

AGENDA
CITY OF SUGAR HILL-COUNCIL MEETING
MONDAY, JULY 8, 1996 - 7:30 P.M.

CALL TO ORDER AND INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES FOR JUNE 10 AND 20, 1996:

CANDIDATES PRESENTATIONS:

DEPARTMENT REPORTS:

A:	PLANNING AND ZONING, ZONING APPEALS BOARD:	NEVAD
B:	BUDGET AND FINANCE:	GARBUTT
C:	UTILITIES:	NEVAD
D:	GOLF:	QUEEN
E:	RECREATION:	NEVAD
F:	DRAINAGE:	NEVAD
G:	ECONOMIC DEVELOPMENT:	SCOTT

OLD BUSINESS:

A:	PEDDLER-SOLICITATION ORDINANCE:	DAVIS
B:	REPORT ON COMPUTER SYSTEM:	SPRADLIN

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

A:	PRISON CREW CONTRACT:	NEVAD
B:	PIB WIDENING-DOT-GAS LINE RELOCATION:	NEVAD
C:	CLEAN AND BEAUTIFUL PRESENTATION:	WIGGINS
D:	REVIEW OF ZONING ORDINANCE PROPOSALS:	NEVAD
E:	GARBAGE COLLECTION COMPLAINT/RESIDENT	SKELTON
F:	PROPOSAL TO OPEN A GAME ROOM	LANTON

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

POSSIBLE LITIGATION:
PERSONNEL:

ADJOURNMENT:

MINUTES
CITY OF SUGAR HILL COUNCIL MEETING
MONDAY, JULY 8, 1996 - 7:30 P.M.

The Mayor and Council of the City of Sugar Hill met for the Regular Monthly Meeting on Monday July 8, 1996 at 7:30 P.M. in the Thomas Morris, Sr. Banquet Room at the Golf Course Clubhouse.

The meeting was advertised in the Gwinnett Daily Post and the CableVision public notice channel, posted on the doors of City Hall, the Community Service Building, and the Golf Course Clubhouse.

Those present were Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Tim Pugh, and Charles Spradlin, Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Golf Director Wade Queen, Drainage Supervisor Donna Zinskie, employee Ernest Ward and wife Nancy, citizens, guests, and representatives of the news media.

Mayor Webster called the meeting to order, led the Pledge to the Flag, and Council Member Bailey gave the Invocation.

Council Member Spradlin made a motion to approve the Agenda, with an amendment to add Item F, Proposal to open a Game Room, and add Item G, Adjustment to Agenda deadline. The motion, with amendments, was seconded by Council Member Bailey and unanimously passed. (4-0)

Council Member Spradlin made a motion to approve the June Minutes, seconded by Council Member Bailey and passed unanimously. (4-0)

CANDIDATES PRESENTATION:

Mayor Webster invited all candidates present to address Council and informed them they would have three (3) minutes each. There were no candidates who addressed the Council.

DEPARTMENT REPORTS:

A: PLANNING AND ZONING, ZONING APPEALS BOARD:

Manager Nevad reported that the Inspection Department issued 16 single family residential permits and 3 development permits. They conducted 284 inspections.

The P & Z Board met to review buffer requirements. The objective being to increase buffers from 50 feet to 100 feet. Two (2) rezonings will be considered at the July Meeting. The Zoning Appeals Board met on June 24, 1996 to hear an appeal from Suwanee and Ruby Forest on the asphalt plant. The Board recessed until July 11, 1996 to meet at NGHS at 7:30 P.M.

B: BUDGET AND FINANCE:

Clerk Garbutt reported that CPA Rymon Wilborn presented the 1995 Audit to the Mayor and Council on June 20, 1996 at a Called Work Session-Meeting.

on the purchase. He reported that he, Council Member Pugh and Manager Nevad will be attending a training session on Windows NT on July 16-18, 1996. He plans to have a recommendation ready by the August 12, 1996 Council Meeting.

CITIZEN'S AND GUEST'S COMMENTS:

Mr. Bob Bowie came before Council again to question some of the actions taken by the Council. He made some unfavorable comments about how the Council conducts business.

Mr. Ken Sakmire made some unfavorable comments concerning a letter sent out to the citizens by the Council in rebuttal to a letter sent out to the citizens by Council Candidate Herb Payne.

Mr. Bob Wagner called to the attention of the Council some points of order in Roberts Rules of Order. He stated that he feels the Council should go by Roberts Rules of Order for every meeting and not let the citizens make remarks which can be controlled by calling a point of order.

NEW BUSINESS:

A: PRISON CREW CONTRACT:

Manager Nevad reported it is time to renew the contract with the Department of Corrections. Total annual cost will be \$56,000. The increase is the first in 5 years and all contracts are uniform. All cities pay the same amount. Although the City does not like the increase, it is still a good bargain for the taxpayers and Golf Course. Staff request a motion to authorize the Mayor to sign this contract. Council Member Bailey made a motion to approve the contract, seconded by Council Member Spradlin. After discussion, on the increase, the motion passed unanimously. (4-0)

B: PIB WIDENING-DOT-GAS LINE RELOCATING:

Manager Nevad reported that several years ago the City had to install a 2 inch gas line to feed Parkview Mine because of severe low pressure problems. The City agreed to be responsible for the future relocation of that line. The balance of the PIB widening project will be reimbursed by the state. The estimated cost is \$25,000. Staff requests a motion to authorize the Mayor to sign a Force Account Agreement. Council Member Bailey made a motion to approve the relocation of the line, seconded by Council Member Spradlin, the motion passed unanimously after Manager Nevad explained the widening of PIB. (4-0)

C: CLEAN AND BEAUTIFUL-CONNIE WIGGINS:

Mrs. Wiggins reported on the September 1, 1996 law concerning yard trimming. This law forbids the placement of these items in lined landfills. She gave the details concerning this matter. She informed Council that her committee will be glad to assist the City in any way they can to get the information to the citizens.

D: REVIEW OF ZONING ORDINANCE PROPOSALS:

Manager Nevad stated that pursuant to Council's directive, the staff has investigated the feasibility of rewriting our Zoning

Ordinance and codifying our Development Regulations into one uniform Ordinance. We have received 3 proposals. Two of the proposals were over \$24,000, and the third proposal was \$14,600 from McFarland and Dyer. In lieu of the PIB project and computer related project, we recommend approval of this project to begin January 1, 1997 for the 1997 Budget. Council Member Bailey made a motion to approve the project, seconded by Council Member Pugh. After discussion Council Member Spradlin made a motion to table this item, seconded by Council Member Bailey and passed unanimously. (4-0)

E: GARBAGE COLLECTION COMPLAINT/RESIDENT SKELTON:
This was settled before the meeting.

F: PROPOSAL TO OPEN A GAME ROOM-LANTON:

Mrs. Charlotte Lanton asked that she be permitted to operate a Game Room at the Sugar Hill Shopping Center for use by young people. She asked that the Ordinance which controls this type of business be adjusted to allow a child ten (10) and above to come to the game room without being accompanied by an adult. The pros and cons were discussed concerning this issue. Council Member Bailey made a motion to grant the permit, conditional to Attorney Thompson looking into the issue of the age, seconded by Council Member Spradlin. During discussion Council Member Pugh made a motion to table this until next month, seconded by Council Member Spradlin and unanimously passed. (4-0) After more discussion Council Member Spradlin made a motion to permit the game room, seconded by Council Member Bailey. Council Member Pugh made a motion to table this, until it can be investigated further, seconded by Council Member Spradlin and unanimously passed. (4-0)

G: ADJUSTMENT IN AGENDA DEADLINE:

Council Member Spradlin made a motion to move the deadline for items to be placed on the Agenda until noon on Wednesday before the Monday Council Meeting. Mayor Pro Tem Davis seconded the motion which passed unanimously. (4-0)

CITY CLERK'S REPORT:

Clerk Garbutt reported that the GMA Convention was very informative and presented many interesting and timely seminars. Those attending were Mayor Gary Webster, Mayor Pro Tem Reuben Davis, Council Member Steve Bailey, Manager Warren Nevad and Clerk Betty B. Garbutt.

Clerk Garbutt reported the Special Election will be held on Tuesday, July 9, 1996 at the Community Service Building during the hours of 7:00 A.M. to 7:00 P.M. Everyone is encouraged to vote.

CITY MANAGER'S REPORT:

Manager Nevad reported that Mr. Don McFarland, former Director of Gwinnett County Planning and Zoning has offered his services, as Development Director, on an on-call basis for \$400 per week for 6 months. This will save the City approximately \$20,000 over a one

year period. Based upon our applications and assessment of the position, we believe that this will benefit the City. The P & Z Commission will consider a rezoning proposal from Manufacturing to General Business on PIB. A developer is interested in building a neighborhood shopping center.

The ARC and Gwinnett County has denied the application for a special use permit for an inert landfill.

Pursuant to recommendations by the PSC, the City is updating the distribution, leak survey, and cathodic protection maps.

Manager Nevad commended Golf Director Wade Queen for his work at the Golf Course and the long hours he works. He was given a round of applause by those present.

COUNCIL REPORTS:

Council Member Spradlin commented on a letter written by the Council in rebuttal of a letter issued by Mr. Herb Payne, and stated that he supports an open government and has no interest in operating in secret.

Council Member Pugh expressed appreciation to Colonial Lighting for the opening of their new business on PIB. He welcomed them to the City.

Mayor Webster reported there will be a Red Cross Blood Drive on Saturday, August 3, 1996 from 10:00 A.M. to 2:00 P.M.

EXECUTIVE SESSION:

Council Member Bailey made a motion to go into Executive Session at 8:19 P.M., seconded by Mayor Pro Tem Davis and passed on a vote of three to zero (3-0). Council Member Spradlin abstained from voting.

Mayor Webster called for a ten (10) minute recess.

Before the Council observed the recess, Mr. David Edwards asked the Council to act on Mrs. Charlotte Lanton's request for a Game Room Permit before the next Council Meeting and it was the consensus of the Council to hold a Called Meeting on Monday, July 15, 1996 at 7:30 P.M. in the Community Center. After this was decided, the Council observed the recess and then entered into the Executive Session.

There was no action taken out of Executive Session which ended at 8:50 P.M. on a motion by Council Member Bailey, seconded by Mayor Pro Tem Davis and unanimously passed. (4-0)

ADJOURNMENT:

Council Member Bailey made a motion to adjourn at 8:51 P.M., seconded by Council Member Pugh and unanimously passed. (4-0)

The DCA Finance Report has been completed and sent to the State.

She reported that overall for the first six months Revenues received are at 54.52% and Expenditures and Expenses are at 48.86%.

C: UTILITIES:

Manager Nevad stated that during June the Gas Department set 56 new services. Year to date total is 218 new services. It is believed that June was a record setting month. The Department installed over 5,000 feet of line. The City now has 4,061 customers.

D: GOLF:

Director Queen reported another record month at the Golf Course, which was the best ever for the Course. Revenue is up 18%. There are several tournaments scheduled and there are a large number of visitors from all over the world. There has been an inquiry from Czechoslovakia for a November outing. The Club House is doing better than expected. The Golf Association is growing. Staff was given a round of applause.

E: RECREATION:

Manager Nevad reported that 82,000 feet of Bermuda Sod has been laid on the Soccer Field. The City appreciates the help of Roger Hall and Steve Wyche. They installed the sod at no cost to the City. The Maintenance Barn has been painted.

The Recreation Board has \$17,000 in its operating account. At the Recreation Meeting the possibility of moving the softball fences back 20 feet to increase tournament play was discussed. The proposals are being reviewed.

F: DRAINAGE:

Manager Nevad reported that ditches and pipes have been cleaned out on Forest Green Drive, Border Street, Whitehead Street, Highland Avenue and Hidden Circle. Work has begun on the Fox Project. One more easement needs to be secured to begin work on South Roberts Drive.

G: ECONOMIC DEVELOPMENT:

Chairman Bob Scott reported the EDC met on June 18, 1996. The EDC has approved a City of Sugar Hill Sign to be placed on Highway 20. The next meeting will be on July 17, 1996.

OLD BUSINESS:

A: PEDDLER-SOLICITATION ORDINANCE:

Mayor Pro Tem Davis presented an Ordinance on Sales and Solicitation prepared by Attorney Thompson and made a motion to approve the Ordinance. The motion was seconded by Council Member Spradlin. There was discussion and the fee was set at \$65.00. The motion passed unanimously. (4-0)

B: REPORT ON COMPUTERS:

Council Member Spradlin reported on the research of a new computer system for the City. The final decision has not been made

MINUTES
CITY OF SUGAR HILL CALLED COUNCIL MEETING
MONDAY, JULY 15, 1996-7:30 P.M.

The Mayor and Council of the City of Sugar Hill met for a Called Meeting on Monday, July 15, 1996 at 7:30 P.M. in the Community Center.

Notice of the meeting was posted on the doors of City Hall, on the Community Center door and on the sign at PIB and Alton Tucker Blvd.

Those present were Mayor Gary Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Tim Pugh, and newly elected Council Member Dorland Baird, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Election Superintendent James B. McCalla, Attorney Lee Thompson, Jean Baird and Family, Mrs. Charlotte Lanton, Leona Bailey, citizens and guests. Council Member Spradlin was absent due to a conflict in meetings.

The purpose of the Called Meeting was:
Certification of the Election
Oath of Office-Dorland Baird
Amending the Alcohol Ordinance
Permitting a Game Room

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Bailey gave the Invocation.

A: CERTIFICATION OF THE ELECTION:

Election Superintendent James McCalla presented the results of the Special Election held on Tuesday, July 9, 1996.

To fill the unexpired term of W. J. Dodd.

Dorland Baird	451
Herb Payne	445

"SHOULD THE GOVERNING AUTHORITY OF THE CITY OF SUGAR HILL, GEORGIA, BE AUTHORIZED TO PERMIT AND REGULATE SUNDAY SALES OF DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES, FOR BEVERAGE PURPOSES BY THE DRINK?"

YES:	535
NO:	359

Council Member Bailey made a motion to certify the returns, seconded by Council Member Pugh and unanimously passed by those present. (3-0)

B: OATH OF OFFICE-DORLAND BAIRD:

Mayor Webster administered the Oath of Office to newly elected Council Member Dorland Baird. Council Member Baird was accompanied by his wife, Jean Baird and other family members.

C: AMENDMENT TO ALCOHOL ORDINANCE:

Attorney Thompson presented an amendment to the Alcohol Ordinance to permit Sunday sales of alcohol by the drink for consumption on the premises only. Clerk Garbutt read the Ordinance. Council Member Bailey made the motion to approve the amendment, seconded by Council Member Pugh and passed on a unanimous vote of those present. (4-0)

D: GAME ROOM PERMIT:

Attorney Thompson brought the Council up to date on the issue and what the new Occupational Tax Law requires. Council Member Pugh made a motion to remove the item from the table. The motion died for a lack of a second.

EXECUTIVE SESSION:

Council Member Bailey made a motion, seconded by Council Member Pugh to go into Executive Session at 7:42 P.M. to discuss possible litigation and personnel. The motion passed on a unanimous vote of those present. (4-0)

The Executive Session ended at 7:59 P.M. on a motion by Mayor Pro Tem Davis, seconded by Council Member Baird and unanimously passed by those present. (4-0)

There was no action taken out of the Executive Session.

ADJOURNMENT:

Council Member Bailey made a motion to adjourn at 8:00 P.M., seconded by Council Member Baird and unanimously passed by those present. (4-0)

ADMINISTRATIVE REPORT

PLANNING, ZONING, & BUILDING INSPECTIONS DEPARTMENT

JUNE 1996

PRINTED 07-03-96

THIS REPORT WAS PRINTED ON JULY 3, 1996

CITY OF SUGAR HILL

PERMIT TYPE AND DESCRIPTION	# OF PERMITS	VALUATION	FEES DUE	FEES PAID
- ADDITION/GARAGE PERMIT	2	5,000.00	383.76	383.76
- ADMINISTRATIVE VARIANCE	2	0.00	300.00	300.00
- COMMERCIAL PERMIT	1	0.00	0.00	0.00
- CONSTRUCTION/SALES TRAILERS	2	0.00	300.00	300.00
- DEVELOPMENT PERMIT	3	0.00	1,844.80	1,844.80
- ENERGY CODE AFFIDAVIT	16	0.00	0.00	0.00
- ELECTRICAL AFFADAVIT	21	0.00	0.00	0.00
- FENCE PERMIT	7	0.00	0.00	0.00
- HEATING/AIR AFFADAVIT	20	0.00	0.00	0.00
- MOBILE HOME INSTALLER AFFIDAVIT	1	0.00	0.00	0.00
- MISCELLANEOUS-COMPLIANCE PERMIT	12	0.00	540.00	540.00
- MOBILE HOME INSPECTION NEW	2	0.00	200.00	200.00
- PLUMBING AFFADAVIT	18	0.00	0.00	0.00
- POOL PERMIT	1	0.00	25.00	25.00
- REMODELING PERMIT	1	0.00	139.63	139.63
- REZONING APPLICATION	2	0.00	700.00	700.00
- STORAGE BUILDING/GARAGE	2	0.00	169.00	169.00
- SINGLE FAMILY RESIDENTIAL	16	1,303,221.00	9,889.20	9,889.20
- SIGN PERMIT	3	0.00	300.00	300.00
- TRADE LICENSE REGISTRATION	16	0.00	160.00	160.00
- TAP & METER PAYMENTS	22	0.00	6,108.55	6,108.55
TOTALS FOR ALL PERMIT TYPES	170	1,308,221.00	21,059.94	21,059.94

