GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: 30A Hamilton Mill, LLC	NAME: Hamilton Village, LLC
ADDRESS: 2050 W County Hwy 30A Bldg M1, Unit #228	ADDRESS: 4710 Lou Ivy Rd
CITY: Santa Rosa Beach	CITY: Peachtree Corners
STATE: FL ZIP: 32459	STATE: GA ZIP: 30096-2918
PHONE: (404) 667. 0569	PHONE: (404) 631. 6344

CONTACT PERSON: Alec Lesley PHONE: (404) 667. 0569

CONTACT'S E-MAIL: alesley@serdllc.com ; tmeyer@serdllc.com

APPLICANT IS THE:

☐ OWNER'S AGENT ☐ PROPERTY OWNER ☑ CONTRACT PURCHASER

ZONING DISTRICTS(S): C-2 PRIOR ZONING CASE: RZC-07-037

PARCEL NUMBER(S): h1001 024B ACREAGE: 4.872

ADDRESS OF PROPERTY: 2759 Hamilton Mill Rd

PROPOSED CHANGE IN CONDITIONS: See Attached

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDINGS/LOTS: 2
DWELLING UNIT SIZE (Sq. Ft.):	TOTAL GROSS SQUARE FEET: Bldg 1 - 3,000 +/- Bldg 2 - 2,500 +/-
GROSS DENSITY:	DENSITY:
NET DENSITY:	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
Uses will be compatible with adjacent and nearby properties

(B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY: No

(C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED: No

(D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS: No

(E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN: Yes

(F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:
No, compatible w/ nearby developments

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CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Signature of Applicant	06.25.2021 Date
3041P Hamilton Mill, LLC John Quinn, CFO Type or Print Name and Title	
Jeanna Hall Signature of Notary Public	06/25/2021 Date

JEANNA HALL NOTARY PUBLIC ALABAMA STATE AT LARGE

Notary Seal

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CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

SMellas 6-28-21

Signature of Property Owner Date

Hamilton Village, LLC
Sotirios Mellas, Member

Type or Print Name and Title

Melissa D Willey 6/28/2021

Signature of Notary Public Date Notary Seal

MELISSA D. WILLEY
COM. EXP.
NOTARY
PUBLIC
Feb. 15, 2025
GWINNETT COUNTY, GEORGIA

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CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Signature of Applicant	Date	Type of Print Name and Title
	06.25.21	30AP Hamilton Mill John Quinn cfo

Signature of Applicant's Attorney or Representative	Date	Type or Print Name and Title

Signature of Notary Public	Date	Notary Seal
Seanna Hall	06/25/2021	JEANNA HALL NOTARY PUBLIC ALABAMA STATE AT LARGE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐ YES ☑ NO

John Quinn
Your Name

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to $250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR CHANGE IN CONDITIONS

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*** NOTE: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: (Map Reference Number) R1001 (District) - 024 (Land Lot) - B (Parcel)

Signature of Applicant — Date: 06.25.21

Type or Print Name and Title: 30AP Hamilton Mill, LLC — John Quinn, CFO

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME: Ingrid Umanzor — TITLE: TSA II

DATE: 8/4/2021

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SOUTHEASTERN
RETAIL DEVELOPMENT

08/13/2021

Department of Planning & Development
446 West Crogan St, Suite 300
Lawrenceville, GA 30046

RE: Proposed Change in Conditions- 4.872 acres located at 2759 Hamilton Mill

Our firm is interested in developing the approximately 4.872 acres located at 2759 Hamilton Mill. The property is currently subject conditions imposed via a resolution regarding zoning case RZC-07-037 . In order to move forward with our proposed development we seek to amend the conditions placed on this property from the aforementioned zoning case. We are proposing two free-standing restaurants each with a drive-thru. This development is compatible to others in the immediate area.

Condition B of Restrictions of the use of the property – "Abide by Section 1315 of the Zoning Resolution, Hamilton Mill Overlay District Requirements, Per Section 220-30.3.E.3, freestanding buildings containing 7,500 gross square feet of space or less shall provide no more than 20 percent of parking areas in the front of building(s), no more than 20 percent of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s)."

