

**Board of Commissioners**

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



**Official**  
**Public Hearing Minutes**  
**Tuesday, February 28, 2017 - 7:00 PM**

Present: Charlotte J. Nash, Jace Brooks, Lynette Howard, Tommy Hunter, John Heard

**I. Call To Order, Invocation, Pledge to Flag****II. Opening Remarks by Chairman****III. Approval to Amend Agenda**

Add Agenda Item 2017-0261

{Action: Approved Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**IV. Approval of Minutes:**

- **Work Session:** February 21, 2017
- **Briefing 10:30 a.m.:** February 21, 2017
- **Informal Business Discussion 12:00 p.m.:** February 21, 2017
- **Executive Session:** February 21, 2017
- **Business Session:** February 21, 2017
- **Informal Business Discussion 3:00 p.m.:** February 21, 2017  
{Action: Approved Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**V. Announcements:**

- **Proclamation:** Commending Hayden Gower and Xander Benitez's Outstanding Act of Bravery
- **Proclamation:** Commending Truth and Union Lodge #594

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**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2016-1036 CIC2016-00026**, Applicant: O. David Denard, Owner: O. David Denard, Tax Parcel No. R6246A237, Change in Conditions to Revise Use Restrictions for Property Zoned M-1, 2400-2500 Block of Pleasantdale Road, 1.59 Acres. District 2/Howard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Denied without Prejudice Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2016-1037 SUP2016-00063**, Applicant: O. David Denard, Owner: O. David Denard, Tax Parcel No. R6246A237, Application for a Special Use Permit in a M-1 Zoning District for Towing/Wrecker Service and Vehicle Storage Lot, 2400-2500 Block of Pleasantdale Road, 1.59 Acres. District 2/Howard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Denied without Prejudice Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0018 CIC2017-00002**, Applicant: Angel Amaro, Owner: Duluth Seventh-Day Adventist Church, Tax Parcel No. R6263 003A, Change in Conditions of Zoning for Property Zoned R-75 (Buffer Reduction), 2900 Block of Duluth Highway, 8.55 Acres. District 1/Brooks (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/7/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0019 SUP2017-00001**, Applicant: Lawrenceville Rentals, Inc., Owner: Monarch River Exchange, LLC, Tax Parcel No. R7033 107, Application for a Special Use Permit in a C-2 Zoning District for Truck Rental, 1000 Block of Duluth Highway and 2100 Block of Riverside Parkway, 900-1000 Blocks of Lakes Parkway, 22.97 Acres. District 1/Brooks (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 3/7/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0027 SUP2017-00004**, Applicant: Dean Werts, c/o Andersen, Tate & Carr, PC, Owner: Dean Werts, Tax Parcel No. R5313 041, Application for a Special Use Permit in a RA-200 Zoning District for Special Events/Banquet Facility or Rental Hall, 2000 Block of Jones Phillips Road, 1900 Block of Harbins Road; 9.55 Acres. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0020 RZC2017-00001**, Applicant: Ruth Dampson and Andrew Young, Owner: Ruth Dampson and Andrew Young, Rezoning of Tax Parcel No. R5272 012, RA-200 to M-I; Truck Storage Lot (Buffer Reduction), 2000 Block of Hurricane Shoals Road; 4.99 Acres. District 3/Hunter (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0021 SUP2017-00002**, Applicant: Ruth Dampson and Andrew Young, Owner: Ruth Dampson and Andrew Young, Tax Parcel No. R5272 012, Application for a Special Use Permit in a M-I (Proposed) Zoning District for Truck Storage Lot (Buffer Reduction), 2000 Block of Hurricane Shoals Road; 4.99 Acres. District 3/Hunter (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