BASE FEE TRANSACTION SUMMARY DURING THE PERIOD 06/01/96 THROUGH 06/30/96

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CITY OF SUGAR HILL

TRANS. DATE	#	RESIDENTIAL 1000-0001	COMMERCIAL 1000-0002	MISCELLANEOUS 1000-0003	MOBILE HOMES 1000-0004	DEVELOPMENT 1000-0005	GAS 1000-0006	WATER 1000-0007	SEWER 1000-0008
/03/96	5	932.00	0.00	10.00	0.00	0.00	500.00	0.00	0.00
/04/96	10	125.00	183.76	30.00	0.00	0.00	0.00	0.00	0.00
/05/96	1	0.00	0.00	0.00	0.00	0.00	250.00	0.00	0.00
/06/96	8	559.00	139.63	20.00	0.00	0.00	0.00	0.00	0.00
/07/96	4	866.40	0.00	0.00	0.00	0.00	500.00	0.00	0.00
/10/96	2	0.00	0.00	0.00	0.00	0.00	500.00	0.00	0.00
/11/96	1	25.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
/12/96	7	337.00	25.00	10.00	0.00	456.80	750.00	0.00	0.00
/13/96	1	350.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
/14/96	5	839.60	0.00	10.00	100.00	0.00	1358.55	0.00	0.00
/17/96	11	305.00	0.00	20.00	0.00	0.00	2250.00	0.00	0.00
/18/96	2	361.00	0.00	0.00	0.00	920.00	0.00	0.00	0.00
/19/96	8	0.00	0.00	40.00	300.00	0.00	500.00	0.00	0.00
/20/96	3	150.00	0.00	10.00	0.00	468.00	0.00	0.00	0.00
/21/96	2	25.00	0.00	0.00	0.00	0.00	250.00	0.00	0.00
/24/96	2	0.00	0.00	0.00	100.00	0.00	250.00	0.00	0.00
/25/96	4	1938.60	0.00	0.00	0.00	0.00	1000.00	0.00	0.00
/26/96	9	2034.60	0.00	0.00	0.00	0.00	1250.00	0.00	0.00
/28/96	1	0.00	0.00	0.00	0.00	0.00	75.00	0.00	0.00
====	==	=====	=====	=====	=====	=====	=====	=====	=====
	86	8848.20	348.39	150.00	500.00	1844.80	9433.55	0.00	0.00

Existing Categories 0.00

rent Categories 21124.94

=====
and Total 21124.94

SUBDIVISION LOT AVAILABILITY LIST
Updated 07-03-96

Available Lots	Subdivision	Near What Major Street	Permits		C.O.'s		Lots Not		City
			Issued	Issued	Issued	Issued	Built On	Built On	Gas
67	Abingdon Place	Whitehead Road	55		41		12		X
58	Arbor Clos	Highway 20	38		14		20		X
112	Bent Creek	Level Creek Road	110		110		2		X
7	Brandon Oaks	Austin Garner Road	6		6		1		
26	Brookside at Parkview	Parkview Mine Drive	26		25		0		X
39	Emerald Lakes IV	Cumming Highway	35		236		4		X
57	Hillcrest Crossing	Hillcrest Drive					57		X
33	Hillcrest Glenn	Hillcrest Drive					33		X
131	Lakefield Forest	Level Creek Road	128		123		3		X
174	Princeton Oaks	Riverside Road	146		118		28		X
81	Richland Creek Unit I	Sycamore Road	14		3				X
106	Saddle Tree	Suwanee Dam Road	37		22		69		X
116	Secret Cove	Old Suwanee Road	116		114		0		X
96	Sugar Crossing	Austin Garner Road	83		73		13		X
34	Sugar Hill Plantation	Old Cumming Highway	2				32		X
178	Sycamore Summit	Sycamore Road/Riverside Road	176		171		2		X
14	The Lakes at Riverside	Riverside Road	13		13		1		
51	The Links	Suwanee Dam Road	11		2		40		
101	The Oaks at Lanier	Highway 20	100		84		1		X
84	The Springs I	Highway 20	49		41		35		X
50	West Price Hill	West Price Road	47		46		3		X

THIS REPORT WAS PRINTED ON JULY 3, 1996

CITY OF SUGAR HILL

<< STATISTICAL BREAKOUT >>

<----- Inspections -----> <----- Re-Inspections -----> Based On # Activities

ACTIVITIES	INSPECTIONS (I)	PASSED	CORRECTIONS	RE-INSPECTIONS (R)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
284	184	94	83	100	82	18	100
	% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED
	65	51	45	35	82	18	35

INSPECTOR ID BREAKDOWN

TONY - 141

JOE - 143

TOTAL INSPECTIONS: 284

FINANCE REPORT
JULY 1996

I have moved the Sanitation Escrow monies and the Golf Course Construction Escrow monies into the LGIP. This will earn more interest than it did last year. The interest on the LGIP is 5.29%.

Interest on the Checking Account is 5.02% so I plan to move \$300,000 out of the Checking Account into the LGIP also.

Kelley has finished the paper work to draw the final \$41,000+ from the GMA Lease Pool Fund. This is being used to offset the purchase of the two (2) Meter Reading Cars and the Utility Truck which was purchased at the end of 1995. This will keep us in the GMA Lease Pool Fund until the end of the issue. This money will be transferred to the LGIP where it will earn approximately 3% more interest than we will be paying on it.

Thru June we have received the following budgeted revenues:

General Fund:	43.15%	\$ 511,371
Sanitation Fund:	46.53%	\$ 175,867
Gas Fund:	78.63%	\$1,930,014
Golf Fund:	49.75%	\$ 448,285

Thru June we have expended the following budgeted expenditures and expenses.

General Fund:	41.60%	\$ 545,896
Sanitation Fund:	40.99%	\$ 154,948
Gas Fund:	71.35%	\$1,586,793
Golf Fund:	41.50%	\$ 373,953

JUNE, 1996

GAS DEPARTMENT MONTHLY REPORT

SUPT. REC	BLDR REQUEST	SUBDIVISION	LOT	COMPLETED
04/25/96	05/22/96	RICHLAND CREEK	9B	06/03/96
04/25/96	05/22/96	RICHLAND CREEK	8B	06/03/96
02/15/96	05/22/96	RICHLAND CREEK	1B	06/03/96
02/13/96	05/31/96	SADDLE TREE	94A	06/04/96
02/13/96	05/23/96	SADDLE TREE	93A	06/04/96
04/25/96	05/10/96	DEER VALLEY	18E	06/05/96
02/13/96	05/10/96	DEER VALLEY	29B	06/05/96
02/13/96	05/23/96	SADDLE TREE	92A	06/05/96
02/28/96	06/05/96	PRINCETON OAKS	153B	06/06/96
02/28/96	06/05/96	PRINCETON OAKS	152B	06/06/96
04/15/96	06/10/96	ABINGDON PLACE	98A	06/10/96
02/23/96	05/16/96	ASCOT	20A	06/10/96
03/22/96	06/05/96	SUGAR CROSSING	47A	06/10/96
04/15/96	06/10/96	ABINGDON PLACE	100A	06/12/96
05/06/96	06/10/96	ABINGDON PLACE	106A	06/12/96
05/06/96	06/10/96	ABINGDON PLACE	107A	06/12/96
02/27/96	06/06/96	ARBOR CLOS	205A	06/13/96
02/23/96	06/10/96	DEER VALLEY	63A	06/13/96
05/13/96	06/07/96	ROSEMOORE LAKE	25C	06/13/96
03/22/96	06/11/96	OAKS @ LANIER	107B	06/14/96
03/22/96	06/11/96	OAKS @ LANIER	112B	06/14/96
03/20/96	06/11/96	SUGAR CROSSING	43A	06/14/96
03/22/96	06/10/96	SUGAR CROSSING	44A	06/14/96
02/20/96	05/10/96	DEER VALLEY	5B	06/17/96
03/07/96	06/10/96	DEER VALLEY	59A	06/17/9
04/15/96	06/11/96	OAKS @ LANIER	130B	06/17/96
05/14/96	06/10/96	ROSEMOORE LAKE	14C	06/17/96
05/14/96	06/10/96	ROSEMOORE LAKE	42C	06/17/96
05/14/96	06/13/96	ROSEMOORE LAKE	32C	06/20/96
04/15/96	06/13/96	ARBOR CLOS	221B	06/20/96
04/15/96	06/12/96	ABINGDON PLACE	112A	06/17/96
04/15/96	06/12/96	ABINGDON PLACE	113A	06/17/96
04/15/96	06/10/96	ABINGDON PLACE	99A	06/17/96
04/03/96	06/11/96	ARBOR CLOS	119B	06/17/96
06/12/96	06/13/96	HIGHLANDS @ BRIDGEGATE	20B	06/19/96
06/12/96	06/13/96	HIGHLANDS @ BRIDGEGATE	27A	06/19/96
06/12/96	06/12/96	HIGHLANDS @ BRIDGEGATE	32B	06/19/96
05/14/96	06/10/96	ROSEMOORE LAKE	48C	06/19/96
05/21/96	06/14/96	ABINGDON PLACE	2C	06/21/96
05/06/96	06/14/96	ABINGDON PLACE	114C	06/21/96
		NORTH GWINNETT H.S.		06/24/96
02/23/96	06/20/96	ASCOT	1C	06/25/96
02/23/96	06/20/96	ASCOT	2C	06/25/96
02/23/96	06/20/96	ASCOT	3C	06/25/96
02/23/96	06/20/96	ASCOT	21C	06/25/96
04/25/96	05/10/96	DEER VALLEY	17E	06/25/96
06/17/96	06/21/96	HIGHLANDS @ BRIDGEGATE	1C	06/25/96
04/15/96	06/24/96	PRINCETON OAKS	51A	06/25/96
06/17/96	06/21/96	HIGHLANDS @ BRIDGEGATE	2C	06/26/96
02/13/96	06/19/96	THE LINKS	5A	06/26/96
02/13/96	06/21/96	THE LINKS	6A	06/26/96
06/26/96	06/26/96	FABRIC CARE DRY CLEANERS		06/27/96
04/03/96	06/26/96	ARBOR CLOS	227B	06/28/96
04/25/96	06/24/96	ARBOR CLOS	233B	06/28/96
02/23/96	06/20/96	ASCOT	19A	06/28/96
06/24/96	06/24/96	6208 SUWANEE DAM ROAD		06/28/96

1996 GAS DEPARTMENT REPORT													
	January	February	March	April	May	June	July	August	September	October	November	December	YTD TOTAL
NEW SERVICES ADDED	32	33	32	32	33	56							218
LENGTH IN FEET	2080	3185	2284	2165	2815	4370							16899
TYPE OF MATERIAL	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC							PLASTIC
SIZE OF PIPE	5/8	5/8	5/8	5/8	5/8 & 3/4	5/8 & 3/4							5/8 & 3/4
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/a	N/A	N/A							N/A
GAS LEAKS	24	20	11	9	9	12							85
CORROSION CAUSED	2	0	0	7	0	0							9
OUTSIDE FORCES	0	0	0	0	0	0							0
MATERIAL DEFECT	7	3	1	0	0	0							11
CUT OFF VALVE LEAKS	1	5	1	2	0	0							9
LOW PRESSURE	3	35	4	0	0	0							42
METERS REPLACED	12	4	11	6	1	2							36
REGULATORS REPLACED	11	3	0	0	0	0							14
REGULATORS RESET	0	1	0	0	0	0							1
CUSTOMER SIDE	2	4	0	3	0	1							10
NO LEAKS FOUND	8	7	5	4	1	0							25
THIRD PARTY CUT LINES	12	13	11	6	6	8							56
BILLED	11	10	9	4	5	6							45
PAYMENTS RECEIVED	6	5	8	2	0	2							23
OUTSTANDING	7	12	13	15	20	24							N/A
KILLED SERVICES	0	0	4	0	0	0							4
LENGTH IN FEET	0	0	495	0	0	0							495
TYPE OF MATERIAL	N/A	N/A	PL & STL	0	0	0							PL & STL
SIZE OF PIPE	N/A	N/A	5/8 & 3/4	0	0	0							5/8 & 3/4
NEW MAINS PUT INTO SERVICE	0	0	1	2	1	1							5
LENGTH IN FEET	0	0	3500	5000	1000	5900							15400
TYPE OF MATERIAL	N/A	N/A	PLASTIC	PLASTIC	PLASTIC	PLASTIC							PLASTIC
SIZE OF MAIN	N/A	N/A	2" & 4"	2	2	4							2" & 4"
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A								N/A
LOCATES	149	186	263	est. 200	364	322							148

June 1996
Customer Services

A) Total utility customers:

1) Gas

4061

Total Gas Customers

4061

B) New customers:

1) Gas

72

2) Garbage only

3

Total new customers

75

C) Customers moving out of city:

1) Gas

24

Total customers moving

24

D) Meter re-reads:

1) Before Billing

99

2) Per customer's request

3

3) Over-reads

0

4) Total re-reads

102

E) Other:

1) Cut-offs

51

51

Report by:

Customer Service Manager

CITY OF SUGAR HILL

RECREATION REPORT

JULY 3, 1996

THE CITY HAS OBTAINED GRANTS TO CONTINUE IMPROVEMENTS AT THE PARK:

I. WE HAD THE MAINTENANCE BARN PRESSURE WASHED AND PAINTED.

II. WE HAD 82,000 SF OF BERMUDA SOD ROLLED ON THE SOCCER FIELD.

Roger Hall rolled the sod at no cost to the citizens. He did his community service for the City.

Don Wye

DATE	DRAINAGE DEPARTMENT - JUNE
3rd	Completed ditches on Forest Green Dr. and dressed up right-of-ways.
4th	Hauled dirt to Golf course as requested.
5th	Cont. taking dirt to Golf course. Met with City Manager, residents Bill Alexis and Gail Tomlin concerning drainage study for Old Spring Way.
6th	Ralph Terry and I met with Bill Alexis at site of drainage problem to discuss solutions and answer questions . Picked up pipe at Contech Construction and delivered to 4585 Forest Green Dr.
7th	Hauled dirt, installed pipe and covered at 4464 Forest Green Dr. Dressed up right-of-way.
8th(Sat)	Thunder storm. Checked Frontier Way. Checked White Oak Dr. Checked Border St. Also received calls from residents on Hidden Cir. and Oak Grove Dr. concerning flooding of property.
9th(Sun)	Met with Mr. Pirkle at 5026 Oak Grove Dr. He was concerned that he had spent hundreds of dollars to improve his drainage problem on his property and due to improper drainage on City right-of-ways his improvements were "washed away". I assured Mr. Pirkle that the City would work with him to improve drainage in this area. I explained to him that this may take several months as at this time we are beginning some major drainage projects.
10th	Began cutting ditch line on Whitehead Rd. Checked erosion problem called in by Ms. Peggy Lewis at 5226 Walnut Cir.
11th	Met with Bryan Elliott (representing developer of Sugar Glen Subd.

	under development off Hillcrest Dr.) Explained that during thunder storm the previous day, it was discovered that mud and silt from this development was leaving site and traveling to a nearby creek. this mud and silt was entering creek at Hessie Lane and traveling to property owned by Ms. Peggy Lewis at 5226 Walnut Cir. During the storm the creek had overflowed its bank and deposited large amounts of mud and silt onto the property at 5226 Walnut Cir. Mr. Elliott seemed to question his developments involment in this situation.
	Tried to continue ditching on Whitehead. Ground was too wet for equipment. Will have to complete at a later date.
12th	Formed a pertion of headwall for drain pipe on Hickory Hills Dr. Have not formed flume.
	Met with City Manager to discuss drainage on streets scheduled to be paved and also to discuss drainage survey. Mr. Nevad said the drainage of streets to be paved would be handled thru department scheluling paving and for me to concentrate on bids for projects in drainage survey.
13th	Returned to 1307 Hickory Hills Dr. to construct flume and cut ditch line. Flume was not constructed, again due to thunder storm. During storm we checked creek at Hessie Ln. and Pass Ct. Creek was extremely muddy with mud silt from Hillcrest Glen development. I had Joe Appling come out and take pictures of silt leaving this development. Mr. Appling was going to contact Mr. Elliptt concerning this problem.

13th	Checked complaint at 5569 Princeton Oaks Ln. Unblocked storm drains. (Copy of ticket attached.)
14th	Crew off.
15th & 16th	Week-end.
17th	Dressed up bank on Hickory Hills Dr. Seed and hayed site on Oak Grove Dr. where pump station had been removed by City and grass had not come up after 1st seeding. Cleaned catch basins on Forest Green Dr. Replaced missing lid on storm drain inlet in Secret Cove at detention pond. Met again with Peggy Lewis on Walnut Cir. concerning mud and silt on her property. (Tried to reach developer -N/A)
18th	Met with Bryan Elliott, Joe Appling and City Manager at Hillcrest Glen development to discuss erosion control. We also inspected creek at HESSIE Ln. We then went to the Lewis property on Walnut Cir. After much discussion, it was agreed that the City would remove the silt from the creek to bring it back to its original depth and the developer would remove the mud from the property. The adjoining property at 5228 had also suffered some damage from this problem, and Fred Turner and I raked, seeded and hayed this property. immed.
19th	Crew off.
20th	Crew off.
21st	Cleaned out ditches and pipes on Border St. - Whitehead Dr. - Forest Green Dr. - Highland Ave. - Hidden Cir.
22nd & 23rd	Week-end
24th	Hauled concrete given to City by resident to use as rip-rap. Started drainage project on Fox property on White Oak Dr.

25th-28th

Continued project on White Oak Dr. at Fox property.

JUNE 27, 1996

MEMORANDUM

TO: Mayor/City Council

FR: Warren Nevad, City Manager

RE: Agenda Item : Prison Crew Contract

Staff will request motion to approve a new contract with the State Department of Corrections. The annual amount per officer will increase from \$23,000 to 28,084. This is the first increase in five (5) years.

This contract would provide two (2) crews to the City.

Please call me should you have any questions.

WPN:bms

attachment

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS AGREEMENT, made and entered into this 1st day of July , 19 96 , by and between the GEORGIA DEPARTMENT OF CORRECTIONS, hereinafter called the "DEPARTMENT", and the CITY OF SUGAR HILL , hereinafter called the "CITY".

WHEREAS, the DEPARTMENT is desirous of obtaining work for its inmates; and,

WHEREAS, the CITY is desirous of hiring inmate work crews to assist in Community and Public Work activities .

NOW THEREFORE, in consideration of their premises and their mutual promises and AGREEMENTS, hereinafter set forth, the parties hereby agree as follows:

PART A

THE DEPARTMENT AGREES:

(1) To supply the CITY OF SUGAR HILL with two(2) work detail(s), each detail to consist of one (1) full-time correctional supervisor, and 10 inmates.