- With 36 parking spaces for the building on the west of the property that is 2,974 square feet and 29 parking spaces for the building on the east of the property that is 2,336 square feet, we ask that a parking be similar to other properties in the overlay district. Both off these prospective properties only have parking on one side of the building. No more than 50% of the off-street parking will be in front of either building and no more than 50% off-street parking will be on the side of the building per the submitted site plan.

Condition D of Restrictions of the use of the property – "No restaurants of any kind shall occupy any portion of the building shown on the rear of the property. Any retail uses in the building shall be restricted to the hours of 7:00 a.m. to 10:00 p.m.".

- Currently we are not looking to develop the rear of the property; however, the restaurants on the out-parcels need to have normal business hours similar to the other quick service restaurants in the area.

Condition E of Restrictions of the use of the property – "The following uses shall be prohibited: Adult entertainment establishments, tattoo and/or body piercing establishments, pawn shops, drive in or fast food restaurants or restaurants with drive through service, liquor stores, taxi cab or limousine services, self serve laundries, auto/truck parts or repair, auto/truck sales, convenience stores with or without gas pumps. The following drive through uses shall be permitted: Pharmacies, coffee and/or donut shops, banks".

- We would like to remove drive in fast food restaurants or restaurants with drive through service from the prohibited uses.

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Condition B of the site development considerations – "Provide a double staggered row of Thuga Green Giant trees along the interior of the 75 foot buffer. Said trees shall be planted 10 feet on center within each row and shell be 8-10 feet tall at time of planting. An 9 foot high, black vinyl coated chained link fence shall also be installed interior to the 75 foot buffer. The fence may be positioned among the aforementioned trees to obscure the fence".

- Delete this in its entirety. We are not looking to develop the rear of the property at this time.

Condition C of the site development considerations – "Develop in accordance with the revised site plan presented to the Planning Commission on May 15, 2007. All buildings shall be restricted to single story. An L shaped building shall not be allowed. Final building design and orientation be subject to review and approval by the Director of Planning and Development".

- We would like to delete in its entirety all of Condition C except "single story".

Condition D of the site development considerations – "Stormwater detention shall be installed underground and shall drain in a southwesterly direction, subject to Development Division approval".

- We would like to delete this in its entirety.

Condition E of the site development considerations – "Restaurants shall install odor scrubbers (electrostatic precipitator systems) which remove 95% of cooking odors from exhaust vented to the building exterior".

- We would like to delete in its entirety.

Condition F of the site development considerations – "Buildings shall be finished primarily with brick, stone or glass on all four sides. Final Elevations shall be submitted for approval by the Director of Planning and Development".

- Remove "building shall be finished primarily with brick, stone or glass on all four sides". We will conform to the building standards from the up to date Gwinnett County Code.

Condition A of requirements, dedications and improvements – "Provide a center left turn lane on Hamilton Mill Road the entire length of property frontage, subject to Gwinnett D.O.T. approval.

- Delete in its entirety.

Condition 1 B

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1"=40'

0 20' 40' 80' 120'

GRAPHIC SCALE

SITE ANALYSIS TABLE	
PROPERTY AREA:	±212,206 SF / ±4.872 ACRES
LOCAL JURISDICTION:	BUFORD, GA
ZONING:	GENERAL BUSINESS DISTRICT (C-2)
BUILDING HEIGHT:	
MAX. ALLOWED	45'
PARKING:	
REQUIRED:	
RESTAURANT	
1 PER 150 SQUARE FEET (MIN)	15
1 PER 75 SQUARE FEET (MAX)	32
RESTAURANT	
1 PER 150 SQUARE FEET (MIN)	20
1 PER 75 SQUARE FEET (MAX)	40
PROVIDED:	
RESTAURANT:	
STANDARD	27
ADA ACCESSIBLE	2
TOTAL	29
RESTAURANT:	
STANDARD	34
ADA ACCESSIBLE	2
TOTAL	36
BUILDING SETBACKS:	
FRONT	15'
SIDE	10'
REAR	30'