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**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0022 RZC2017-00003**, Applicant: Buford American Legion Post 127, c/o Mill Creek Consulting, Owner: I H Kennedy Group LLC and Stella Mooney, Rezoning of Tax Parcel Nos. R7362 030 and 031, RL to O-I; Club, Lodge, or Fraternal Organization, 1700 Block of Buford Dam Road, 6300 Block of Old Shadburn Ferry Road, 6500 Block of Old Garrett Road; 16.39 Acres. District 4/Heard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0023 SUP2017-00003**, Applicant: Buford American Legion Post 127, c/o Mill Creek Consulting, Owner: I H Kennedy Group LLC and Stella Mooney, Tax Parcel Nos. R7362 030 and 031, Application for a Special Use Permit in an O-I (Proposed) Zoning District for Club, Lodge, or Fraternal Organization, 1700 Block of Buford Dam Road, 6300 Block of Old Shadburn Ferry Road, 6500 Block of Old Garrett Road; 16.39 Acres. District 4/Heard[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Denied without Prejudice Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0028 RZC2017-00005**, Applicant: Aziz Charania, Owner: Aziz Charania, Rezoning of Tax Parcel No. R6086 010, R-100 to O-I; Montessori School (Buffer Reduction), 1200 Block of Oak Road; 1.41 Acres. District 2/Howard (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0029 SUP2017-00005**, Applicant: Aziz Charania, Owner: Aziz Charania, Tax Parcel No. R6086 010, Application for a Special Use Permit in an O-I (Proposed) Zoning District for Montessori School (Buffer Reduction), 1200 Block of Oak Road; 1.41 Acres. District 2/Howard (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2016-0828 RZM2016-00004**, Applicant: Satilla Capital Partners, Owner: ACM Satilla LN V, LLC, Rezoning of Tax Parcel No. R7136 010, RA200 to R-TH; Townhomes (Reduction in Buffers), 2700 Block of Brown Road, 35.29 Acres. District 4/Heard (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny without Prejudice] {Action: Tabled Motion: Heard Second: Hunter Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2016-1156 RZM2016-00008**, Applicant: Mahaffey, Pickens, Tucker, LLP, Owner: Constance Fossett Troncalli, Martha J. Stovall, Connie Troncalli, and Heritage Land & Development Co. c/o of Mahaffey Pickens Tucker, LLP, Rezoning of Tax Parcel Nos. R3003 135, 051, 147, and 674, C-2 and RA-200 to R-TH; Townhomes (Buffer Reduction), 4200 Block of Braselton Highway and 4200 Block of Spout Springs Road, 32.13 Acres. District 3/Hunter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Hunter Second: Brooks Vote: 4-1; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-No}

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**VI. Public Hearing – Old Business**

**I. Planning & Development/Kathy S. Holland**

**2017-0030 RZM2017-00001**, Applicant: Fieldstone Homes, Owner: James Jackson Stutts, Accounts Z123444 and Z111668, Rezoning of Tax Parcel Nos. R7065 008 and 007, R-100 to R-TH; Townhomes (Buffer Reduction), 1500-1600 Blocks of Buford Drive, 18.06 Acres. District 4/Heard (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions As R-75][Planning Commission Recommendation: Tabled - Date: 3/7/2017] {Action: Tabled Motion: Heard Second: Hunter Vote: 4-0-1; Nash-Yes; Brooks-Abstained; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0026 RZR2017-00002**, Applicant: Brad Cooper, Owner: Douglas and Janice Kurasaka, Rezoning of Tax Parcel No. R5071 033, R-100 to R-SR; Senior Oriented Subdivision, 2100 Block of Ridgedale Drive and 1700 Block of Pinehurst Road, 17.55 Acres. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Hunter Second: Heard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**VII. Public Hearing – New Business**

**I. Support Services/Angelia Parham**

**2017-0195 Approval/authorization** for the Chairman to execute any and all documents necessary to abandon 7,981 square feet of prescriptive right-of-way formerly used as a public road known as Old Highway 78, located in Land Lot 51 of the 6th Land District, in accordance with O.C.G.A. 32-7-2. Subject to approval as to form by the Law Department. District 3/Hunter (Staff Recommendation: Approval) {Action: Approved Motion: Hunter Second: Howard Vote: 4-0; Nash-Yes; Brooks-Out of Room; Howard-Yes; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **2. Change in Conditions**

**2017-0146 CIC2017-00005**, Applicant: Tull Signs, Owner: Hamilton Partners, LLC, Tax Parcel No. R3002 115B, Change in Conditions of Zoning for Property Zoned C-2, 3500 Block of Braselton Highway, 6.94 Acres. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0147 CIC2017-00006**, Applicant: J. S. Bear, Owner: QTS Corp., Tax Parcel No. R7079 001, Change in Conditions of Zoning for Property Zoned C-2, 2400 Block of Satellite Boulevard, 12.38 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

### **3. Special Use Permit**

**2017-0148 SUP2016-00052**, Applicant: Samuel and Song Choi c/o Andersen, Tate & Carr, PC, Owner: Samuel and Song Choi, Tax Parcel No. R6263 085, Application for a Special Use Permit in a R-100 Zoning District for Place of Worship, 2900 Block of Duluth Highway, 1.38 Acres. District 1/Brooks[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Brooks Second: Heard Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Out of Room; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **3. Special Use Permit**

**2017-0149 SUP2017-00006**, Applicant: Alex Tsynman, Owner: Green Implementation Group, LLC and Read Norcross, LLC, Tax Parcel Nos. R6184 266 and R6201 007A, Application for a Special Use Permit in a M-I Zoning District for Contractors Office, Heavy/Civil Construction/Logging, 4200 Block of Steve Reynolds Boulevard and 1500 Block of Beaver Ruin Road, 10.19 Acres. District 1/Brooks (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Tabled - Date: 3/7/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0150 SUP2017-00007**, Applicant: Ben Walker, Jr. and Denise Wempe, Owner: Mountain Park Plaza, LLC, Tax Parcel No. R6079 033, Application for a Special Use Permit in a C-2 Zoning District for Pawn Shop, 5300 Block of Five Forks Trickum Road and 1200 Block of Rockbridge Road, 0.74 Acre. District 2/Howard[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Change Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0151 SUP2017-00008**, Applicant: Maria E. Diaz, Owner: Maria E. Diaz, Tax Parcel No. R5325 001, Application for a Special Use Permit in a RA-200 Zoning District for Mobile Home, 3000 Block of Indian Shoals Road, 0.94 Acre. District 3/Hunter[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Denied Motion: Hunter Second: Howard Vote: 4-1; Nash-No; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0152 SUP2017-00009**, Applicant: Proline Motorsports, Inc., Owner: Abatech Holdings, LLC, Tax Parcel No. R5126 010, Application for a Special Use Permit in a C-2 Zoning District for Motorcycle Sales/Service, 3400 Block of Palmer Drive and 600 Block of Midway Road, 1.93 Acres. District 3/Hunter[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Approved with Stipulations Motion: Hunter Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}