(2) That under normal circumstances, departmental policy permitting, each work detail will work within the regular work hours and under the same conditions as the CITY'S employees. That inmate work details may be called out during inclement weather conditions or other emergency conditions, during other than normal working hours, subject to the concurrence of the DEPARTMENT.

(3) To be responsible for maintaining custody, feeding, clothing, provision of medical and hospital care for inmates, assuring discipline, and achieving productivity.

(4) To be responsible for safety during transportation of work details to and from work sites.

PART B

THE CITY AGREES TO:

(1) Provide a vehicle(s) to transport the inmate work detail(s).

(2) Furnish all equipment and tools, safety equipment; insure the safe operating condition of vehicles; provide insurance on the vehicle used to transport inmates and correctional supervisors; provide maintenance of all equipment and tools, and to be responsible for damage or loss of all equipment and tools.

(3) Direct and supervise the work to be performed, but no official or employee of the CITY, shall exercise any immediate control, direction, or supervision over any inmate; but, the sole responsibility of directing, controlling and supervising of said inmates, shall be that of the DEPARTMENT and its officials, correctional supervisors, and employees. Directions as to work to be performed shall be communicated to the correctional supervisor having immediate custody and supervision of the inmates, and said correctional supervisor shall direct inmates accordingly.

(4) Pay the DEPARTMENT for only a portion of the additional cost actually incurred for the security personnel required to provide the CITY with inmate work details. Such cost shall include: Full-time salaries with normal fringe benefits (plus overtime benefits) provided to other DEPARTMENT personnel of

similar rank, and function. This rate of pay shall be based on the pay scale of a Correctional Officer II, and the cost of uniforms, equipment, and training. However, for the purposes of this AGREEMENT, the CITY shall pay the DEPARTMENT a sum of \$ 56,168.00 dollars per year. This cost may change annually as salary increases are approved by the Georgia General Assembly, or as a result of increased cost to the DEPARTMENT.

(5) Comply with any and all special conditions as listed on page 5, of this AGREEMENT.

The DEPARTMENT shall, on a monthly basis, prepare and submit to the CITY invoices for services provided during the previous month. Should payment not be received within 30 days following the CITY'S receipt of the invoice, the DEPARTMENT shall have the option of declaring this AGREEMENT null and void.

TERMINATION

Either party may terminate this AGREEMENT with a sixty (60) day advanced written notice, indicating intent to cancel the AGREEMENT. Such written notice shall be sent to the DEPARTMENT at the following address: Georgia Department of Corrections, 2 Martin Luther King, Jr. Drive, S.E., Room 756, East Tower, Atlanta, Georgia 30334; or should the DEPARTMENT elect to terminate, written notice to the CITY, at the following address:

City of Sugar Hill

4988 W. Broad Street Sugar Hill, Ga. 30518

The DEPARTMENT, may, at its discretion, immediately terminate the AGREEMENT for cause, through verbal or written notification to the CITY.

This AGREEMENT shall become effective on July 1, 1996
and shall terminate on June 30, 1997.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be signed
as of the day and year above mentioned.

NOTARY

J. WAYNE GARNER, COMMISSIONER
GEORGIA DEPARTMENT OF CORRECTIONS

DIVISION DIRECTOR
GEORGIA DEPARTMENT OF CORRECTIONS

NOTARY

MAYOR

CITY OF SUGAR HILL

CONTRACTUAL AGREEMENT BETWEEN THE GEORGIA DEPARTMENT OF CORRECTIONS AND,
THE CITY OF SUGAR HILL

SPECIAL CONDITIONS

1. The CITY (will) x (will not) provide a mobile radio for each transportation vehicle. The mobile radio (s) will be operated by the DEPARTMENT'S security personnel, and will be used to maintain contact with all law enforcement agencies. The DEPARTMENT may determine minimum specifications or requirements for the mobile radio (s).
2. The DEPARTMENT will not provide the CITY with a work detail on official State Holidays.

JUNE 27, 1996

MEMORANDUM

TO: Mayor/City Council

FR: Warren Nevad, City Manager



RE: Agenda Item : Peachtree Industrial Blvd. Widening

Staff will request motion to approve a force account agreement with Georgia Department of Transportation. Please review the attached.

Please call me should you have any questions.

WPN:bms

attachment



WELKER & ASSOCIATES, INC.

Engineers Since 1945

P. O. BOX 937 — 770/422-1902

MARIETTA, GEORGIA 30061

June 7, 1996

Mr. Warren P. Nevad, City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

RE: Natural Gas Main Relocation
Widening of Peachtree Industrial Blvd Fm
Sugar Hill to Reloc S.R. 347 STP-190-1 (10)
Welker Project No.: 96-1210

Dear Mr. Nevad:

As you know, the Department of Transportation has agreed to partially reimburse the City the costs associated with the construction of the above referenced project. In accordance with a letter dated January 16, 1992 to Mr. Stanley Page, then District Utilities Engineer, D.O.T.-Gainesville, from Mr. Ken Crowe, then Director of Utilities & Development, the City had agreed to relocate a 2" polyethylene then being proposed from Pinecrest Road, Sta. 423+35.40-BK. Attached for your reference is a copy of such correspondence. The Force Account Agreement, therefore, will be based on a 51%/49%, non-reimbursable/reimbursable split between the City and the Department, respectively.

Attached are ten copies of the "Estimate" required by the Department to support this agreement. Following your review, please sign and date **each** of the attached copies of the "Estimate" in the spaces "flagged" on Pages 1 and 11 and forward to:

Mr. Anthony J. Pritchett, District Utilities Engineer
Georgia Department of Transportation
Office of District Engineer
P.O. Box 1057 or 2505 Athens Highway (30503)
Gainesville, Georgia 30503-1057

For your records, we have attached a copy of the attachments.

We have also prepared the attached engineer's estimate for this project for your review. The total construction cost is estimated to be \$39,300.00 plus an estimated engineering fee of \$11,102.49 for a total estimated relocation cost of \$50,402.49. Of this total amount, an estimated \$25,762.27 or 51% of the actual relocation costs will be borne by the City and an estimated \$24,640.00 or 49% of the actual relocation costs will be reimbursable by the Department. The attached "Estimate" prepared for the Department is based on these estimated costs.

Referring the plans incorporated in the "Estimate", you may notice a portion of the existing gas main and easement at Sta. 413+95.12-Left is in conflict with the construction of a proposed sediment basin. The 2" polyethylene main incorporated within this easement will require relocation and additional easement will

1995



1945

WELKER & ASSOCIATES, INC.

Page 2 of 2
June 7, 1996
Mr. Nevad

be necessary. This work is contained in the non-reimbursable portion of this project and, subsequently, it will be the City's responsibility to acquire the replacement easement.

If you have any questions or require additional information, please do not hesitate to call:

Sincerely,

WELKER & ASSOCIATES, INC.

Bobby Ellis, Vice President

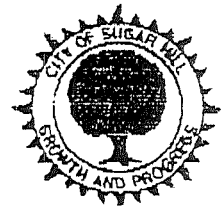
BE/BSF/bsf

Attachments

CITY OF SUGAR HILL

COMMUNITY OF PRIDE

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716



January 16, 1992

Mr. Stanley Page
State of Georgia
Department of Transportation
Highway Division
2505 Athens Hwy.
Gainesville, Ga. 30501

Dear Mr. Page,

The City of Sugar Hill is requesting permission to install a 2" gas main along the toe of the slope on Peachtree Industrial Blvd. as shown on the attached drawing.

The City of Sugar Hill understands that the widening of P.I.B. is to occur in the near future and that this gas line will be in conflict with this construction work. We need to have this line in place immediately to alleviate a gas pressure problem in Parkview North sub-division. We understand that it will be the responsibility of the City of Sugar Hill to relocate this gas main when construction begins.

Thank you for your cooperation in this matter.

Sincerely,

Ken Crowe
Director: Utilities & Development

DOT 910
(1982)

DEPARTMENT OF TRANSPORTATION

State of Georgia
Atlanta, Georgia 30334

RECEIVED

JAN 3 2 1992

APPLICATION AND PERMIT FOR UTILITY FACILITY ENCROACHMENT

APPLICATION IS HEREBY MADE TO THE GEORGIA DEPARTMENT OF TRANSPORTATION BY:

~~City of Sugar Hill~~

(UTILITY OWNER - NAME AND ADDRESS)

~~2300 West Broad Street, Sugar Hill, GA 30010~~FOR PERMISSION TO CONSTRUCT, OPERATE AND MAINTAIN THE FOLLOWING DESCRIBED UTILITY FACILITY WITHIN THE PUBLIC RIGHT-OF-WAY OF
STATE HIGHWAY NO. _____ OR COUNTY ROAD NO. 1954 IN WINNETT COUNTY.DESCRIPTION: 4" & 2" low pressure gas mainsLOCATION: 2200' + south of SR 20 to the intersection of Rivercrest Dr. Turn the gas line andcontinue south for 500' along the west side.

THE UTILITY FACILITIES COVERED HEREBY SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANS ATTACHED HERETO AND MADE A PART HEREOF. APPLICANT AGREES TO COMPLY WITH AND BE BOUND BY THE DEPARTMENT'S UTILITY ACCOMMODATION POLICY AND STANDARDS ON FILE IN THE GENERAL OFFICES OF THE DEPARTMENT OF TRANSPORTATION, MADE A PART HEREOF BY REFERENCE, AND ALL GENERAL PROVISIONS AND SPECIAL PROVISIONS SHOWN ON THE REVERSE HEREOF, OR ATTACHED HERETO, DURING THE INSTALLATION, OPERATION AND MAINTENANCE OF SAID UTILITY FACILITIES WITHIN THE PUBLIC RIGHT-OF-WAY.

PERMIT REQUESTED THIS 27 DAY OF Dec 1991

BY:

(SIGNATURE)

WITNESS TO SIGNATURE:

~~Ken Cross~~

(TYPED NAME)

~~Director: Public Utilities & Development~~

(TITLE)

PERMISSION IS GRANTED FOR THE ABOVE DESCRIBED UTILITY FACILITY ENCROACHMENT IN ACCORDANCE WITH THE PLANS AND PROVISIONS HEREOF. THIS PERMIT IS TO BE STRICTLY CONSTRUED AND NO WORK OTHER THAN THAT SPECIFICALLY DESCRIBED ABOVE IS HEREBY AUTHORIZED.

PERMIT GRANTED THIS 27th DAY OF JAN. 1992

DEPARTMENT OF TRANSPORTATION

BY:

(DISTRICT ENGINEER)

DISTRIBUTION AFTER APPROVAL

WHITE - APPLICANT

YELLOW - DOT GENERAL OFFICE

BLUE - DOT DISTRICT OFFICE

GREEN - DOT FIELD INSPECTOR

(TO BE COMPLETED BY DOT DISTRICT OFFICE)

DISTRICT NO. ONE COUNTY GWINNETTSTATE ROUTE NO. _____ U.S. _____ Co. Rd. No. 1954PROJECT NO. FR 190-1 (10) ACTIVE ☒ UNDER CONSTR. _____PERMIT NO. 8-92-12-5 (P)

CITY OF SUGAR HILL, GEORGIA
NATURAL GAS MAIN RELOCATION
WIDENING OF PEACHTREE INDUSTRIAL BLVD FM
SUGAR HILL TO RELOC S.R. 347 STP-190-1 (10)
ENGINEER'S ESTIMATE OF REIMBURSABLE COSTS¹

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	ESTIMATED UNIT PRICE ²	ESTIMATED TOTAL AMOUNT
1.	2" IPS-SDR 11 P.E. 2406 Polyethylene Pipe	1,360	L.F.	\$10.00	\$13,600.00
2.	2" Line Valve Assembly	1	Ea.	\$500.00	\$500.00
3.	2" Bore	70	L.F.	\$20.00	\$1,400.00
4.	Connection to Existing 2" Polyethylene	2	Ea.	\$500.00	\$1,000.00
5.	Valve Marker	1	Ea.	\$150.00	\$150.00
6.	Purge & Abandon In Place (Sta. 423+80-FWD)	1	L.S.	\$750.00	\$750.00
7.	Grassing	3,000	S.Y.	\$0.50	\$1,500.00
8.	Solid Rock Excavation	5	C.Y.	\$60.00	<u>\$300.00</u>
ESTIMATED REIMBURSABLE CONSTRUCTION COST					\$19,200.00
ESTIMATED PRELIMINARY ENGINEERING FEES					\$3,828.34
(49% OF TOTAL ESTIMATED PRELIMINARY ENGINEERING FEE) ³					
ESTIMATED CONSTRUCTION ENGINEERING FEES					<u>\$1,611.88</u>
(49% OF TOTAL ESTIMATED CONSTRUCTION ENGINEERING FEE) ³					
TOTAL ESTIMATED REIMBURSABLE RELOCATION COST					\$24,640.22

¹ Reimbursable costs are such costs the Georgia Department of Transportation has agreed to reimburse the City under the conditions set forth in a Force Account Agreement between the City and the Department.

² Estimated unit prices are based on actual price bids received for past projects of similar construction.

³ Proportionate share of estimated engineering fees is the ratio of the estimated reimbursable construction cost to the estimated non-reimbursable construction cost.

CITY OF SUGAR HILL, GEORGIA
NATURAL GAS MAIN RELOCATION
WIDENING OF PEACHTREE INDUSTRIAL BLVD FM
SUGAR HILL TO RELOC S.R. 347 STP-190-1 (10)
ENGINEER'S ESTIMATE OF NON-REIMBURSABLE COSTS¹

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>EST. QTY.</u>	<u>UNIT</u>	<u>ESTIMATED UNIT PRICE²</u>	<u>ESTIMATED TOTAL AMOUNT</u>
1.	2" IPS-SDR 11 P.E. 2406 Polyethylene Pipe	1,440	L.F.	\$10.00	\$14,400.00
2.	2" Line Valve Assembly	1	Ea.	\$500.00	\$500.00
3.	2" Bore	70	L.F.	\$20.00	\$1,400.00
4.	Connection to Existing 2" Polyethylene	1	Ea.	\$500.00	\$500.00
5.	Valve Marker	1	Ea.	\$150.00	\$150.00
6.	Purge & Abandon In Place (Sta. 423+80-BK)	1	L.S.	\$750.00	\$750.00
7.	Pavement Removed & Replaced w/Concrete (Roadways)	10	S.Y.	\$50.00	\$500.00
8.	Grassing	3,200	S.Y.	\$0.50	\$1,600.00
9.	Solid Rock Excavation	5	C.Y.	\$60.00	<u>\$300.00</u>

ESTIMATED NON-REIMBURSABLE CONSTRUCTION COST	\$20,100.00
ESTIMATED PRELIMINARY ENGINEERING FEES	\$3,984.60
(51% OF TOTAL ESTIMATED PRELIMINARY ENGINEERING FEE) ³	
ESTIMATED CONSTRUCTION ENGINEERING FEES	<u>\$1,677.67</u>
(51% OF TOTAL ESTIMATED CONSTRUCTION ENGINEERING FEE) ³	
TOTAL ESTIMATED NON-REIMBURSABLE RELOCATION COST	\$25,762.27

¹ Non-reimbursable costs are such costs the Georgia Department of Transportation considers as betterment and has not agreed to reimburse the City under the conditions set forth in a Force Account Agreement between the City and the Department. Based on a prior agreement between the City and the Department, the expense to relocate this portion of the project will be borne by the City.

² Estimated unit prices are based on actual price bids received for past projects of similar construction.

³ Proportionate share of preliminary engineering fees is the ratio of the estimated reimbursable construction cost to the estimated non-reimbursable construction cost.

CLERK'S REPORT
JULY 1996

The Clerk's Office is busy with Absentee Ballots for the July 9, 1996 Special Election. Shirley Gibbs, Absentee Ballot Clerk, is busy getting Ballots mailed to voters who have requested them. We have some people coming in to vote and everything seems to be falling in place for the Election. Mr. McCalla is very thorough with his preparation. We are also getting good cooperation from the Gwinnett County Election Office.

We have made the reservations for Council Members Pugh and Spradlin and Manager Nevad to attend the MicroSoft NT Seminar in Kansas City on July 17 and 18, 1996. Mayor Webster, Council Member Bailey and Mayor Pro Tem Davis will attend the Seminar in Atlanta on August 26 and 27, 1996. This Seminar will enhance the Mayor and Council's and City Manager's knowledge on the operation of the new system. With three (3) attending each Seminar we will receive a rate reduced by \$100 for each one attending.

Those attending the GMA Convention in Savannah are Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Member Steve Bailey, Manager Warren P. Nevad and City Clerk/Finance Director Betty B. Garbutt. Training and seminars will be offered on Saturday, Sunday, Monday and Tuesday. Some of the training and seminars which our group will attend are Customer Service, Finance, Economic Development, Teamwork and knowledge on Sexual Harassment. This appears to be a well planned Convention.

As soon as Council Member Spradlin and I can arrange the dates for the Sexual Harassment presentation by the Gainesville Theater Alliance we will let you know the dates. It will be sometime near the first of September.

MEMORANDUM 96-30:

TO: Mayor/City Council

FROM: Warren P. Nevad



RE: **JULY 8, 1996 CITY MANAGER REPORT**

DATE: June 27, 1996

1. EMPLOYEES:

We are preparing our semi-annual job descriptions. We appreciate the hard work exhibited by our employees.

2. PLANNING/ZONING:

We have privatized the position of development director. Mr. Don McFarland, former Director of Gwinnett County Planning and Zoning has offered his services on an on-call basis for \$400 per week for 6 months. This will save the City approximately \$20,000 over a one (1) year period. Based upon our applications and assessment of the position, we believe that this decision will benefit the City. Currently, McNalley & Patrick performs the engineering review for site plan applications. McFarland & Dyer will be performing this service. Fees paid for engineering review are reimbursed by the applicant.

The Planning and Zoning Commission will consider a rezoning proposal from Manufacturing to General Business on Peachtree Industrial Blvd. A developer is interested in building a neighborhood shopping center.

We are soliciting proposals to amend our zoning and development regulations. Topics to be addressed include definitions, buffers, enforcement and drainage.

The Board of Appeals will meet again on July 11, 1996 to make its determination of the issuance of a development permit for the asphalt plant. The Atlanta Region Commission and Gwinnett County has denied the application for a special use permit for an inert landfill.