REVISIONS

NO.	DESCRIPTION	DATE

TITLE

CONCEPT PLAN

COMMERCIAL DEVELOPMENT
HAMILTON MILL ROAD
BUFORD, GA

SOUTHEASTERN RETAIL REVELOPMENT
SANTA ROSA BEACH, FLORIDA

DWN. BY L TOWNLEY | CKD. BY M.SMIS, P.E. | SCALE 1"=40' | DATE: 8/13/2021

GONZALEZ - STRENGTH & ASSOCIATES, INC.
CIVIL ENGINEERING - TRANSPORTATION ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE ARCHITECTURE
1550 WOODS OF RIVERCHASE DRIVE SUITE 200
HOOVER, ALABAMA 35244
PHONE: (205) 942-2486
FAX: (205) 942-3033
www.Gonzalez-Strength.com

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PRELIMINARY NOT FOR CONSTRUCTION, RECORDING PURPOSES OR IMPLEMENTATION

DWG.NO. CP7

PROJECT 21-0256

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NOT VALID UNLESS SIGNATURE IS SHOWN.

N:\2021 Projects\Southeastern Retail Development\21-0256_Concept Plans_Multiple Locations\Engineering\Concept Design\Buford_GA\Concept 7.dwg Aug 13,2021 - 3:22 pm

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Legal Description
Hamilton Mill Road

All that parcel of land lying and being in Puckett's General Militia District, Gwinnett County, Georgia and being more particularly described as follows:

Begin at a point on the northern right-of-way of Hamilton Mill Road (right-of-way varies) 508.00 feet southeasterly from it's intersection with the centerline of Puckett's Mill Road; **Thence** North 39 degrees 42 minutes 40 seconds East a distance of 634.82 feet to an open top pipe found; **Thence** South 52 degrees 41 minutes 15 seconds East a distance of 345.29 feet to a point; **Thence** South 41 degrees 45 minutes 21 seconds West a distance of 370.85 feet to an open top pipe found; **Thence** South 17 degrees 54 minutes 40 seconds West a distance of 208.09 feet to a point on the northern right-of-way of Hamilton Mill Road; **Thence** continuing along Hamilton Mill Road North 63 degrees 10 minutes 18 seconds West a distance of 64.68 feet to a point; **Thence** continuing along the right-of-way of Hamilton Mill Road North 61 degrees 53 minutes 28 seconds West a distance of 353.20 feet to the **Point of Beginning**.

Said parcel of land contains 212,206 square feet or 4.872 acres of land more or less.

RZC 07 0 37

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THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 69,311 FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT. IT WAS ADJUSTED BY USING THE LEAST SQUARES METHOD.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

EQUIPMENT UTILIZED:
ANGULAR: GEODIMETER 610
LINEAR: E.D.M.

"F.I.A. OFFICIAL FLOOD HAZARD MAP" COMMUNITY NUMBER 130322, ZONE "X", PANEL 0085 C, DATED MAY 4, 1992 SHOWS THIS PROPERTY NOT TO BE IN A BASE FLOOD AREA.

ALL MATTERS OF TITLE ARE EXCEPTED.

NO N.G.S. MONUMENTS FOUND WITHIN 500' OF THIS PROJECT.

REFERENCES:

1.) DEED BOOK 3162, PAGE 218.

2.) SURVEY OF THE PROPERTY OF GEORGE PETRAKOPOULOS, DATED AUGUST 18, 1985, BEARING THE SEAL OF PERRY E. McCLUNG, R.L.S. # 1541.

3.) FINAL PLAT FOR CASCADE FALLS, UNIT FOUR, DATED SEPTEMBER 18, 2000, AND LAST REVISED MARCH 07, 2002, PREPARED BY PRECISION PLANNING, INC., RECORDED IN PLAT BOOK 86, PAGE 200.

MINIMUM ZONING REQUIREMENTS: RA-200

FRONT YARD SETBACK: 50'
SIDE YARD SETBACK: 15'
REAR YARD SETBACK: 40'

MAXIMUM HEIGHT OF BUILDING: 35'
MINIMUM SQUARE FEET/DENSITY: 40,000 Sq. Ft.
MINIMUM LOT WIDTH: 200'

