computer controller, microprocessor controller or by remote control. The message is displayed through the use of LED, LCD, plasma or other similar type panels or screens.

Non-Commercial Message: Copy that does not contain a commercial message and specifically included in the definition of non-commercial message is copy whereby the public is to be informed regarding a political event or candidate or issue.

Non-Conforming Sign: Any sign lawfully existing on the effective date of this ordinance, or amendment thereto, that renders such sign non-conforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

Oversized Sign: A ground sign which exceeds 30 feet in sign height and/or 300 square feet of sign surface area.

Parkway: A divided or undivided classified roadway, including, but not limited to:

1. University Parkway (Ga. Hwy. 316)
2. Peachtree Parkway (Ga. Hwy. 141)
3. Grayson Parkway (Ga. Hwy. 84)
4. Ronald Reagan Parkway
5. Sugarloaf Parkway
6. Hamilton Mill Parkway
7. Riverside Parkway
8. Northbrook Parkway
9. Lakes Parkway

Section 86-115. Oversized Signs.

- (a) Effective the date of adoption of the ordinance from which this section is derived, oversized signs are prohibited.
- (b) Oversized signs legally existing on such date may be continued, even though such signs do not conform to this section. Such non-conforming signs shall not be expanded, relocated or replaced by another non-conforming sign, except that the substitution of interchangeable poster panels, painted boards or demountable material on non-conforming signs shall be allowed.
- (c) No such non-conforming sign shall continue after the discontinuance of the non-conforming use for a period of six months.
- (d) Unless a specific exception is stated in this section, no oversized sign shall be located on or within 100 feet of a lot used for a place of worship, school, park, cemetery or any lot zoned for residential use.
- (e) Notwithstanding any other provision of this section, no oversized signs shall be erected if any part of the sign or sign structure is visible from the main traveled way of Sugarloaf Parkway, Ronald Reagan Parkway, and Hamilton Mill Parkway within unincorporated areas of the county. This subsection shall also apply to any other road declared historic, scenic or natural after the adoption date of the ordinance from which this section is derived.
- (f) No oversized sign shall be allowed in an Activity Center/Corridor Overlay District.

Section 86-115A. Reduction in number of oversized signs.

- (a) *Purpose:* The Board of Commissioners finds that all oversized signs lawfully erected prior to the adoption of section 86-115 in unincorporated Gwinnett County are legal non-conforming uses. Consistent with the provisions of section 86-107 concerning non-conforming signs, it is the desire of Gwinnett County that such non-conforming uses be permitted to continue, but that they be reduced over time. The Board of Commissioners further finds that the development of electronic oversized signs provides a valuable opportunity to enhance the utilization of existing signage within Gwinnett County. Such electronic oversized signs must be properly regulated to ensure they do not constitute a traffic hazard or otherwise negatively impact the aesthetics of Gwinnett County. Therefore, the Board of Commissioners finds that the modification of a limited number of existing legal non-conforming oversized signs to electronic oversized signs, in exchange for a reduction in the overall number of non-conforming oversized signs, constitutes a benefit to Gwinnett County in regard to traffic safety and aesthetics.

(b) *Exchange ratio and permitting:*

(1) Oversized Signs Not Located Within 500 feet of a Residence:

(A) Notwithstanding any other provision of this ordinance, any existing legal non-conforming oversized sign face(s) or panel(s) existing on the date of adoption of this ordinance amendment and not located within 500 feet of a residence may be modified to an electronic oversized sign face(s) or panel(s). The applicant shall remove from within unincorporated Gwinnett County at least three other legal non-conforming oversized sign face(s) or panel(s) of equal or greater square footage to that sign being converted to an electronic sign. For the purposes of this subparagraph, in order to obtain credit for removal of only one side of two-sided sign, the entire sign structure must be removed during the exchange process. An existing legal non-conforming oversized sign face or panel modified to an electronic oversized sign face or panel pursuant to this subsection shall not be located within the distance of another oversized electronic sign as set forth in paragraph (f)(4) of this section.

(2) Any legal non-conforming oversized sign face(s) or panel(s) existing on the date of adoption of this ordinance amendment that is located within 500 feet from a residence may be modified to an electronic sign face(s) or panel(s), in accordance with the provisions set forth in section (b)(1) of this section subject to:

(A) Approval by the Board of Commissioners as a special use permit pursuant to the provisions set forth in the Gwinnett County Unified Development Ordinance, including but not limited to all applicable postings, certified mailings to residents within 500 feet and public hearing requirements. When determining the appropriateness of modifying an existing legal non-conforming oversized sign to an electronic oversized sign if located within 500 feet of a residence, the Board of Commissioners will consider factors including but not limited to whether or not the electronic sign face will be visible from the residence(s) that is within 500 feet; whether or not electronic sign faces visible from the residence(s) are properly buffered and screened from lighting east from the sign; and whether or not there are other existing or changing conditions that would give supporting grounds for either approval or disapproval of the requested modification.

- (c) *Determination criteria:* In determining the exchange ratios set forth in section (b):
- (1) Multiple sign panels may be combined to satisfy the necessary sign face or panel removals. For purposes of this subparagraph, in order to obtain credit for removal of only one side of a two-sided panel, the entire sign structure must be removed;
 - (2) Two sign faces or panels not less than 300 square feet shall equal one sign face or panel of 672 square feet in size;
 - (3) For purposes of the installation of an electronic sign face or panel 672 square feet in size, the applicant may remove six sign panels not less than 300 square feet in size to comply with the removal requirements;
 - (4) When signs are removed containing more faces or panels than necessary for a pending or current request to install an electronic sign face or panel, the applicant shall be entitled to utilize such extra sign face(s) or panel(s) toward future upgrade requests for not more than 24 months from removal.
- (d) *Eligibility criteria:* In order to be eligible for exchange credit, the entire above-ground sign structure upon which the sign faces/panels to be exchanged are located must be removed. The applicant will not be issued a building permit to upgrade the designated sign to an electronic oversized sign until such time as the oversized signs designated in the application to be removed are actually removed, and the applicant otherwise shows compliance with the provisions of this section relating to electronic oversized signs.
- (e) *Construction:* The final permit shall provide that except for the replacement of the sign face(s) with the electronic sign panel, and any associated structural improvements or reconstruction required by current building codes for such signs, the designated sign shall not be moved to another portion of the property, increased in size or height, or otherwise modified in a manner which increases the non-conformity of the structure unless a variance is first obtained to permit such modification.
- (f) *Regulation:* In addition to the provisions of this ordinance, each oversized electronic sign shall conform to the following:
- (1) Each individual static message must be displayed for not less than ten seconds.

- (2) Oversized electronic signs may not operate at brightness levels of more than 0.30 foot-candles (under measurement conditions) above ambient light levels as measured at the following distances:

ELECTRONIC SIGN SQ FT	DISTANCE
< 100 sq. ft.	100 ft.
101 sq. ft. – 300 sq. ft.	150 ft.
≥ 349 sq. ft.	250 ft.

- (3) Upon request of the Director, the owner of said oversized electronic signs shall arrange for a certification of the light intensity showing compliance by an independent contractor and provide said certification to the Director.
- (4) No oversized electronic sign shall be located within 5,000 feet of another oversized electronic sign on the same side of the road (measured along the edge of right of way).
- (5) Where located on a state-controlled route, each oversized electronic sign must comply with all Georgia Department of Transportation rules and regulations applicable to electronic changeable message signs when not in conflict with this chapter. The stricter of the rules and regulations apply.
- (g) *Public service:* Owners of oversized electronic signs are encouraged to coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public, including but not limited to Amber Alerts or emergency management information.