3. GAS DEPARTMENT

We plan to construct a 4 inch line on Hilcrest Drive to accommodate proposed residential development. We will loop a gas line into Deer Valley. The Gas Department has installed over 40 new services this month. The Colonial Lighting project should be completed shortly by Benton Inc.

Pursuant to recommendations by the Public Service Commission, we are updating our distribution, leak survey and cathodic protection maps.

4. GOLF COURSE

As of June 27, 1996, the Golf Course has generated over \$114,000. We are improving the driving range and various tee boxes throughout the course.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms

ORDINANCE

SALES AND SOLICITATION

The Council of the City of Sugar Hill, Georgia hereby ordains:

Sec. 101. Permit required.

(a) Any person engaged in or desiring to engage in any type of selling, soliciting, canvassing, survey making or any other business, occupation or vocation which by its nature requires going from door to door or house to house in the residential areas of the incorporated areas of the city, whether on a temporary or permanent basis, shall first register with the city clerk by completing a personal information questionnaire and obtaining a personal identification card from the clerk, which shall be the person's permit to engage in the activities set out above.

(b) Any person who shall solicit orders on behalf of a business, occupation, vocation or individual, door to door or house to house, shall be deemed a solicitor.

Sec. 102. Exemptions.

(a) Persons, businesses and organizations exempted from local regulation by operation of state or federal law, or by the Constitution of the state or of the United States, are exempt from the requirements of this article.

(b) Representatives or agents of charitable or nonprofit organizations which have been recognized as such by the Internal Revenue Service of the United States Treasury Department shall be treated as exempt from the provisions of sections 101 through 106 provided that such organization first supplies proof of such recognized status to the city clerk and has received from the city clerk written confirmation of its exempt status. The organization shall then furnish each of its agents or representatives with a copy of the confirmation letter. The organization shall then furnish the city clerk with a list of such agents or representatives and shall promptly notify the city clerk of changes in the list.

(c) The exemption shall remain in effect until December thirty-first following the date of the confirmation letter. Only one (1) such letter shall be issued to each organization during any calendar year.

(d) Any sales representative who calls upon prospective customers at their prior invitation shall be treated as exempt from the provisions of sections 101 through 106.

Sec. 103. Contents of applications.

(a) The city clerk shall prepare a questionnaire requiring pertinent information regarding the physical description, identity and background of each applicant for a permit, including but not limited to the following:

- (1) Name and social security number of individual applicant.
 - (2) Date of birth.
 - (3) Driver's license number.
 - (4) Race.
 - (5) Sex.
 - (6) Residential address and telephone number.
 - (7) Business address and telephone number.
 - (8) Height and weight.
 - (9) Hair and eye color.
 - (10) Name and address of the organization represented.
 - (11) Name, address, and telephone number of his/her immediate supervisor in the organization represented.
 - (12) A list of any pleas of guilty, convictions, or sentences of probation entered against the applicant in regard to any offenses other than minor traffic violations.
- (b) The questionnaire form shall also bear the following statement:

"O.C.G.A. §16-10-20 provides it is a felony to knowingly and willfully make a false, fictitious or fraudulent statement or representation in any matter within the jurisdiction of any department or agency of the government of any municipality of this state."

(c) The city clerk shall review the application for the purpose of ascertaining whether any individual who is to solicit contributions on behalf of the charitable organization has plead to, or has been convicted of, a felony, or a misdemeanor involving violence or moral turpitude. After ascertaining that the questionnaire has been properly completed, and that the applicant has not been disqualified by virtue of prior pleas or convictions, the city clerk shall approve the application subject to the payment of the required permit fee(s).

Sec. 104. Issuance of permit.

Upon payment by the applicant of a regulatory fee of \$ 65.00 to the city clerk, the city

clerk shall approve the application, photograph the applicant and provide the applicant with a permit bearing the applicant's photograph, name and organization represented, and identifying the applicant as a solicitor.

Sec. 105. Validity, renewal of permits.

Each permit issued under this article shall be valid only for solicitation for the organization indicated thereon, and until December 31, of the current year. Such permit may be renewed upon payment of a new regulatory fee as established and verification by the city that the information provided by the organization or individual is still current.

Sec. 106. Display of permit.

The city clerk shall furnish to each permit holder a device suitable for attaching the permit card to the outer clothing of the permit holder. No solicitor shall engage in any of the conduct coming under this article without wearing and displaying the permit in a conspicuous manner.

Sec. 107. Disclosure of purpose of call.

At each dwelling, whether it be an apartment unit or private residence, the solicitor shall inform the occupant in unambiguous terms of the purpose of the call and shall not represent that the solicitor is participating in any contest, game or other competitive endeavor, or that he is offering the occupant an opportunity to participate in any such contest, game or endeavor.

Sec. 108. Posted property.

No solicitor shall enter a dwelling except at the express invitation of the occupant. No solicitation shall be made at any dwelling or any group of apartments where a conspicuous "No Soliciting," "No Solicitation," "No Peddlers" or other similar sign is displayed at or near the main entrance or driveway to the premises.

Sec. 109. Decorum required.

No solicitor shall use vulgar, insulting or threatening language in the course of any solicitation, nor shall he remain upon the premises after the occupant of the premises has verbally indicated that he does not wish to make a purchase or donation. For the purpose of this article, a solicitation shall be deemed to continue until the solicitor has left the premises.

Sec. 110. Prohibited acts.

It shall be a violation of this article:

- (1) For any person to engage in any of the activities described in this article without first

obtaining a permit, unless exempted pursuant to section 102.

- (2) For any person to violate any of the provisions of this article, or to violate any other city ordinance while engaging in any of the activities coming under this article.
- (3) For any person to violate any criminal laws of this state, or to violate any state or federal consumer protection law while engaging in any activity coming under this article. For the purpose of this section, "consumer protection law" includes, but is not limited to the Georgia Fair Business Practices Act (O.C.G.A. § 10-1-390, et seq.), the Georgia Home Solicitation Act (O.C.G.A. § 10-1-410 et seq.) or O.C.G.A. § 43-17-1 et seq., dealing with professional fundraising, and the Federal Consumer Credit Protection Act (truth-in-lending and truth-in-leasing).
- (4) For any person to lend, rent or sell his permit card to another.
- (5) For any person to engage in any activity coming under this article from one-half hour after sunset, as that time is stated in The Atlanta Journal-Constitution and before the hour of 10:00 a.m. according to the standard time in effect at the time the violation is alleged to have occurred.
- (6) For any person to engage in any activity coming under this article during a period in which his permit is in suspension, or after his permit has been revoked.
- (7) For more than two (2) individuals to engage in solicitation upon any premises at the same time for the same goods or services, or religious or charitable purposes. Each individual member of a group engaged in solicitation in violation of this provision shall be deemed to have violated such provision.
- (8) For any person to make more than one (1) solicitation call at the same premises for identical goods or services or for the same religious or charitable purpose within any consecutive two-week period., without receiving a prior invitation therefore from the occupant of any such premises. This provision shall be construed to include solicitation upon the same premises by employees, agents, or representatives of any person more than once during the aforesaid period without a prior invitation as herein provided.
- (9) For any person with a criminal record as described in section 112, whether or not otherwise eligible for an exemption under section 102 to engage in any of the activities described in this article.
- (10) For any person, at the time of initial contact with a prospective customer, to fail to verbally identify themselves for the purpose of the solicitation, and the company and product line they represent.

- (11) For any person engaged in solicitation to misrepresent the purpose of the solicitation or use any falsehood, deception or misrepresentation to induce a sale or contribution, or use any plans, scheme or ruse which misrepresents the status of the purpose of the person making the call.
- (12) For any person to solicit or attempt to solicit at a place of residence at any entrance or part of the building other than the main entrance to the residence.

Sec. 111. Penalties.

Any person charged with a violation of this article may be apprehended by the Gwinnett Police Department or summoned to appear in the municipal court of the city, and if found guilty, shall be punished by a fine not to exceed Five hundred dollars (\$500.00) or imprisonment for a period not to exceed sixty (60) days or by both such fine and imprisonment.

Sec. 112. Permit suspension, revocation.

(a) No solicitor's permit shall be issued to any person who has been found guilty or a misdemeanor involving violence or moral turpitude any time within five (5) years prior to the date of application, nor shall a permit be issued to any person convicted of a felony, except that a permit may be issued to a convicted felon if it appears that the person either has been pardoned, or that they have been free from any legal restrictions for a period of five (5) or more years prior to the date of the application. For the purpose of this section, the terms "conviction" and "found guilty" shall be deemed to include verdicts or pleas of guilty, or pleas of nolo contendere, entered by a court of this state, a court of a sister state, or any federal district court. Any permit issued as the result of a willful false statement or omission in the solicitor's application for permit shall be deemed null and void from the time of its issue.

(b) The permit of any solicitor charged with a felony, or a misdemeanor involving violence or moral turpitude, shall be deemed suspended from the time of lawful arrest, formal accusation, or indictment whichever shall first occur; such suspension shall remain in effect until the solicitor is convicted or acquitted, or until the charge is dismissed, "dead-docketed," "nolle prosequi" or "no-billed."

(c) The permit of any solicitor arrested or served with summons in regard to a violation of any provision of this article, which is alleged to have occurred after the date the permit was issued, shall be deemed suspended from the time the person was arrested or served with summons; such suspension shall remain in effect until the solicitor is acquitted or the case is dismissed.

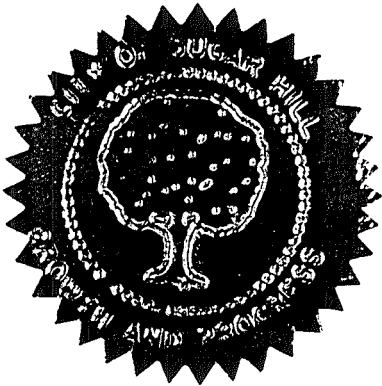
(d) The permit of any solicitor who is convicted of a felony, or of a misdemeanor involving moral turpitude or violence, shall be deemed revoked from the time of such conviction. The permit of any solicitor convicted of having violated any provision of this article after issuance of the permit shall be deemed revoked from the time of such conviction.

(e) Any suspension or revocation occurring pursuant to the provisions of this article shall be effective by operation of law, whether or not any formal notification to the solicitor is given or received.

Sec. 7-113. Surrender of permit.

Any permit issued pursuant to the provisions of this article for the use of any person is, and shall remain, the property of the city. Each permit holder shall surrender his permit card to the city clerk no later than three (3) of the department's business days following the expiration, suspension or revocation of the permit, or upon the demand of any officer of the city or upon the demand of the city clerk, whichever shall first occur.

It is so Ordained, this 8 day of July, 1996.



Tim Ruff
Councilmember

Robert H. Davis
Councilmember

Charles A. Spradlin
Councilmember

[Signature]
Councilmember

Councilmember

Attest: Betty P. Gaskin
City Clerk

Submitted to Mayor: July 8, 1996
Approved by and Received from Mayor, this 8 day of July, 1996.

Larry J. West
Mayor

**THE ZONING ORDINANCE
OF THE
CITY OF SUGAR HILL**

Originally Adopted 2/11/85

Amended:

**1/ 9/89
3/12/90
7/ 9/90
8/13/90
9/ 9/91
12/14/92
1/11/93
5/10/93
6/14/93**

APPENDIX

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TITLE

An Ordinance of the City of Sugar Hill, Georgia Regulating the Location and Use of Buildings, Structures; and Land for Residence, Trade, Industry, and other Purposes: the Height and Size of Buildings, and Other Structures: The Size of Yards: and the Density of Population: Creating Districts for said Purposes and Establishing the Boundaries Thereof: Defining certain Terms Used Herein: Providing for the Method of Administration and Amendment: Providing for a Board of Appeals and Defining its Powers and Duties: Providing for the Imposition of Penalties for the Violation of Provisions of this Ordinance.

ARTICLE I. PREAMBLE AND ENACTMENT CLAUSE

In pursuance of authority conferred by the State of Georgia, an for the purposes of Promoting the health, safety, convenience, order, prosperity, or general welfare of the municipality; lessening congestion in the streets; securing safety from fire, panic, and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, sewerage, schools, parks, and other public requirements; conserving the value of buildings; and encouraging the most appropriate use of land and buildings throughout the municipality; the city council of the City of Sugar Hill does ordain and enact into law the following articles and sections.

ARTICLE II. SHORT TITLE

This ordinance shall be known and may be cited as "The Zoning Ordinance of the City of Sugar Hill, Georgia."

ARTICLE III. DEFINITIONS

Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions.

For the purposes of this ordinance, certain words or terms used herein shall be defined as follows:

Words used in the singular include the plural and words used in the plural include the singular.

Words used in the present tense include the future tense.

The word "building" includes the word "structure."

The word "erected" includes the words "constructed," "moved," "located" or "relocated."

The word "lot" includes the word "plot" or "parcel."

The word "map" or "zoning map" means the zoning map of the City of Sugar Hill, Georgia.

The word "person" includes the words "individuals," "firms," "partnership," "corporations," "associations," "governmental bodies" and all other legal entities.

The word "shall" is always mandatory and never discretionary.

The words "used" or "occupied" include the words "intended, arranged or designed to be used or occupied."

Accessory use or building. A use or building customarily incidental and subordinate to the principal use or building and located on the same lot in the rear yard.

Advertising sign. Any structure or portion thereof having an area of forty (40) square feet or less on which lettered, figured, or pictorial matter is displayed for advertising goods or services available at the property on which the sign is located.

Alley. A private or public thoroughfare which affords a secondary means of access to abutting property and not intended for general traffic circulation.

Apartment. A room or suite of rooms used as a dwelling for (1) family which does its cooking therein.

Apartment house. A residential structure containing three (3) or more apartments.

Basement. A building story constructed partially below the average level of the adjoining ground.

Billboard. Any structure or portion thereof having an area of forty (40) square feet or less on which lettered, figured, or pictorial matter is displayed for advertising goods or services which are not available at the property on which the sign is located.

Board. The Board of Zoning Appeals of the City of Sugar Hill, Georgia.

Boarding or rooming house. A building other than a motel or hotel, where for compensation or by pre-arrangement for a definite period, meals or lodging and meals are provided for three (3) or more persons, not to exceed twenty (20) persons.

Buffer zone. A yard area meeting specified widths and depths on the side of sides of a lot abutting other property, and improved as

specified to shield the adjacent properties from the effects of a contiguous incompatible land use.

Buildable area. The portion of a lot remaining after required yards have been provided.

Building. Any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

Building line. A line established in general, parallel to the front street line, between which line and the street no part of a building shall project,

Business sign. An identification sign containing only the name or names of the businesses located on the same premises.

Canopy. A protective covering of a roof like structure, that is free standing, for the protection from the weather elements, not for the case of human habitation, but affixed permanent to the ground. All canopies shall be located at least fifteen (15) feet from any public right-of-ways.

Certificate of Occupancy. A permit authorized and issued by the city building inspector indicating that the use of the building or land in question is in conformity with this ordinance, or that a legal variance therefrom has been approved.

Club. A building owned, leased, or hired by an association of persons, who are bona fide members paying dues, the use of which (building) is restricted to the members and their guests. The serving and selling of food and beverages may be permitted, providing that adequate kitchen and restroom facilities are available and that such sales are in accordance with the federal, state, and local laws.

Cluster homes. A group of single-family or multi-family housing units sharing common open space in an approved planned unit residential development.

Commission. The Planning and Zoning Commission of the City of Sugar Hill, Georgia.

Conditional use. A use which is not generally permitted in a district, but which is permitted by special approval of the Board of Zoning Appeals upon findings that under the specific circumstances present, such use is in harmony with the uses permitted in the district.

Condominium. A multi-family dwelling in which each resident has exclusive fee simple title and ownership in his individual dwelling unit while retaining an interest in the common facilities and areas of

the building and grounds which are used by all the residents of the condominium.

Convalescent home. A building or portion thereof, not including a hospital, medical clinic, or nursing home, where for compensation, two (2) or more persons not directly related to the owner, are provided temporary food, sleeping accommodations, personal care, and physical assistance in regaining their health or strength following an illness or injury.

Convenience store. A small retail outlet which offers commonly needed food and staples, possibly including gasoline and oil, normally through extended hours of operation.

Council. The city council of the City of Sugar Hill, Georgia.

Customary home Occupation. An occupation customarily carried on within a dwelling unit for gain or support involving the sale of only those articles, products or services produced on the premise, conducted entirely within the dwelling by members of the immediate family residing in the dwelling unit with equipment customarily used for household purposes and involving no display of articles or products and no outdoor advertising.

- (1) Customary home occupations may include, but are not limited to the following.
 - a. The accommodation of not more than two (2) boarders or roomers.
 - b. The office of a professional person where clients do not generally visit the premises to receive service.
 - c. Art studio, dressmaking, sewing, canning, baking.
 - d. Teaching individual musical instruments, dance, or academic pupils at one time.
 - e. The care of not more than six (6) children for compensation.
- (2) A customary home occupation specifically does not include the following:
 - a. Dancing or band instrument instruction in groups.
 - b. Florists or flower shops.
 - c. Tearooms and restaurants.
 - d. Tourist homes, boarding houses, or rooming houses.
 - e. Beauty parlors or shops and barbershops.
 - f. Fish hatcheries, worm farms or bait houses.
 - g. Offices or real estate salesmen or brokers.
 - h. Convalescent and nursing homes.
 - i. Kennels and animal hospitals.
 - j. Clinics and hospitals.
 - k. Retail sales.
 - l. Firewood sales.

Day care facility (nursing school). Any building used routinely for the daytime care or education of three (3) or more pre-school age children, and including all accessory and play areas.

Dormitory. A building in which lodging or boarding and lodging are provided for more than five (5) people not of the same family unit, for compensation and not necessarily open to the public.

Drive-in restaurant. Any place or premises used for the sale, dispensing, or service of food, refreshments, or beverages in automobiles, including those establishments where customers may eat or drink on the premises.

Duplex. A single story residential structure designed for two-family occupancy with each family in a separate dwelling unit.

Dwelling. A building or portion thereof, designed, arranged, or used for residential occupancy, but not including mobile homes.