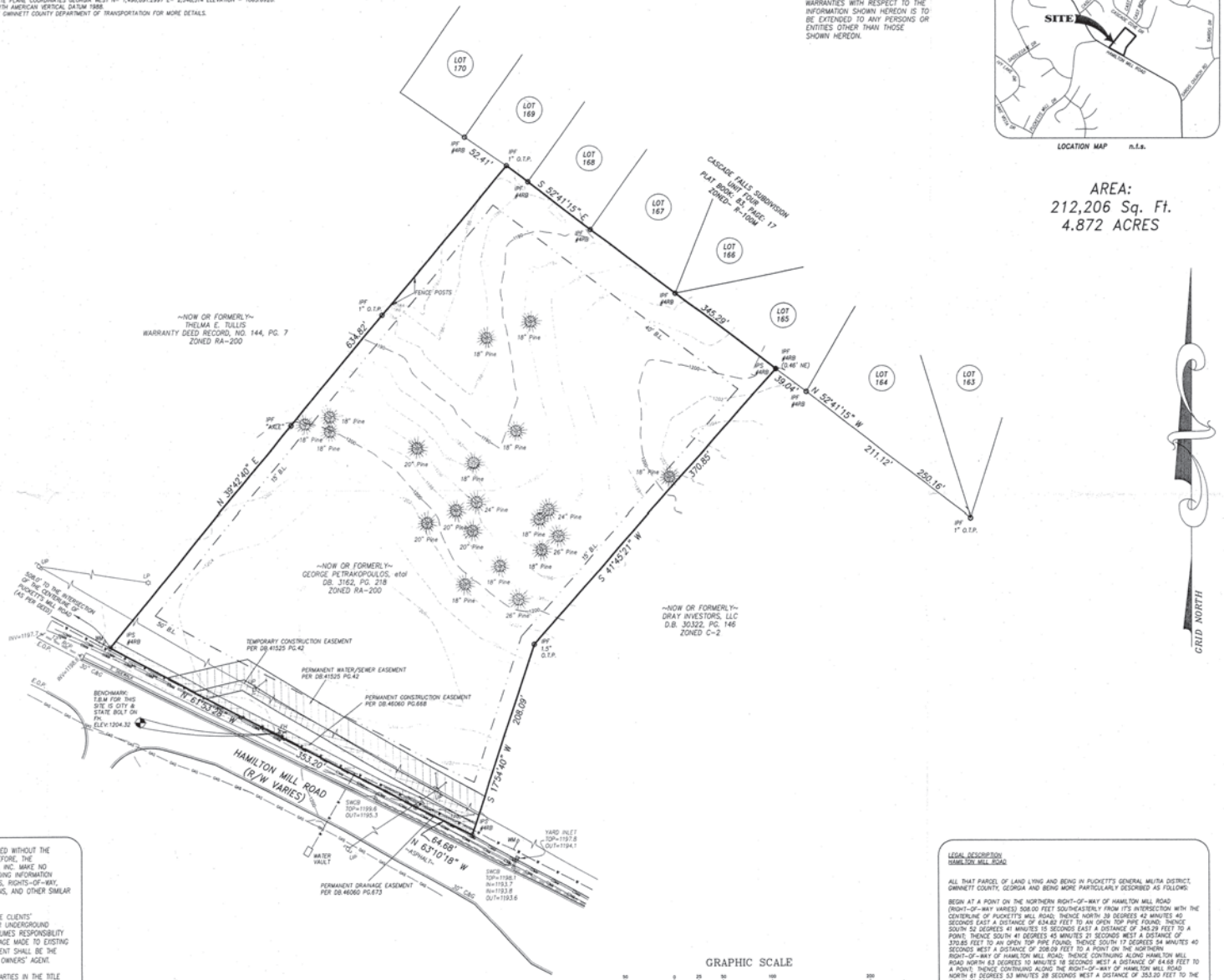
HORIZONTAL & VERTICAL DATUM IS BASED ON GWINNETT COUTNY BENCHMARK DESIGNATED GC813.
THE STATION IS A BRASS DISK STAMPED GC813.

STATE PLANE COORDINATES GEORGIA WEST N= 1,496,891.2997 E= 2,348,514 ELEVATION = 1063.6920.
NORTH AMERICAN VERTICAL DATUM 1988.
SEE GWINNETT COUNTY DEPARTMENT OF TRANSPORTATION FOR MORE DETAILS.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF:
MP INVESTMENTS COMPANY
CHARLES PETRAKOPOULOS
NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

LOCATION MAP n.t.s.