## **VII. Public Hearing – New Business**

### **3. Special Use Permit**

**2017-0153 SUP2017-00010**, Applicant: Michel Njem, Owner: United Nations Realty & Investment Co., Tax Parcel No. R6195 115, Application for a Special Use Permit in a C-2 Zoning District for Automobile Repair Shop, Lubrication & Tire Store, 5500 Block of Jimmy Carter Boulevard, 0.58 Acre. District 2/Howard (Tabled on 02/28/2017) (Tabled to 03/07/2017)(Public hearing was held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

### **4. Rezoning**

**2017-0142 RZC2017-00006**, Applicant: Peachtree Hotel Group c/o Mahaffey Pickens Tucker, LLP, Owner: Mary Virginia Mimms, Rezoning of Tax Parcel No. R7114 175, R-100 to C-2; Hotel (Buffer Reduction), 1700 Block of North Brown Road, 4.43 Acres. District 1/Brooks (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/7/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0143 RZC2017-00007**, Applicant: Mahaffey Pickens Tucker, LLP, Owner: SM Shamim Properties, LLC, Rezoning of Tax Parcel No. R6169 250, O-1 to C-1; Convenience Store with Fuel Pumps (Buffer Reduction), 4800 Block of Jimmy Carter Boulevard and 6100 Block of Queen Anne Court, 0.75 Acres. District 2/Howard (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Deny] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

## **VII. Public Hearing – New Business**

### **4. Rezoning**

**2017-0144 RZM2017-00002**, Applicant: NDI Development, LLC c/o Andersen, Tate & Carr, PC, Owner: Paragon Town Center, LLC c/o Andersen, Tate & Carr, PC, Rezoning of Tax Parcel Nos. R621 I 224 and 225, C-2 to R-TH; Townhomes, 4500 Block of Satellite Boulevard, 4.49 Acres. District 1/Brooks (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Approve with Conditions][Planning Commission Recommendation: Tabled - Date: 3/7/2017] {Action: Tabled Motion: Brooks Second: Howard Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

**2017-0145 RZM2017-00003**, Applicant: US Land Investments, LLC c/o Andersen, Tate & Carr, PC, Owner: REO Funding Solutions V, LLC, Rezoning of Tax Parcel No. R6062 017B, C-2 and O-I to R-TH; Townhomes, 4900 Block of Stone Mountain Highway, 26.62 Acres. District 2/Howard (Tabled on 02/28/2017) (Tabled to 03/28/2017)(Public hearing was not held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Howard Second: Brooks Vote: 5-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Yes; Heard-Yes}

## **VIII. Old Business**

### **I. Commissioners**

**2017-0070 Approval** of appointment to the Gwinnett Transit System Advisory Board, Incumbent Scott Haggard. Term expires December 31, 2020. Chairman's Appointment (Tabled on 02/28/2017) (Tabled to 03/07/2017) {Action: Tabled Motion: Nash Second: Heard Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Out of Room; Heard-Yes}

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**IX. New Business**

**1. Law Department/William J. Linkous III**

**2017-0221 Approval/authorization** for the Chairman to execute a Temporary License Agreement to permit the Georgia State Financing and Investment Commission to use a portion of Tax Parcel 5143 307 as a storage area in connection with construction on the adjacent parcel, subject to approval as to form by the Law Department. District 4/Heard {Action: Approved Motion: Heard Second: Howard Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Out of Room; Heard-Yes}

**2. Commissioners**

**2017-0261 Approval/authorization** for the Chairman to execute an Ordinance amending the Gwinnett County Code of Ethics, subject to review and approval as to form by the Law Department. {Action: Approved Motion: Nash Second: Howard Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Out of Room; Heard-Yes}

**3. Planning & Development/Kathy S. Holland**

**2017-0154 Ratification** of plat approvals for January 01, 2017 thru January 31, 2017. {Action: Approved Motion: Howard Second: Brooks Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Out of Room; Heard-Yes}

**X. Comments from Audience**

**XI. Adjournment**

{Action: Adjourn Motion: Brooks Second: Howard Vote: 4-0; Nash-Yes; Brooks-Yes; Howard-Yes; Hunter-Out of Room; Heard-Yes}