Dwelling unit. One (1) or more rooms designed for the occupancy, cooking and sleeping or one (1) or more persons living as a family.

Family. One (1) or more persons occupying a dwelling unit and living as a single housekeeping unit. The term "family" does not include any organization or institutional group.

Floor area. The floor area of a dwelling is the gross horizontal area of the several floors of a residential structure, exclusive of garage, carport, unfinished basement, unfinished attic and open porches.

Frontage. The length of the front lot line.

Garage. An accessory building or portion of a principal building used primarily for vehicle storage.

Ground coverage. The area of a zoning lot occupied by a building, but not including paved areas, expressed as a percentage of gross area of the lot.

Height of building. The vertical distance measured from the mean finished ground level at the front of the building to the highest point of the roof or parapet.

Home occupation. See "customary home occupation."

Hotel. A building in which lodging or boarding and lodging are provided for more than twenty (20) persons and offered to the public for compensation and in which ingress and egress to the from all rooms are made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a boarding house, a lodging house, or an apartment.

Junkyard. Property used for indoor or outdoor storage, keeping or abandonment; whether or not for sale or resale, of junk including scrap metal, rags, paper or other scrap materials, used lumber, salvaged house wrecking and structural steel materials and equipment; or for the dismantling demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

Loading space. Off-street vehicle parking space reserved for bulk pickups and deliveries.

Lot. A developed or undeveloped tract of land in one ownership, legally transferable as a single unit of land.

Lot, depth. The mean horizontal distance between the front and rear lot lines, measured generally perpendicular to the front lot line.

Lot, through. A lot having frontage on two (2) streets that are approximately parallel.

Lot, width. The horizontal distance between the side lines of a lot measured at the front building line.

Mobile home. A structure designed as a moveable dwelling: built upon its own permanent chassis; transported on its own chassis (normally by towing) in one (1) or more sections: occupiable with or without a foundation; and containing within all the normal utility systems (plumbing, electrical, heating, and cooling).

- (1) Single wide mobile home: A home constructed and transported as a single unit.
- (2) Double wide mobile home: A mobile home constructed and transported in more than one unit, and which must be joined at the site of placement into a single whole.

Mobile home lot. A parcel of land for the exclusive use of the occupants of a single mobile home.

Mobile home park. A parcel of land that has been planned and improved for the placement of four (4) or more mobile homes for permanent or semipermanent use. Pads within a mobile home park remain the property of the park owner and are rented to tenants. A mobile home park does not include the provision of space for storage, inspection, or sale of unoccupied mobile homes.

Mobile home subdivision. A tract of land planned and improved for the placement of four (4) or more mobile homes for permanent use on individually owned private lots.

Modular home. A modular home is a factory fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a structure.

Motel. A building or group of buildings where lodging is provided for more than ten (10) persons and offered to the public for compensation and in which ingress or egress to and from all rooms are made through private entrances.

Nonconforming use. Any building or land lawfully occupied at the time of passage or amendment of this ordinance which does not conform, after the passage or amendment of this ordinance, with the use regulations of the district in which it is located.

Nursery. A building or lot or portion thereof, used for the commercial cultivation or growing of plants, and including all accessory buildings.

Nursery school. Any building used routinely for the daytime care or education of preschool age children, and including all accessory and play areas.

Parking space. Off-street parking space consists of space adequate for parking a vehicle with room for opening doors on both sides, maneuvering room, and access to a public street.

Private deed restrictions or covenants. Private deed restrictions or covenants are imposed on land by private land owners. They bind and restrict the land in the hands of present owners and subsequent purchasers. They are enforced only by the landowners involved and not by the city or other public agency.

Rooming house. Any dwelling in which more than two (2) persons are lodged on a continuing basis, without meals, for compensation.

Row houses. A multi-family dwelling unit in which each family has a private entrance.

Service station. A building or premises where products necessary for automobile service or maintenance are sold and/or where such maintenance services are rendered, but excluding body shops.

Sign, outdoor advertising. An attached or freestanding sign that directs attention to a business, commodity or service.

Special exception. A land or structure use that would not normally be permitted without restriction throughout the zoning district but which with proper controls would promote the public health, safety, or general welfare. Such use may be permitted as special exceptions after presented in a public hearing and approved by the board of zoning appeals.

Streets. A public way for vehicular traffic which affords the principal means of access to abutting property.

- (1) Major street: A main thoroughfare designed and used for high traffic volumes, and designated as such on the zoning map of the City of Sugar Hill, Georgia.
- (2) Collector streets: A street designed and used primarily for low traffic volumes and access to individual lots, and designated as such on the zoning map of the City of Sugar Hill, Georgia.

Structure. Anything constructed or erected on the ground or attached to something on the ground.

Subdivision. A tract of land which has been divided into two (2) or more lots, all fronting on a public street, and offered for sale as individual lots.

Tourist home. A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty (20) individuals and open to transient guests.

Town house. A town house is a semidetached two-story multi-family house in which each family occupies two (2) stories.

Trailer. A vehicle, including a motor home, designed and/or maintained for use as a temporary dwelling or sleeping place, for travel or recreational purposes, having no foundation other than wheels or jacks.

Trailer park. A parcel of land which is used solely for the rental or lease of lots for transient campers, trailers, motor homes, or temporary parking of any other recreational vehicle.

Variance. A relaxation of the terms of the Sugar Hill Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, and not as a result of the action of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

Yard. An open space on a lot situated between the principal building or use on the lot and a lot line and unoccupied by any structure, except as otherwise provided herein.

Yard, front. An open, unoccupied space on the same lot with a principal building or use, extending the full width of the lot and located between the nearest street right-of-way line and the front line of the building projected to the side lines of the lot.

Yard, rear. An open space on the same lot with a principal building or use, unoccupied except by an accessory building or use, extending the full width of the lot and located between the rear line of the lot and the rear line of the building or use projected to the side lines of the lot.

Yard, side. An open, unoccupied space on the same lot with a principal building or use, located between the building or use and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

Zoning district. An area established in the zoning ordinance, and delineated on the zoning map, in which certain uses are permitted, and in which other uses are prohibited.

Zoning lot. A tract of land, or a portion of a tract, all of which lies within one (1) zoning district, and which may be developed or used for purposes consistent with those permitted in that district. A zoning lot may not coincide with platted lot line.

ARTICLE IV. ZONING DISTRICTS

Section 400. District Designations.

For the purposes of this ordinance, the City of Sugar Hill, Georgia is divided into zoning districts designated as follows:

AF	Agricultural-Forest District; provides for agriculture, forestry, very low density residential development, and limited other uses under specific conditions.
RS-200	Low Density Single-Family Residential District; providing twenty thousand (20,000) square foot minimum lot sizes.
RS-175	Low Density Single-Family Residential District; providing seventeen thousand five hundred (17,500) square foot minimum lot sizes.
RS-150	Low Density Single-Family Residential District; providing fifteen thousand (15,000) square foot minimum lot sizes.
RS-100	Medium Density Single-Family Residential District; providing ten thousand (10,000) square foot minimum lot sizes.
RG-80	High Density General Residential and Multi-Family District; providing eight thousand (8,000) square foot minimum lot sizes.
MH	Mobile Home Park and Mobile Home Subdivision District; providing for the transient and permanent uses of residential mobile home units within the city.

- OI Office-Institutional District providing for limited commercial and institutional land uses where traffic, noise and congestion are minimized.
- HSB Highway Service Business District; provides for limited uses of commercial land adjacent to major traffic arteries.
- BG General Business District; provides for a wide range of retail land service establishments in a central business environment.
- LM Light Manufacturing District; provides for most heavy commercial and light industrial uses which can meet rigid standards for control of noise, odor, and other off-site disturbance.
- HM Heavy Manufacturing District; provides for most heavy industrial uses.

Section 401. Location and Boundaries of Zoning Districts.

The location and boundaries of the zoning district are hereby established as shown on the map entitled, "Zoning Map of the City of Sugar Hill, Georgia," which is hereby made a part of this ordinance, which may be amended from time to time, and which shall be kept on file in the Sugar Hill City Hall where it shall be available for public inspection. Regardless of the existence of purported copies of the official zoning map which may from time to time be published, the official zoning map located in city hall shall be the final authority as to the current zoning status of the city.

Section 402. Interpretation of Zoning District Boundaries.

Where uncertainty exists with respect to the location of the boundaries of any zoning district shown on the zoning map of the City of Sugar Hill, Georgia, the following rules shall apply:

- (1) Where a zoning district boundary is shown on the zoning map as approximately following a corporate limits line, a lot line or the centerline of a street, highway, railroad right-of-way or such lines extended, then such lines shall be constructed to be the district boundary line.
- (2) Where a zoning district boundary line is shown on the zoning map as being set back from a street, highway or railroad right-of-way, and approximately parallel thereto, then such district boundary line, unless otherwise specifically indicated, shall be construed as being at the scaled distance from the centerline of such street, highway or railroad right-of-way and as being parallel thereto.

- (3) Where district boundaries are in doubt, the planning commission shall make such interpretation.

Section 403. Uses Not Listed.

For any use not listed in this ordinance, the planning and zoning commission shall determine the proper requirements by classifying the proposed use among the uses which are listed and assigning the use or appropriate zoning districts.

ARTICLE V. APPLICATION OF REGULATIONS

Section 500. Use, Occupancy and Erection.

No building or structure or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered except in conformity with the regulations of this ordinance.

Section 501. Height and Density.

No building or structure shall hereafter be erected, constructed, reconstructed or altered to:

- (1) Exceed the height limits.
- (2) House a greater number of families per acre or occupy a smaller lot area per family than are herein required.
- (3) Have narrower or smaller front, rear or side yards than are required.

Section 502. Reduction in Lot Size.

No lot shall be reduced in size so that lot width or depth, size of yards, lot area per family or any other requirement of this ordinance is not maintained. This limitation shall not apply when a portion of a lot is acquired for a public purpose.

Section 503. Yards and Other Spaces.

No part of a yard or the off-street parking or loading spaces that are required in connection with any building or use for the purpose of complying with the regulations of this ordinance shall be included as part of the yard or off-street parking or loading spaces required for another building, except as specifically provided herein. No part of a lot which is flooded by a 100-year recurrence interval storm event may be counted as part of the required minimum lot area.

Section 504. Minimum Lot Size for Residential Septic Tank Use.

No single-family residence which is to be served by a septic tank shall be permitted on a lot containing less square footage than the square footage required by the Gwinnett County Board of Health in order for the property to be effectively served by septic tank. This restriction on lot size does not apply to residential developments served by a properly approved and permitted community sewer system. In no event shall any single family residence to be served by a septic tank be allowed on a lot of less square footage than required in the Zoning District Classification.

Section 505. Only One Principal Building or Use on a Lot.

Within residential districts, only excepting group developments, not more than one (1) principal building or structure or use and its customary accessory buildings and uses shall be permitted on any lot. In nonresidential districts, more than one (1) structure housing a principal permitted use may be erected on a single lot, provided that yard and other requirements of this ordinance shall be met for each structure as though it were on an individual lot.

Section 506. Street Frontage Requirement.

No building or structure shall hereafter be erected on a lot that does not abut for at least thirty (30) feet upon an open street which shall be a publicly dedicated and maintained street except that this restriction will not apply in the general business district.

Section 507. Classification of Streets.

For the purposes of this ordinance, all of the streets, roads and highways in the City of Sugar Hill are classified as collector and major streets.

The classification of each street in Sugar Hill is shown on the official zoning map of the City of Sugar Hill, Georgia which shall be kept on file in the City Hall.

ARTICLE VI. GENERAL PROVISION

Section 600. Accessory Uses or Structures.

Accessory uses or structures shall be permitted only in rear yards, except as otherwise provided in this ordinance. An accessory use or structure shall, excepting fences, be set back not less than five (5) feet from any property line.

No accessory building shall be erected on a lot prior to the time of construction of the principal building to which it is accessory. Accessory building and uses generally include the following:

(1) In residential zoning districts:

- a. Private parking garages, storage buildings, greenhouses, and workshops.
- b. Private swimming pools and associated bath houses and pump houses.
- c. The storage of not more than two (2) of the following in side or rear yards only: pleasure boats and/or unoccupied camper trailers, motor homes, or other recreational vehicles.
- d. Fences and walls in side and rear yards and ornamental fences in front yards.
- e. All wooden or structural fences must be constructed in such a manner that the exterior of the fence or the side of the fence visible to the public is the finished side of the fence.

(2) In office-institutional, business and manufacturing districts.

- a. Commercial parking garages and parking lots.
- b. Storage buildings.
- c. Fences and walls.

Section 601. Vision Clearance at Intersection.

In all zoning districts, no fence, wall, structure, shrubbery or other obstruction to vision between the heights of two and one-half (2 1/2) feet and fifteen (15) feet, except utility poles, light or street sign standards or tree trunks shall be permitted within twenty (20) feet of the intersection of the right-of-way lines of streets, roads, highways or railroads.

Section 602. Approvals for Business and Industrial Developments on State Highways.

For all business and industrial developments fronting on a state highway, no building permits shall be issued until the approval of the state department of transportation has been obtained by the applicant on entrances and exits, curb radial, drainage and other matters that are the appropriate concern of the department.

Section 603. Flood Hazard.

Except for stormwater retention facilities, no structures or obstruction to storm water flow shall be erected or installed below the maximum flood elevation of 100-year recurrence interval storm.

Section 604. Frontage on Corner Lots and Double Frontage.

On lots having frontage on more than one (1) street, the minimum front yard shall be provided for each street.

Section 605. Utilities Location.

Utility structures such as electric transformer stations, telephone exchanges, gas regulator stations, water and wastewater pumping stations, and water tanks may be located in any zone as necessary to serve the public interest, provided such facilities comply with the following requirements:

- (1) Any building or structure, except a surrounding fence, shall be set back at least thirty (30) feet from any property line.
- (2) The facility shall be completely surrounded by a woven wire fence at least eight (8) feet high.
- (3) When located in any residential or office-institutional zone, the facility shall be furnished with a planted buffer not less than ten (10) feet wide to create an effective visual screen in all sides bordering residential or office-institutional property.
- (4) When located in any residential zone, the facility may not be used for office space, storage space, or for the storage of vehicles or equipment.

Section 606. Outdoor Storage.

The outdoor storage of inoperative automobiles, machinery, equipment, used building materials, trash, solid waste, appliances and similar items and materials shall be limited to junk yards and to those commercial enterprises requiring short-term storage of items being repaired.

Section 607. Erosion and Sedimentation Control.

All developments within the City of Sugar Hill, Georgia shall comply with current erosion and sedimentation control regulations of the City of Sugar Hill, Georgia, and with the rules and regulations of the Environmental Protection Division, Department of Natural Resources, State of Georgia.

Section 608. Annexation.

Any land subsequently annexed to the City of Sugar Hill shall be classified as to zoning district or districts at the time of annexation. The planning commission shall review the proposed annexation and shall report its recommendations for zoning of the properties involved to the city council within sixty (60) days of a request for recommendation. The city council shall advertise for the conduct of at least one (1) public hearing in connection with any annexation.

Section 609. Signs and Posters.

The sign regulations herein shall apply to permanent and temporary signs whether attached to buildings or other structures, freestanding or mobile.

- (1) No billboards are allowed within the City of Sugar Hill.
- (2) All signs and posters are prohibited in all districts except as specifically allowed in the use provisions of a particular zoning district, or except as otherwise allowed in this section.
- (3) The following signs may be erected within the City of Sugar Hill without the necessity of obtaining a permit or paying a permit fee:
 - a. Customary signs such as mailbox signs, names of occupants, and building numbers.
 - b. Traffic, public safety and railroad crossing signs.
 - c. Signs which are part of seasonal or holiday decorations.
 - d. Campaign, political and display signs, limited to a total of not more than eight square feet in area per lot used in connection with political campaigns and civic health, safety and private property by permission of the property owner, shall be removed within fifteen days following the conclusion of the campaign and shall be erected for a total time of no more than sixty days. Such signs shall not be placed on telephone poles or trees.
 - e. Residential Lots - A maximum of one sign per residential lot pertaining only to the lease rent, or sale of the property on which the sign is displayed. Such sign may be single sided or double sided and shall not exceed six (6) square feet in area per side, and no such sign shall be illuminated.
 - f. Non-Residential Lots - A maximum of one sign per non-residential lot pertaining only to the lease, rent, or sale of the property on which the sign is displayed. Such sign may be single sided or double sided and shall not exceed sixteen (16) square feet in area per side, and no such sign shall be illuminated.
 - g. Notwithstanding the limitations set forth in subparagraph (e) above, each residential lot sign as described in sub-paragraph (e) above, may be expanded to add a section consisting of the name and telephone number of a real estate agent. This additional section shall not exceed four (4) inches in height and shall not exceed the width of the sign. Notwithstanding the provisions set forth in paragraph (f) above, each non-residential lot sign as described in sub-paragraph (f) above, may be expanded by adding the name and telephone

- number of a real estate agent or agents. Said expansion shall not exceed eight (8) inches in height and shall not exceed the width of the sign.
- h. One single sided or double sided identification sign or bulletin board not exceeding thirty-six (36) square feet in area per side containing the name of any civic, charitable, religious, patriotic, fraternal, or similar organization provided said sign is erected on the property where said agency or organization is located. Should the property on which such a sign is erected be located on a roadway with the speed limit of 50 mph, or more, the size of the sign may be increased to forty (40) square feet in area per side. This paragraph shall allow the erection of subdivision identification signs. In addition to the thirty-six (36) square foot subdivision identification sign authorized by this subparagraph, an informational sign at each entrance of a subdivision pertaining only to the sale of subdivision lots will be permitted. Such signs may be single sided or double sided and shall not exceed sixteen (16) square feet in area per side, and no such sign shall be allowed to remain for a period longer than three (3) years from the date it is first erected.
 - i. Governmental Agency Directional signs.
 - j. Realtor direction signs for the purpose of directing consumers to homes for sale may be erected at any intersection within the corporate limits of the City with the exception of the intersection of Highway 20 and Peachtree Industrial Boulevard. All such realtor directional signs shall be a blue generic real estate sign or design to be approved by the City. Only one such realtor directional sign per direction shall be located at any intersection.
- (4) The following signs may be erected in the City of Sugar Hill after the issuance of a permit by the City and upon paying the permit fees established by the Mayor and Council of the City:
- a. Any commercial or professional identification sign located on the property where the commercial or professional enterprise is operated. Said signs may be single sided or double sided and shall not exceed 36 square feet in area per side. Permit applications shall require the submission of a sketch of the proposed sign including its dimensions and a sketch of the proposed location of the sign on the property. Should the property on which such a sign is erected be located on a roadway with a speed limit of 50 miles per hour or more, the size of the sign may be increased to 40 square feet in area per side.