AREA:
212,206 Sq. Ft.
4.872 ACRES



LEGEND:

FLOW LINES	
SWALES	
XXX.X =	EXISTING ELEVATIONS
(XXX.X) =	ORIGINAL ELEVATIONS
IPF =	IRON PIN FOUND
IPS =	IRON PIN SET
#4RB =	1/2" REBAR
OT =	OPEN TOP
CT =	CRIMP TOP
PKS =	"PK" NAIL SET
A =	ARC
R =	RADIUS
CH =	CHORD
R/W =	RIGHT-OF-WAY
BL =	BUILDING LINE
HW =	HEADWALL
SWCB =	SINGLE WING CATCH BASIN
DWCB =	DOUBLE WING CATCH BASIN
JB =	JUNCTION BOX
DI =	DROP INLET
YI =	YARD INLET
DE =	DRAINAGE EASEMENT
SSE =	SANITARY SEWER EASEMENT
C/O =	SANITARY SEWER CLEAN OUT
SSMH =	SANITARY SEWER MANHOLE
LLL =	LAND LOT LINE
RCP =	REINFORCED CONCRETE PIPE
CMP =	CORRUGATED METAL PIPE
N/F =	NOW OR FORMERLY
B/C =	BACK OF CURB
E/P =	EDGE OF PAVEMENT
OHP =	OVERHEAD POWER
C.L. =	CENTERLINE
PP =	POWER POLE
LP =	LIGHT POLE
FH =	FIRE HYDRANT
WM =	WATER METER
WV =	WATER VALVE
GM =	GAS METER
GV =	GAS VALVE
ICV =	IRRIGATION CONTROL VALVE

THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE; THEREFORE, THE UNDERSIGNED AND C&C LAND SURVEYORS, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.

THE UTILITIES SHOWN ARE SHOWN FOR THE CLIENTS' CONVENIENCE ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES NOT SHOWN. THE SURVEYOR ASSUMES RESPONSIBILITY ONLY FOR THE UTILITIES SHOWN. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE OWNER, OR OWNERS' AGENT SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER, OR OWNERS' AGENT.

THIS PLAT IS FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. C&C LAND SURVEYORS, INC. WILL NOT ACCEPT ANY RESPONSIBILITY OF LIABILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE PERSON, OR PERSONS, NAMED IN THE TITLE BLOCK.

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

LEGAL DESCRIPTION
HAMILTON MILL ROAD

ALL THAT PARCEL OF LAND LYING AND BEING IN PUCKETT'S GENERAL MILITIA DISTRICT, GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE NORTHERN RIGHT-OF-WAY OF HAMILTON MILL ROAD (RIGHT-OF-WAY VARIES) 508.00 FEET SOUTHEASTERLY FROM IT'S INTERSECTION WITH THE CENTERLINE OF PUCKETT'S MILL ROAD; THENCE NORTH 39 DEGREES 42 MINUTES 40 SECONDS EAST A DISTANCE OF 634.82 FEET TO AN OPEN TOP PIPE FOUND; THENCE SOUTH 52 DEGREES 41 MINUTES 15 SECONDS EAST A DISTANCE OF 345.29 FEET TO A POINT; THENCE SOUTH 41 DEGREES 45 MINUTES 21 SECONDS WEST A DISTANCE OF 370.85 FEET TO AN OPEN TOP PIPE FOUND; THENCE SOUTH 17 DEGREES 54 MINUTES 40 SECONDS WEST A DISTANCE OF 208.09 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY OF HAMILTON MILL ROAD; THENCE CONTINUING ALONG HAMILTON MILL ROAD NORTH 63 DEGREES 10 MINUTES 18 SECONDS WEST A DISTANCE OF 64.68 FEET TO A POINT; THENCE CONTINUING ALONG THE RIGHT-OF-WAY OF HAMILTON MILL ROAD NORTH 61 DEGREES 53 MINUTES 28 SECONDS WEST A DISTANCE OF 353.20 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 212,206 SQUARE FEET OR 4.872 ACRES OF LAND MORE OR LESS.