- b. The City will provide directional signage at key locations within the City in order to direct consumers to new subdivisions under construction within the city limits. These signs will say "NEW HOMES" and will have the price range for the subdivision with an arrow pointing in the direction of the new subdivision to direct consumers to the subdivision. Each sign will be identical in size and in color and will not exceed twelve (12) square feet. A subdivision may have such a sign erected by the City by obtaining a permit from the City and paying the permit fee established by the Mayor and Council of the City of Sugar Hill. A permit for such a sign shall be valid for a period of one year. Such sign shall be removed by the City prior to the end of the one year period should the subdivision be built out prior to that time. The purchase of these signs shall be optional and should the developer of a new subdivision not desire to purchase such a sign, the developer shall have the right to place realtor directional signs as allowed under subsection (h) of paragraph 3 of this section subject to all conditions set forth therein.
- (5) Portable signs of any type are prohibited, unless otherwise specifically authorized by other provisions of this ordinance.
- (6) Signs attached to any street signs or markers, traffic control signs or devices, or attached to or painted on any pole, post, tree, rock, shrub, plant or other natural object or feature are prohibited.
- (7) The height of any sign allowed in the City of Sugar Hill shall not exceed the height regulations of the zoning district in which the sign is located. No sign shall be erected or installed within the right-of-way of any roadway or in such a manner as to project into the right-of-way of any roadway. No sign may be located in such a manner that it will obstruct or interfere with the view of a traffic sign or signal. No sign shall be erected within 200 feet of an intersection in such a manner that it will obstruct the view of a motorist.
- (8) No sign may be installed, erected or used which flashes, rotates or simulates action in a way which distracts attention from or causes confusions with a traffic control signal.

Section 610. Buffer Zones.

Where nonresidential districts are contiguous with residential districts, or where multi-family or mobile home districts are contiguous with single-family residential districts, buffer zones are required in addition to normal side and rear yards. All such buffer zones shall be designated on each plat prior to final approval and shall be designated as a permanent buffer zone easement. Buffer zones shall be furnished, improved and maintained by the owner of the nonresidential or multifamily use property as follows:

(1) MINIMUM BUFFER REQUIREMENTS ABUTTING DISTRICT(S)

	AF, RS-200	RS-175	RS-150	RS-100	RG-80	MH
AF, RS-200, RS-175	----	----	----	----	----	---
RS-150	----	----	----	----	----	---
RS-100	----	----	----	----	----	---
RG-80	50'	50'	50'	50'	----	20'
MH	75'	75'	75'	75'	75'	75'
OI	50'	50'	50'	50'	50'	50'
LM, HM1	50'	50'	50'	50'	50'	50'
HM2	100'	100'	100'	100'	100'	100'
HSB	50'	50'	50'	50'	50'	50'
BG	75'	75'	75'	75'	75'	75'

Note: * For buffer width other than standard height structures, the Mayor & Council may increase the minimum buffer required as a condition for allowing additional height of development. The Mayor & Council may also establish or increase the minimum buffer as a condition of rezoning or as a condition to a Special Use Permit.

* The Board of Appeals may increase the minimum buffer required as a condition to granting a variance request.

* Modifications in buffer width may be granted by the Mayor & Council after receiving recommendations from the Planning & Development Director and Planning & Zoning Board and after a public hearing.

* No structure shall be located less than five feet from any buffer.

- (2) Buffer zones shall be left in their natural state and not temporarily or permanently disturbed by grading, property improvements or construction activities. Where required to achieve an effective visual screen, existing native vegetation shall be supplemented with additional plantings. Uncontrolled growth of kudzu shall not be permitted in buffer zones.
- (3) Buffer zones shall be used only for a buffer and shall not be used for paving, parking, recreation areas, or similar uses, except that a fence or wall may be constructed within the buffer zone, and storm drainage and storm water retention facilities can occupy the buffer zone.

Section 611. Prohibited uses.

Certified uses of land and buildings are incompatible with existing and future development within the city limits of the City of Sugar Hill and are prohibited in all districts. The planning and zoning commission and the board of zoning appeals do not have the authority to grant variances or special exceptions for these prohibited uses. Prohibited uses are as follows:

- (1) The keeping or raising of livestock or poultry, whether for domestic or commercial purposes.
- (2) Yards for the sale, transfer, or temporary holding of livestock.
- (3) Poultry killing, plucking, and dressing.
- (4) Meat packing, slaughtering, eviscerating, and skinning.
- (5) Rendering of byproducts of slaughtering and killing animals or poultry.
- (6) Billboards and off-site advertising signs.
- (7) The use of equipment which causes off-site radio or television interference.

Section 612. Metal Building regulations.

All buildings constructed of metal, where any exterior wall or facade of such building abuts upon any public street, shall have the exterior wall or facade of such building of such construction as to have a minimum of architectural treatment of brick, glass, wood, stucco, stone or mansard. The exterior wall or facade of any metal building abutting upon any public street shall not have the appearance of a metal building.

ARTICLE VII. EXCEPTIONS AND MODIFICATIONS

Section 700. Walls and Fences.

Fences shall be erected only upon application to and with permit issued by the city building inspector of the City of Sugar Hill. Said permit shall be issued upon application and payment of the required application fee. Said fence shall comply with all existing ordinances of the City of Sugar Hill and shall be constructed in such a manner as to not obstruct a view of adjoining property owners entering or leaving a public way or street. Adequate provisions shall be made for access of normal utility service, including garbage collection, water and other utility meters and mail delivery. No fence may interfere with required off-street parking. Fences located in front yards of residential zones shall be limited to ornamental fences. All wooden or structural fences must be constructed in such a manner that the exterior of the fence or the side of the fence visible to the public is the finished side of the fence.

Section 701. Structures Excluded from Height Limitations.

The height limitations of this ordinance shall not apply to church spires, belfries, flagpoles, monuments, cupolas, domes, ornamental towers, nor to observation towers not intended for human occupancy, water towers, transmission towers, radio or television towers or aeriels, chimneys, smokestacks, conveyors, derricks, parapet walls extending not more than four (4) feet above the roof line of the building, or to necessary mechanical roof appurtenances.

Section 702. Substandard Lots of Records.

Any lot of record existing at the time of the adoption or amendment of this ordinance, which has an area or a width that is less than is required by this ordinance, may be used, subject to the following exceptions and modifications:

- (1) Adjoining lots. When two (2) or more adjoining lots of record with continuous frontage are in one (1) ownership at any time after the adoption or amendment of this ordinance and such lots, individually, have an area or width that is less than required by this ordinance, such

- (2) Outdoor advertising signs and billboards shall conform within eight (8) years.
- (3) All provisions in business or industrial districts of this ordinance setting forth specifications for the operation of a business or industry requiring fencing or visual screening shall be complied within three (3) calendar years.
- (4) Nonconforming open storage operations, such as truck parking, automobile wrecking or salvage, salvage material storage and similar uses shall be made conforming within two (2) calendar years.
- (5) Mobile home parks and mobile home subdivisions shall be brought into compliance within three (3) calendar years.

ARTICLE IX. OFF-STREET AUTOMOBILE PARKING AND LOADING AND UNLOADING SPACES

Section 900. Off-Street Automobile Parking and Loading and Unloading Spaces Required.

Off-street automobile parking and loading and unloading spaces shall be provided, as specified in this ordinance, for uses and structures hereafter established.

Any building or use that is subsequently enlarged shall meet the off-street parking and loading and unloading space requirements of this ordinance for the original building plus the addition made.

Section 901. Plan and Design Standards.

The following are required plan and design standards for off-street parking and loading and unloading spaces:

- (1) Required area for each parking space. Each automobile parking space shall be not less than nine (9) feet wide and twenty (20) feet deep. Adequate interior driveways shall connect each parking space with a public street.
- (2) Interior driveways. Interior driveways, when used with ninety degree angle parking, shall be a least twenty-four (24) feet wide; when used with a sixty degree angle parking at least twelve (12) feet wide. When used with parallel parking or when there is no parking, interior driveways shall be at least ten (10) feet wide for one-way traffic and at least twenty (20) feet wide for two-way traffic.
- (3) Surfacing, drainage and lighting. All required off-street parking and loading and unloading areas shall be properly

drained and paved to avoid water, dust, and mud problems. Off-street parking facilities for nonresidential developments used at night shall be properly illuminated for the safety of pedestrians and vehicles and for policing. The lighting shall be designed so as not to reflect or cause glare in any residential district.

- (4) Location of required off-street parking spaces on other property. If the required automobile off-street parking spaces cannot reasonably be provided on the same lot on which the principal use is conducted, such spaces may be provided on other off-street property lying not more than four hundred (400) feet from the main entrance to the principal use. In this situation, the applicant shall submit, with his application for a building permit or occupancy permit, an instrument duly executed and acknowledged, which accepts as a occupancy permit, the permanent availability of such off-street parking facilities to serve his principal use.
- (5) Sharing of required off-street parking spaces. One-half of the off-street parking spaces required by a use whose peak attendance will be at night or on Sundays may be assigned to a use that will be closed at night or on Sundays.
- (6) Off-street loading and unloading spaces. Off-street loading and unloading spaces shall have access from a public alley or, if there is no alley, from a public street. The space shall be so located that it causes a minimum of interference with the free movement of vehicles and pedestrians over a street, sidewalk or alley.

Section 902. Minimum Number of Off-Street Parking Spaces.

The following are the minimum number of off-street parking spaces required. For uses not specifically listed, the off-street parking requirements shall be those of the most similar use:

- (1) Automobile sales and service. One (1) space for each regular employee, plus one (1) space for each two hundred fifty (250) square feet of floor space.
- (2) Banks and professional offices. One (1) space for each two hundred (200) square feet of floor area.
- (3) Beauty parlors and barber shops. Two (2) spaces for each operator.
- (4) Churches. One (1) space for each four (4) seats in main auditorium.

- (5) Funeral parlors. One (1) space for each three (3) seats in the chapel, plus one (1) space for each funeral vehicle.
- (6) Furniture and appliance stores. One (1) space for each five hundred (500) square feet of showroom.
- (7) Gasoline service stations. Three (3) spaces for each grease rack or similar facility, plus one (1) space for each attendant.
- (8) Hospitals and nursing homes. One (1) space for each four (4) beds, plus one (1) space for each staff member or visiting doctor, plus one (1) space for each four (4) employees, including nurses.
- (9) Hotels. One (1) space for each guest bedroom, plus one (1) space for each two (2) employees on the largest shift.
- (10) Industrial plants. One (1) space for each employee on the largest single shift, plus one (1) space for each company vehicle operating from the premises.
- (11) Lodges and clubs. One (1) space for each one hundred (100) square feet of assembly area.
- (12) Libraries and similar uses. One (1) space for each four hundred (400) square feet of gross space to which the public has access.
- (13) Medical and dental offices. Five (5) spaces per practitioner.
- (14) Offices. One (1) space for each three hundred (300) square feet of floor space.
- (15) Places of amusement or assembly without fixed seats. One (1) space for each two hundred (200) square feet of floor space devoted to patron use.
- (16) Places of public assembly. One (1) space for each four (4) seats in the principal assembly room.
- (17) Residences. Two (2) spaces for each dwelling unit.
- (18) Restaurants. One (1) space for each four (4) seats provided or patron use, plus one (1) space for each four (4) employees.
- (19) Retail business. One (1) space for each three hundred (300) feet of gross floor area.

- (20) Rooming and boarding houses. One (1) space for each bedroom.
- (21) Schools. One (1) space for each employee, including teachers and staff members, plus off-street space for the safe and convenient loading and unloading of students, plus additional facilities for student parking taking into consideration the total number of students, the percentage of students driving automobiles and the parking requirements for stadium, gymnasium and auditorium use.
- (22) Tourist courts and motels. One (1) space for each accommodation, plus one (1) space for each two (2) employees. The work "accommodation" as used herein shall mean a single rentable unit with no more than two (2) rooms per unit.
- (23) Wholesale and warehousing. Two (2) spaces for each employee, plus one (1) space for each company vehicle operating from the premises.

Section 903. Off-Street Loading and Unloading Spaces.

On every lot on which a business, trade or industry use is hereafter established, space shall be provided as herein indicated for the loading and unloading of vehicles off the public street or alley. Such spaces shall have access to an alley or, in there is no alley, to a street. Minimum loading and unloading space requirements are:

- (1) Retail business. One (1) space of at least ten (10) by thirty (30) feet for each three thousand (3,000) square feet of gross floor area or fraction thereof.
- (2) Wholesale business and industry. One (1) space of at least ten (10) by fifty (50) feet for each ten thousand (10,000) square feet of gross floor area or fraction thereof.
- (3) Bus and truck terminals. Sufficient space to accommodate the maximum number of buses or trucks to be stored or be loaded or unloaded at the terminal of any one (1) time.

Section 904. Commercial Vehicle Parking.

(A) Except as provided herein no commercial vehicle shall be allowed to park in any RS-200, RS-175, RS-150, RS-100, RG-80 or MH district either on property so zoned or on the streets abutting such property on Monday through Friday between 7:00 p.m. and 7:00 a.m. or on Saturdays or Sundays.

(B) Any commercial vehicle under one and one-half (1 1/2) tons in gross volume weight shall be allowed to be parked in a carport or

within a side yard or rear yard in accordance with other sections of this ordinance.

(C) This section shall not apply with regard to any vehicle in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property.

(D) This section shall not apply to school buses parked on school property and church buses or other not-for-profit organization uses parked on the property of the church or other not-for-profit organization.

(E) As used in this section, commercial vehicles specifically included the following:

- (1) Any vehicle designed to haul more than one and one-half (1 1/2) tons.
- (2) Any vehicle, other than a motor home, having more than two (2) axles.
- (3) Any motorized construction equipment, except when located on private property on which related construction is in progress.
- (4) Any bus designed to carry more than twenty (20) passengers.

(F) In the event any portion of this section shall be declared adjudged invalid or unconstitutional, it is the intention of the city council that such adjudication shall in no manner affect the other sentences, clauses or phrases of this section which shall remain in full force and effect, as if the invalid or unconstitutional sentence, clause or phrase were not originally a part of the section.

(G) Enforcement of this ordinance (section) may be accomplished by the city in any manner authorized by law, and in addition, any person who by reason of another's violation of any provisions of this ordinance, suffers special damage to himself different from that suffered by other property owners through the city generally, may bring an action to enjoin or otherwise abate an existing violation.

ARTICLE X. PLANNED UNIT DEVELOPMENTS

Section 1000. Purpose of Planned Unit Developments.

The purpose of planned unit developments is to encourage the best possible site plans and buildings arrangements under a unified plan of developments rather than under lot-by-lot regulation. The developer benefits from better land utilization, economy in the provision of

roads and utilities and flexibility in design. The city gains the advantages of variety in building types, compatibility of uses and optimum community development. Review of the development plan by the Sugar Hill Planning and Zoning Commission provides an opportunity to assure that the development will be in harmony with the character of the neighborhood in which the development is located.

The planned unit development is not intended to encourage greater density of development but rather to encourage ingenuity and resourcefulness in land planning. The planned unit development is, furthermore, not intended to enhance the value of the property for speculative purposes. Approval of a planned unit development is therefore conditional, and if construction is not commenced within one (1) year, and pursued in an orderly manner toward completion, the planning commission may, upon written notice to the property owner, abolish the zoning or reduce the size of the tract to fit the scope of actual development.

Section 1001. Types of Planned Unit Development.

The following types of planned unit developments are authorized by this ordinance. They are required to have the minimum acreage indicated:

- (1) Planned residential development - Five (5) acres.
- (2) Planned shopping centers - Two (2) acres.
- (3) Planned industrial parks - Five (5) acres.
- (4) Planned office parks - Two (2) acres.

Section 1002. Ownership Control.

All of the land in a planned unit development shall be owned initially by an individual, by a corporation or by some legal entity. Individual properties in a planned unit development may be sold after a plat has been recorded, with the properties subject to private deed covenants that assure the continuance of the planned unit development as originally approved and developed.

Section 1003. Standards Applying to All Planned Unit Development.

All planned unit developments shall meet the following standards and such other requirements as are set forth with respect to each of the four (4) permitted types of planned unit developments:

- (1) The development shall be compatible with the topography of the land and shall preserve any unusual topographic or natural features.

- (2) The development shall not adversely affect developed or undeveloped neighboring properties.
- (3) The development shall utilize design and development features that would not be possible by the application of lot-by-lot zoning district regulations.
- (4) Water, sewerage, and street facilities shall be adequate for the proposed development or there shall be a definite proposal for making them so.
- (5) Yards: The yard requirements of the zoning district in which the planned unit development is located may be waived by the planning commission except along the exterior boundaries of the development. Buffer zone requirements shall be met.
- (6) Height: The height limitation of the zoning district in which the planned unit development is located may be waived by the planning commission.
- (7) Off-street parking and loading and unloading requirements: The off-street parking and loading and unloading requirements of this zoning ordinance shall be met.

Section 1004. Standards Applying to Planned Residential Developments.

- (1) Location. A planned residential development may be located within any residential zoning district if it meets all the required standards for planned residential developments.
- (2) Permitted uses. A planned residential development may contain single-family houses (including modular homes but not mobile condominiums, or multi-family houses or combination of them plus customary home occupations and customary residential accessory building and uses.
- (3) Common open space requirements. At least five hundred fifty (550) square feet per dwelling unit in a planned residential development shall be reserved for open space, parks, other recreation, or other public uses.
 - a. The streets and parking areas shall not be credited toward the minimum open space requirements.
 - b. The required open space shall be developed and landscaped by the developer.
 - c. If requested by the city, the owner of the planned residential development shall deed to the city the land set aside as required open space.
 - d. If the city does not require that the land be deeded to it, then the open space shall be deeded to a property owner's association comprised of residents of the

planned residential development for the benefit of the residents. The organization of the property owners' association and its adequate financing for the discharge of its responsibilities shall be assured through acceptable private deed covenants running with the land.

- e. In the event the property owners' association fails to maintain the common open space properly, the city may serve written notice upon the property owners' association and upon the residents and owners of the planned residential development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition. Said notice shall include a demand that such deficiencies of maintenance be corrected within thirty (30) days thereof, and shall state the date and place of a hearing thereon which shall be held within fifteen (15) days of the notice. If the deficiencies are not corrected within the said thirty (30) days, the City, in order to preserve the taxable values of the properties within the planned residential development and to prevent the common open space from becoming a public nuisance, may enter upon said common open space and maintain the same for one (1) year and thereafter until the property owners' association is prepared to provide proper maintenance. The cost of such maintenance by the City shall be assessed against the properties within the planned residential development that have a right of enjoyment of the common open space and shall become a tax lien upon said properties.
- (4) General private deed covenants. The entire planned residential development shall be included within private deed covenants running with the land to assure the continuance of the planned residential development in accordance with approved plans and development.
- (5) Minimum lot sizes. The minimum lot sizes of the zoning district in which the planned residential development is located may be waived by the planning commission.
- (6) Gross density. The overall maximum density of a planned residential development shall not exceed the density of the zone in which it is located.

Section 1005. Standards Applying to Planned Shopping Centers.

Within any general business or highway service business zoning district, a planned shopping center may be permitted if it meets the following conditions:

- (1) Location. A planned shopping center shall have access and egress only on a major street.
- (2) Use regulations. Any uses permitted in a business zoning district in which it is located may be included.

Section 1006. Standards Applying to Planned Industrial Parks.

Within any industrial zoning district, a planned industrial park may be permitted if it meets the following conditions:

- (1) Location. A planned industrial park shall have access and egress only on a major street.
- (2) Minimum lot sizes. The minimum lot sizes of the zoning district in which the development is located may be waived.
- (3) Use regulations. Any uses permitted in the industrial district in which the development is located may be included.

Section 1007. Standards Applying to Planned Office and Institutional

Within any office-institutional, general business, or highway service business district, a planned office park may be permitted if it meets the following conditions:

- (1) Location. A planned office park will have access and egress only on a major street.
- (2) Minimum lot sizes. The minimum lot sizes of the zoning district in which the development is located may be waived.
- (3) Use regulations. Any uses permitted in the district in which the development is located may be included.
- (4) Yards. The yard requirements of the zoning district in which the development is located may be waived except along the exterior boundaries of the development. Buffer zone requirements shall be met.
- (5) Height. The height limitations of the zoning district in which the development is located shall be observed.

ARTICLE XI. USE PROVISIONS

Section 1100. Agricultural and Forest District (AF).

The AF agricultural and forest district is established to provide for agriculture and very low density residential development, and to

ensure that open and/or sparsely developed areas of the city are not the subject of premature, scattered, and uneconomical growth patterns.

In the AF agricultural and forest district, the following uses are permitted:

- (1) Single-family dwellings, except mobile homes and modular homes.
- (2) Agriculture and horticulture, except the raising of livestock or poultry.
- (3) Schools, nursery schools, and kindergartens.
- (4) Churches.
- (5) Playgrounds, parks, lakes, golf courses (except miniature courses), driving ranges, and similar recreational facilities.
- (6) Hospitals, clinics, and doctor's offices.
- (7) Roadside stands offering for sale only farm products produced on the premises.
- (8) Veterinary hospitals.
- (9) Customary accessory uses for residential zoning districts.

Section 1101. Low Density Single-Family Residential Districts
(RS-150, RS-175 and RS-200).

The three (3) single-family residential districts include existing low density residential areas and vacant or open areas where similar residential development is appropriate. The regulations for these districts are designed to encourage low density one-family residential development, protected from the depreciating effects of small lot development and excessive density.

In the RS-150 residential district, a minimum lot size of fifteen thousand (15,000) square feet and minimum dwelling unit size of one thousand four hundred (1,400) square feet are required. In the RS-175 residential district, a minimum lot size of seventeen thousand five hundred (17,500) square feet and minimum dwelling unit size of one thousand six hundred (1,600) square feet are required. In the RS-200 residential district, a minimum dwelling unit size of one thousand eight hundred (1,800) square feet are required.

In the low density residential districts, the following uses are permitted:

- (1) Single-family residences, except mobile homes.

- (2) Customary accessory buildings and uses for residential districts.
- (3) Customary home occupations.
- (4) Churches, provided that:
 - a. They are located on a major street;
 - b. The buildings are not less than fifty (50) feet from any property line;
 - c. A buffer strip at least ten (10) feet wide is provided along the side and rear property lines, which is planted with evergreen trees and shrubs that provide an effective visual screen.
- (5) Public and semipublic playgrounds, parks, lakes, and buildings, operated on a non-profit basis for recreational and public community purposes only.
- (6) Public and private schools (except nursery schools and kindergartens) offer general education courses, provided that:
 - a. The buildings are located not less than fifty (50) feet from any property line;
 - b. A buffer strip at least ten (10) feet wide is provided along the side and rear property lines, planted with evergreen trees and shrubs that provide an effective visual screen.
- (7) Utility stations, in compliance with Section 605.
- (8) Accessory subdivision identification signs located at the principal entrance to a subdivision, not to exceed one hundred twenty (120) square feet without a special exception approval of the board of zoning appeals.
- (9) Agriculture and horticulture, including greenhouses, and truck gardens, except the raising of livestock or poultry.

Section 1102. Medium Density Single-Family Residential District (RS-100).

The RS-100 residential district includes areas of medium density residential development. The regulations for this district are designed to take advantage of the greater economy and convenience afforded by more intensive development but still retain some of the open aspects of a detached dwelling unit district.

In the RS-100 residential district, the following uses are permitted:

- (1) Single-family residences, except mobile homes.
- (2) Customary accessory buildings and uses for residential districts.
- (3) Customary home occupations.
- (4) Churches, provided that:
 - a. They are located on a major street;
 - b. The buildings are not less than thirty (30) feet from any property line.
 - c. A buffer strip at least ten (10) feet wide is provided along the side and rear property lines, which is planted with evergreen trees and shrubs that provide an effective visual screen.
- (5) Public and semipublic playgrounds, parks, lakes and buildings, operated on a non-profit basis for recreational and public community purposes only.
- (6) Public and private schools offering general education courses, provided that:
 - a. The buildings are located not less than thirty (30) feet from any property line;
 - b. A buffer strip at least ten (10) feet wide is provided along the side and rear property lines, planted with evergreen trees and shrubs that provide an effective visual screen.
- (7) Utility stations, in compliance with Section 605.
- (8) Accessory subdivision identification signs located at the principal entrance to a subdivision, not to exceed one hundred twenty (120) square feet without a special exception approval of the board of zoning appeals.
- (9) Agriculture and horticulture, including greenhouses, and truck gardens, except the raising of livestock or poultry.
- (10) Nursery schools, day care facilities, and kindergartens, provided that at least two hundred (200) square feet of outdoor play area per child is provided on the lot, and provided that the play area is surrounded by a permanent solid wall or woven wire fence having a height of at least four (4) feet.

Section 1103. Multifamily Residential District (RG-80).

The RG-80 residential district includes areas where higher density and/or multi-family development is appropriate. The

regulations for this district are designed to provide an area where individuals and families may establish homes in an environment which satisfies their needs for convenience and economy.

In the RG-80 residential district the following uses are permitted.

- (1) Single-family, duplex, apartment, condominiums, town house, row house, and other multi-family dwelling units, except mobile homes.
- (2) Customary accessory buildings and uses for residential districts.
- (3) Customary home occupations.
- (4) Churches, provided that they are located on a major street.
- (5) Public and semipublic playgrounds, parks, lakes, and buildings, operated on a non-profit basis for recreational and public community purposes only.
- (6) Public and private schools.
- (7) Utility stations, in compliance with Section 605.
- (8) Accessory subdivision identification signs located at the principal entrance or entrances to a subdivision, not to exceed one hundred twenty (120) square feet in area.
- (9) Public and semipublic recreational facilities such as parks, country clubs, community centers and other similar facilities.
- (10) Agricultural, except the raising of livestock or poultry.
- (11) Nursery schools, day care facilities, and kindergartens, provided that at least two hundred (200) square feet of outdoor play area per child is provided on the lot, and provided that the play area is surrounded by a permanent solid wall or woven wire fence having a height of at least four (4) feet.
- (12) A real estate office or a builder, developer, or development owner when located within one (1) of the units of the development.
- (13) Foster homes, orphanages, half-way houses, and institutional houses for the handicapped.
- (14) Boarding and rooming houses.

- (15) Dormitories, fraternal organizations and clubs that provide housing, provided that:
- a. They are located on a major or collector street;
 - b. Buildings are located not less than fifty (50) feet from any property line;
 - c. A buffer strip at least ten (10) feet wide is provided along the side and rear property lines, planted with evergreen trees and shrubs that provide an effective visual screen.

Section 1104. Mobile Home Park and Mobile Home Subdivision District (MH).

The MH mobile home district provides for establishment of mobile home parks located on unsubdivided parcels which have single ownership and control, and for mobile home subdivisions where private lots are available for sale to individual mobile home owners. Other high density residential development is also permitted within the MH district.

In the MH residential district, the following uses are permitted:

- (1) Any use permitted in any other residential district.
- (2) Mobile homes, provided they are located in an approved mobile home park or mobile home subdivision.
- (3) Mobile home parks and subdivisions, provided that each such park or subdivision is at least one (1) acre in size and provided further that every mobile home park space and every mobile home subdivision lot has an area of not less than eight thousand (8,000) square feet and a width at any point of at least forty (40) feet. In addition, the following minimum requirements shall be met:
 - a. Each mobile home lot or space shall be directly accessible from an approved internal paved park driveway not less than twenty (20) feet in width. No direct access to mobile home lots or spaces from public streets shall be permitted.
 - b. Mobile homes shall be separated from each other by not less than twenty (20) feet end to end and twenty-five (25) feet side to side. No portion of any mobile home shall be within fifteen (15) feet of the park or subdivision boundary.
- (4) Launderette for use of the mobile home park or mobile home subdivision only.

Section 1105. Office-Institutional District (OI).

The OI Office-Institutional district is established to provide a location for educational and other types of institutions, offices and related retail and service facilities.

In the OI office-institutional district, the following uses are permitted:

- (1) Any use permitted in single-family residential districts, except mobile homes.
- (2) Public and private educational institutions offering general education courses, including nursery schools and kindergartens.
- (3) Offices providing professional services.
- (4) Banks and other financial institutions.
- (5) Churches.
- (6) Lodges, fraternal and social organizations.
- (7) Parking lots and parking garages.
- (8) Utility stations in compliance with Section 605.
- (9) Research and testing facilities.
- (10) Public buildings and facilities.
- (11) Mortuaries, cemeteries and mausoleums.
- (12) Nursing and convalescent homes.
- (13) Public and semipublic recreational facilities such as parks, country clubs, community centers and other similar facilities.
- (14) Retail and service facilities located within an office or institutional building and catering to employees, visitors, students, and clients of offices and institutions located within the district.

Section 1106. Highway Service Business District (HSB).

The HSB highway service business district is established to provide locations for retail trade establishments compatible with surrounding residential and office-institutional areas, and for business activities which primarily cater to the traveling public.

The HSB district requires individual free-standing structures, larger yard areas, greater setbacks, and lower building densities than are permitted in the general business district.

In the HSB highway service business district, the following uses are permitted:

- (1) Sit-down restaurants, not including establishments offering drive-through facilities.
- (2) Motels, hotels, and campgrounds for transient recreational vehicles.
- (3) Retail business and service stores.
- (4) Offices.
- (5) Banks and other financial institutions.
- (6) Public buildings and land uses.
- (7) Mortuaries, except crematories.
- (8) Theaters and other places of entertainment and amusement enclosed in a building.
- (9) Parking lots and parking garages.
- (10) Research and testing facilities.
- (11) Lodges, fraternal, and social organizations.
- (12) Outdoor advertising, business or institutional identification signs and window displays.
- (13) Churches.
- (14) Nurseries providing lawn and garden supplies and plants.
- (15) Utility stations in compliance with Section 605.

Section 1107. General Business District (BG).

The BG general business district is intended for those commercial uses compatible with a central location, high density development, and proximity to other commercial and industrial land uses, and providing goods and services that are used by the entire community and surrounding area.

In the BG general business district, the following uses are permitted:

- (1) Any use permitted in the highway service business district.
- (2) Convenience stores.
- (3) Restaurants, including fast food and drive-in restaurants.
- (4) Gasoline stations, service stations, garage, car washes, body shops, and other automobile repair facilities, except junk yards.
- (5) Automobile, truck, mobile home, recreational vehicle, heavy equipment, and boat dealerships, including establishments for new and used vehicles and equipment, and related service and maintenance facilities.
- (6) Drive-in theaters.
- (7) Boarding and rooming houses.
- (8) Building supply stores and lumber yards.
- (9) Newspaper and printing facilities.
- (10) Radio and television facilities.
- (11) Transportation terminals for passengers.

Section 1108. Light Manufacturing District (LM).

The LM light manufacturing district is established to provide a location for those heavy commercial and light industrial operations which demonstrate characteristics that are able to meet comparatively rigid specifications for nuisance-free operation.

In the LM light manufacturing district, the following uses are permitted:

- (1) Cabinet shops and furniture manufacturing.
- (2) Building material yards including milling operations.
- (3) Utility stations including water and wastewater treatment facilities, building and grounds for storage of vehicles, equipment, and materials.
- (4) Transportation terminals for freight.
- (5) Wholesaling, commercial warehousing, and commercial storage facilities.
- (6) Veterinary offices, hospitals, and laboratories.

- (7) Dog kennels.
- (8) Crematories.
- (9) Railroad sidings.
- (10) Agriculture and horticulture, except the raising of livestock.
- (11) Similar businesses and industries, provided that any business or industry characterized by noise, vibration, smoke, gas fumes, odor, dust, fire hazard, or other objectionable features shall be required to show that these features will be controlled so that the location, construction, and operation of the business or industry will not injure present or prospective industrial development in the district.

Section 1109 A. Light Industry District (HM-1).

(1) Intent and Purpose

The HM-1 Light Industry District is comprised of lands that are located on or have ready access to a major street, as defined herein, and are well adapted to industrial development, but whose proximity to residential or commercial zoning district makes it desirable to limit industrial operations and processes to those that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors, or radiation and that do not create fire or explosion hazards or other objectionable conditions.

(2) Uses Allowed Inherently

- a. Any use permitted in the LM Light Manufacturing District.
- b. Outdoor storage yards, other than junkyard, if they meet the following requirements:
 - (1) They shall be set back at least twenty-five (25) feet from any side or rear property lines and shall be screened by a solid fence at least six (6) feet high set back a similar distance from any side or rear property lines, appropriately landscaped and maintained.
- c. Convenience retail business and service establishments to service businesses or their employees, including gift shops, snack bars, pharmacies, etc.
- d. Cold storage plants.
- e. Farm equipment sales and service.
- f. Soft drink bottling and distributing plants.
- g. Wholesaling and warehousing with offices.

- h. Newspaper and printing plants.
- i. Similar industries and uses that meet the standards of this zoning district.

(3) Special Exceptions Allowed by Mayor and Council Approval

Within the HM-1 Light Industry District, the following uses may be permitted provided the applicant for such development is granted a special use permit by the Mayor and Council after receiving recommendation from the Planning Commission and after a public hearing.

- a. Railroad sidings, maintenance and terminal facilities.
- b. Meat processing or packaging; except slaughtering, poultry killing, packing and dressing.

(4) Rezoning and Redesignation of Lands Currently Zoned HM, Heavy Manufacturing, Located Within the City of Sugar Hill Georgia.

All property which is, at the time of the adoption of this amendment, designated and zoned as HM, Heavy Manufacturing, under the Zoning Ordinance of the City of Sugar Hill, Georgia, is hereby rezoned and redesignated as HM-1 Light Industry District. The Zoning Map of the City of Sugar Hill, Georgia shall reflect the rezoning and redesignation of all property formerly zoned HM, Heavy Manufacturing, to HM-1 Light Industry District.

Section 1109 B. Heavy Industry District (HM-2).

(1) Intent and Purpose.

The HM-2 Heavy Industry District provides a location for those industrial operations and processes that are not public nuisances and are not dangerous to the health, safety or general welfare of the inhabitants of the City of Sugar Hill, Georgia. The Hm-2 Heavy Industry District shall be located on or have ready access to a major street, as defined herein.

(2) Uses Allowed Inherently

- a. All uses permitted in the HM-1 Light Industry District.
- b. Baking plants.
- c. All industrial uses that are not public nuisances and that are not dangerous to the public health, safety, or general welfare of the inhabitants of the City of Sugar Hill, and which meet all applicable state and federal environmental regulations.

(3) Special Exceptions Allowed by Mayor and Council Approval.

Within the HM-2 Heavy Industry District, the following uses may be permitted provided the applicant for such development is granted a special use permit by the Mayor and Council after receiving

recommendation from the Planning Commission and after a public hearing.

a. Junkyard, providing the following conditions are met:

1. The junkyard is located no closer than three hundred (300) feet to a residential or commercial zoning district boundary line.
2. The junkyard is completely enclosed with a solid fence not projecting into the right-of-way of any roadway adjoining said junkyard, not less than eight (8) feet high and in no case less than such height as will effectively screen all storage and other operations from view.
3. The junkyard is located no closer than one thousand (1,000) feet from the nearest edge of the right-of-way of any major arterial roadway within this subpart "major arterial roadway" is defined as any roadway, street or thoroughfare within the City limits of Sugar Hill, Georgia, having a right-of-way of one hundred (100) feet or greater.

b. A quarry for the removal of minerals and other natural materials, together with necessary buildings, machinery and appurtenances thereto, provided that:

1. Quarry areas being excavated shall be entirely enclosed within a fence located at least ten (10) feet back from the edge of any excavation and of such constructions and height as to be demonstrably able to exclude children and animals for the quarry area.
2. The operators and owners of the quarry present to the Mayor and Council an acceptable comprehensive plan for the reuse of the property at the cessation of the quarry operations.
3. In the case of an existing quarry, and extension of the quarry operations beyond the areas being quarried or approved for quarrying at the effective date of this amendment to the Zoning ordinance of the City of Sugar Hill, Georgia, shall be permitted and shall not be considered a new operation provided that said extension does not extend to within one thousand (1,000) feet of a residential or commercial zoning district boundary line.