LAND SURVEYORS INCORPORATED
3459 Acworth Due West Rd
Suite 218
ACWORTH, GEORGIA 30101
(770) 975-3933

GEORGIA REGISTERED LAND SURVEYOR No. 2448 CERTIFICATES CONTAINED

REGISTERED LAND SURVEYOR No. 2508 CERTIFICATES CONTAINED

BOUNARY AND TOPOGRAPHIC SURVEY FOR:
MP INVESTMENT COMPANY
CHARLES PETRAKOPOULOS
PUCKETT'S GENERAL MILITIA DISTRICT
GWINNETT COUNTY, GEORGIA

Survey Crew:	RL & CP
Drawn By:	JB
Approved By:	JW
Field Date:	03/06/06
Cad Date:	03/08/06
Scale:	1" = 50'

No	Date	Revision

SHEET 1 OF 1

DISC LOCATION: L:\2006

JOB NO: 06-0018

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CASE NUMBER RZC-07-037
GCID 2007-0719

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
Charles Bannister, Chairman	AYE
Lorraine Green, District 1	AYE
Albert Nasuti, District 2	AYE
Michael Beaudreau, District 3	AYE
Kevin Kenerly, District 4	AYE

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

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from RA-200 to C-2 by CHARLES PETRAKOPOULOS for the proposed use of COMMERCIAL RETAIL USES (REDUCTION IN BUFFERS) on a tract of land described by the attached legal description, which

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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 MAY 22, 2007 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners this the 19TH day of JUNE 2007, that the aforesaid application to amend the Official Zoning Map from RA-200 to C-2 is hereby **APPROVED** subject to the following enumerated conditions:

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

   A. Retail, service commercial, office and accessory uses.

   B. Abide by Section 1315 of the Zoning Resolution, Hamilton Mill Overlay District Requirements.

   C. Ground signage shall be monument type, with a brick or stone base which extends to completely surround the sign face area. Signage design shall be submitted for approval by the Director of Planning and Development. Can signage shall be prohibited.

   ~~D. No restaurants of any kind shall occupy any portion of the building shown on the rear of the property. Any retail uses in the building shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. (this shall not apply to office use).~~

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E. The following uses shall be prohibited: Adult entertainment establishments, tattoo and/or body piercing establishments, pawn shops, ~~drive-in or fast food restaurants or restaurants with drive-through service,~~ liquor stores, taxi cab or limousine services, self-serve laundries, ~~auto/truck parts or repair, auto/truck sales, convenience stores with or without gas pumps~~. The following drive through uses shall be permitted: Pharmacies, coffee and/or donut shops, banks.

2. To satisfy the following site development considerations:

A. Provide a ~~75-foot~~ undisturbed buffer along the rear property line. In lieu of a buffer, provide a 10-foot landscape strip along the northwestern (side) property line.

B. ~~Provide a double staggered row of Thuga Green Giant trees along the interior of the 75-foot buffer. Said trees shall be planted 10-feet on center within each row and shall be 8-10 feet tall at time of planting. An 8 foot high, black vinyl-coated chained link fence shall also be installed interior to the 75-foot buffer. The fence may be positioned among the aforementioned trees to obscure the fence~~.

C. ~~Develop in accordance with the revised site plan presented to the Planning Commission on May 15, 2007~~. All buildings shall be restricted to single-story. ~~An L-shaped building shall not be allowed.~~ Final building design and orientation be subject to review and approval by the Director of Planning and Development.

D. ~~Stormwater detention shall be installed underground and shall drain in a southwesterly direction, subject to Development Division approval.~~

E. ~~Restaurants shall install odor scrubbers (electrostatic precipitator systems) which remove 95% of cooking odors from exhaust vented to the building exterior.~~

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PLANNING AND DEVELOPMENT
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8/4/2021

CASE NUMBER RZC-07-037
GCID 2007-0719

F. ~~Buildings shall be finished primarily with brick, stone or glass on all four sides~~. Final elevations shall be submitted for approval by the Director of Planning and Development.

G. Dumpsters may not be located anywhere along the northeasterly (rear) line of the property ~~(along the 75-foot buffer line).~~

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

A. ~~Provide a center left turn lane on Hamilton Mill Road the entire length of property frontage, subject to Gwinnett D.O.T. approval.~~

B. ~~Development shall be limited to one curb cut onto Hamilton Mill Road, subject to Gwinnett D.O.T. approval.~~

C. Provide interparcel access to the properties on both sides (east and west).

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charles E. Bannister, Chairman

Date Signed: July 10, 2007

ATTEST:

County Clerk/Deputy County Clerk

BOARD OF COMMISSIONERS OF GWINNETT COUNTY GEORGIA