4. Bulk and Area Regulation.

- a. Minimum Lot Area: One (1) acre (43,560) sq. ft.
- b. Minimum Lot Width: One Hundred (100) feet.
- c. Minimum Set Backs: (unless otherwise specified by this ordinance)
 - FRONT: 50 feet from any right-of-way.
 - SIDE: 20 feet; except where an industrial structure abuts a residential district in which case the distance shall be 120 feet.
 - REAR: 20 feet; except where an industrial structure abuts a residential district in which case the distance shall be 120 feet.
- d. Maximum Building Height: 50 feet
- e. Buffer, Minimum Required: See Article VI, Section 610.

5. Definitions.

For the purpose of this ordinance the following words when used in this amendment as well as the Zoning Ordinance for the City of Sugar Hill, Georgia shall have the following meaning:

- a. Junkyard: Any establishment which is maintained or used for storing, buying or selling junk or for an automobile graveyard.
- b. Automobile Graveyard: Any establishment which is maintained or used for storing, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.
- c. Junk: Any old or scrapped copper, brass, rope, rags, batteries, paper, trash, rubber, debris to waste; junked dismantled to wrecked automobiles, or parts therefrom; or iron, steel, and other scrapped ferrous or non-ferrous materials.

ARTICLE XII. AREA, YARD AND HEIGHT REQUIREMENTS

District	Minimum Area (Sq.Ft.)	Area per Dwelling Unit (Sq.Ft.)	Minimum Dwelling Unit Size (Sq.Ft.) ⁴	Minimum Width (ft.)	Minimum Setback from Right-of-Way (ft.)	Minimum Setback from Collector Street	Min. Side yard (ft.) ¹	Min. Rear Yard (ft.) ¹	Max. Height (ft.)	Max. Percent of Lot Coverage ²
AF	40,000(7)	40,000	-	100	60	50	20	35	35	25
RS-200	20,000(8)	20,000	1,800	100	45	35	10	35	35	25
RS-175	17,500(8)	17,500	1,600	100	45	35	10	35	35	25
RS-150	15,000(8)	15,000	1,400	100	45	35	10	35	35	25
RS-100	10,000(8)	10,000	1,250	70	45	35	10	30	35	25
RG-80	8,000(7)	3,500	800(6)	50	45	35	10	20	35	50
MH	43,560(7)	5,400(5)	600	40	30	20	10	5	35	35
OI	10,000(7)	-	-	50	50	40	10	30	35	40
HSB	10,000(7)	-	-	70	50	40	10	30	45	40
BG	NONE (7)	-	-	60	40	30	10(3)	30	45	75
LM	10,000(7)	-	-	50	50	40	NONE	NONE	50	50
HM-1	10,000(7)	-	-	50	50	40	NONE	NONE	70	75
	10,000(7)	-	-	100	(Refer to Section. 1109 B. (4))				50	75

1. Buffer zones are required in addition to side and rear yard where an office-institutional, business, or manufacturing use abuts a residential district and where a multi-family or mobile home use abuts a single-family residential district.
2. Includes principal and accessory buildings but not pavement areas.
3. Side yard required only if abutting a district requiring side yards.
4. Dwelling unit size is the gross horizontal floor area of the several floors of a residential structure, exclusive of garage, carport, unfinished basement, unfinished attic and open porches.
5. Minimum lot area for mobile home park, five thousand four hundred (5,400) square feet; for mobile home subdivision, eight thousand (8,000) square feet.
6. Minimum dwelling unit size: eight hundred (800) square feet for single bedroom units; one thousand (1,000) square feet for units having two (2) or more bedrooms.
7. No portion of any lot which is flooded by a 100-year recurrence interval storm event may be counted as part of the required minimum lot area.
8. No subdivision lot which contains less than fifty percent (50%) of the minimum lot area required by the applicable zoning district or eight thousand (8,000) square feet, whichever is greater, located above the base flood elevation shall be approved. All area above the flood elevation used to satisfy this requirement shall be contiguous and shall not be separated by any flood area.

ARTICLE XIII. ADMINISTRATION, ENFORCEMENT, PENALTIES AND REMEDIES

Section 1300. Zoning Enforcement Officer.

This ordinance shall be administered and enforced by the city manager who shall be appointed by the mayor and city council. The powers and duties of the city manager include:

1. Examining and approving applications pertaining to the use of land, buildings, or structures when the applications conform with provisions of this ordinance.
2. Authorizing issuance by the city of all building permits and certificates of occupancy, and keeping permanent records thereof.
3. Conducting such inspections of buildings, structures, and uses of land as are necessary to determine compliance with the provisions of this ordinance.
4. Maintaining permanent and current records of the zoning ordinance including maps and amendments.
5. If the city manager shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.
6. Granting administrative variances from the development standards of this Ordinance where, in the City Manager's opinion, the intent of the Ordinance can be achieved and equal performance obtained by granting the administrative variance. Administrative variances shall only be granted with the concurrence of the Chief Building Inspector and such variances shall be limited to variances for front and rear yards up to a maximum of ten (10) feet and for side yards up to a maximum of five (5) feet. All other variances shall require the approval of the Board of Zoning Appeals as set forth in Article XIV of this Ordinance.

Section 1301. Building Permit Required.

No building or structure shall be erected, moved, added, or structurally altered without a building permit being authorized and

issued by the city building inspector. No building permit shall be issued except in conformity with the provisions of this ordinance.

Section 1302. Application for Building Permit.

All applications for building permits shall be made to the city building inspector and shall be accompanied by plans in triplicate, drawn to scale, and showing the actual dimensions of the lot to be built upon, the sizes and location on the lot of any existing buildings or structures, the shape, size, height, use, and the location on the lot of the building or structure proposed to be erected or altered, setback lines, buffer zone, estimated utility usages and such other information as may be necessary to provide for the enforcement of this ordinance.

If the plans conform with the provisions of this ordinance, the city building codes and other ordinances for the city, the permit shall be issued upon payment of the required fee. If compliance does not result, the building permit shall be refused by the city stating such refusal in writing with the cause.

Section 1303. Fees.

The city council shall establish a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of occupancy, appeals, and other matters pertaining to this ordinance. The schedule of fees shall be posted in the office of the city manager and may be altered and amended by the city council.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Section 1304. Construction Progress

If no substantial construction progress has been made within six (6) months of the date of issuance of the building permit, the permit becomes invalid. The permit may be re-issued only upon completion of the application procedure outlined in Sections 1302 and 1303 of this ordinance.

Section 1305. Certificate of Occupancy.

A Certificate of Occupancy authorized and issued by the city building inspector shall be required in advance of:

1. The initial use of occupancy of a lot.
2. Any change in the use or occupancy of a lot.
3. The initial use and occupancy of a building erected after enactment of this ordinance.

4. Any change in the use of a building existing at the time of enactment of this ordinance.
5. The change in use, extension, alteration, or reconstruction of any nonconforming use existing at the enactment of this ordinance or an amendment hereto, no certificate of occupancy shall state specifically wherein the nonconforming use fails to meet the provisions of this ordinance.

Except in the case of nonconforming uses existing at the time of the enactment of this ordinance or an amendment hereto, no certificate of occupancy shall be issued unless the lot, building, or structure complies with the provisions of this ordinance.

A record of all certificates of occupancy shall be kept on file in the office of the city building inspector and a copy shall be furnished on request, to any person having a proprietary or tenancy interest in the lot, building or structure involved.

Section 1306. Penalties for violation.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished for each offense according to the codes and ordinances of the City of Sugar Hill. Each day the violation continues shall constitute a separate offense.

Section 1307. Remedies.

If any building or structure is erected, constructed, moved, added to, demolished, structurally altered, maintained, or used in violation of this ordinance, any appropriate authority, or any property owner whose property would be damaged by such violation may file a written complaint with the city manager stating fully the causes and basis for the complaints. The city manager shall properly record such complaint, shall immediately investigate, and shall take action thereon as provided by this ordinance. Nothing herein shall, however, prevent any person from instituting injunction, mandamus, or other appropriate action in proceeding to stop the violation in the case of such building, structure, or land.

ARTICLE XIV. BOARD OF ZONING APPEALS

Section 1400. Establishment of Board of Zoning Appeals: (Membership: Terms Vacancies: Removal: Officers).

A board of zoning appeals is hereby created. The board of zoning appeals shall consist of five (5) members who shall be appointed by the mayor and city council. The members shall serve for overlapping terms three (3) years. Initial appointment to the overlapping terms of three (3) years. Initial appointment to the board of zoning

appeals shall be as follows: One (1) member shall be appointed to a one-year term; two (2) members shall be appointed to a two-year term; the two (2) appointments shall be for terms of three (3) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the appointing authority upon written charges and after a public hearing. Except for (1) member who shall be a member of the planning commission, no member of the board of zoning appeals shall hold any other public office. The planning commission member shall serve as chairman of the board and the board members shall elect a vice-chairman who shall serve until replaced or until a new vice-chairman is elected. The board of zoning appeals shall appoint a secretary who may be an office or employee of the city or of the planning commission.

Section 1401. Procedures of the Board of Zoning Appeals.

The board of zoning appeals shall hold a regularly scheduled monthly meeting and shall meet at other times at the call of the chairman. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena.

Cases brought before the board of zoning appeals shall be decided by majority vote of members present and voting. A quorum shall consist of three (3) or more members. Any board member may elect to abstain from any vote. An affirmative vote of a least three (3) members is required to approve a petition before the board.

The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the city manager and shall be a public record.

Section 1402. Powers of the Board of Zoning Appeals.

The Board of zoning appeals shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the city manager or planning commission or city council in the enforcement of this zoning ordinance.
2. To hear and decide special exception to the terms of this zoning ordinance upon which the board is required to pass using the following procedures:
 - a. A written application for a special exception shall be submitted to the board indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested.

- b. A public hearing shall be held following at least fifteen (15) days' notice to the applicant and to the public. Public notice shall, as a minimum, include posting of a notice on the property and at City Hall for at least fifteen (15) days. Failure to post or maintain the notices shall not, however, invalidate the actions taken.
 - c. The board shall certify its findings and decisions in writing, including therein any special terms or conditions which may be appropriate.
3. To authorize, upon appeal in specific cases, such variance from the terms of this zoning ordinance as will not be contrary to the public interest where, owing to special conditions as literal enforcement of the provisions of the ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the board of zoning appeals: that there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; that the application of the zoning ordinance to this particular piece of property would create an unnecessary hardship; that such conditions are peculiar to the particular piece of property involved; that such conditions are not a result of any action of the property owner; and that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this zoning ordinance; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance. Variance may be granted in accordance with the following procedures:
- a. A written application for a variance; shall be submitted demonstrating that required conditions for a variance have been met.
 - b. A public hearing shall be held following at least fifteen (15) days' notice to the applicant and to the public. Public notice shall, at a minimum, include posting of a notice on the property and at City Hall for at least fifteen (15) days. Failing to post or maintain the notice shall not, however, invalidate the actions taken.
 - c. The board shall certify its findings and decisions in writing, including therein any special terms or conditions which may be appropriate.
4. In exercising the above powers, the board of zoning appeals may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or may modify the order requirements, decision, or determination and to that end

shall have all the powers of the city manager or planning commission from who the appeal is taken and may issue or direct the issuance of a permit.

Section 1403. Appeals to the Board of Zoning Appeals

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved by, or by any official of the city affected by any planning or zoning enforcement decision of the city manager. Such appeal shall be taken within thirty (30) days from the date the appellant is notified of the decision of the city manager or planning commission by filing with the city manager and with the board of zoning appeals a notice of appeal specifying the grounds thereof. The city manager shall forthwith transmit to the board of zoning appeals all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the city manager certifies to the board of zoning appeals after the notice of appeals shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of record on application, on notice to the city manager, and on due cause shown.

Section 1404. Appeals from Decisions of Board of Zoning Appeals.

Any person or persons, or any board, taxpayer, department, or bureau of the city aggrieved by any decision of the board of appeals may seek review by a court of record of such decision, in the manner provided by the laws of the State of Georgia.

ARTICLE XV. AMENDMENTS

Section 1500. Amendments Permitted.

This zoning ordinance including the zoning map, may be amended from time to time by the city council of Sugar Hill, Georgia.

Section 1501. Amendment Procedure.

1. All applications for amendments shall first be submitted to the Planning Commissions for review and recommendation prior to adoption by the City Council. The Planning Commission shall have sixty (60) days within which to complete its review and submit a report and recommendation to the City Council. During the 60 day review period, the Planning Commission may at its discretion, hold a public hearing on the proposed amendment. At least 15 but not more than 45 days prior to the date of such a hearing, the Planning Commission shall cause to be published a notice of such

hearing in a newspaper of general circulation within the territorial boundaries of the City of Sugar Hill. If the Planning Commission fails to submit a report to the City Council within the 60 day review period, it shall be deemed to have approved the proposed amendment.

2. After the 60 day Planning Commission review period, proposed amendments to the Zoning Ordinance shall be submitted to the City Council for adoption or rejection. Before the City Council acts on an amendment to the Zoning Ordinance under this section, it shall hold a public hearing thereon. At least 15 but not more than 45 days prior to the date of the public hearing, the City Council shall cause to be published in a newspaper of general circulation within the territorial boundaries of the City of Sugar Hill a notice of the proposed public hearing. This notice shall state the time, place and purpose of the hearing. If the proposed amendment is a rezoning of property initiated by a party other than the Mayor and Council or the Planning Commission, then:
 1. The notice, in addition to the foregoing, shall include the location of the property, the present zoning classification of the property, and the proposed zoning classification of the property; and
 2. A sign containing the same information shall be placed in a conspicuous location on the property not less than fifteen (15) days prior to the date of the hearing.

Section 1502. Amendment to Official Zoning Map.

If, in accordance with the provisions of this ordinance, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the city council. The date of amendment and signature of the mayor shall be entered on the official zoning map in connection with any changes made on the map.

In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the city council may, by resolution, adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map. Any such replacement may shall bear the date of adoption and signature of the mayor.

Section 1503. Information Showing Proposed Use Required.

An application for an amendment to rezone any land or to create or extend any zoning district shall be accompanied by such documents and information, in triplicate, as are necessary to show proposed changes in land use and proposed development to occur as a result of the amendment.

Section 1504. Conditional Development.

Each category for zoning shall have a subhead thereunder to be known as "Conditional" for that category.

1. Whenever any amendment for amending or altering this zoning ordinance is accompanied or supported by specific plans and design for a particular development and use, and the mayor and city council, after public hearing as provided in Section 1501, approve such specific plans and design and this ordinance is amended accordingly, said amendment may be qualified as "conditional" under that category and the city manager shall issue a building permit for the development of said property only in strict compliance with the plan submitted.
2. Plans supporting the approval and procedure outlined in subparagraph (1) above shall be submitted in triplicate. Upon approval by the mayor and city council said plans shall bear a certificate by the city clerk indicating said approval. One (1) copy of said plan shall be maintained by the city clerk as a part of the record of rezoning, one (1) copy filed with the city manager and one (1) copy returned to the applicant.
3. If for any reason, development and use of the property approved in accordance with the procedure outlined in subparagraphs (1) and (2) above cannot be accomplished, such plans shall not be altered, changed or varied, except after approval by the mayor and city council of Sugar Hill.
4. If no building permit or certificate of occupancy, based upon approved plan and amendment, is issued within twelve (12) months from the date of approval of any such "conditional" rezoning, the mayor and city council may, on its own motion, cause the property to revert to its original zoning category after notice by U.S. mail addressed to the original applicant for rezoning or to such other persons as may be substituted for said original applicant upon the records of the clerk of the City of Sugar Hill, and reasonable opportunity to said applicant to oppose the reversion to the original zoning category.

Section 1505. Reconsideration by Mayor and City Council.

No applicant for rezoning property within the City of Sugar Hill shall be considered unless it shall affirmatively appear that the area requested to be rezoned has not been considered by the said mayor and city council for that same rezoning (within a period of twelve (12) months) immediately proceeding the application.

ARTICLE XVI. LEGAL STATUS PROVISIONS

Section 1600. Conflict with Other Laws.

Whenever the regulations of this ordinance require a greater lot width or depth or size of yards, or impose other more restrictive standards than are required in or under any other statute or covenants, the requirements of this ordinance shall govern. Whenever the provisions of any other statute or covenants require more restrictive standards than are required by this ordinance, the provisions of such statute or covenants shall govern.

Section 1601. Separability.

Should any article or section of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid or ;unconstitutional.

Section 1602. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 1603. No Prejudice to Pending Applications.

Notwithstanding anything to the contrary herein, this ordinance shall not in any way prejudice or affect any pending application for rezoning before the planning commission of the City of Sugar Hill or the mayor and city council of the City of Sugar Hill.

Section 1604. No Legality to Nonconforming Uses.

Nothing herein shall be considered to approve or give legality to any nonconforming use which has been discontinued more than six (6) months within the City of Sugar Hill.

Section 1605. Zoning Map of the City of Sugar Hill.

As of the effective date of this ordinance, the revised zoning map of the City of Sugar Hill is formally adopted.

Section 1606. Effective Date.

This ordinance shall take effect; and shall be in force from and after the date of its adoption, the public welfare demanding it.

Section 1607. Conditional Zoning.

Notwithstanding anything to the contrary which might appear in this ordinance, the mayor and council shall have all powers to approve and to enforce conditional zoning not otherwise prohibited by state or federal law.

ORDINANCE

The Council of the City of Sugar Hill hereby Ordains that Article 3 (Alcoholic Beverages) of the Code of the City of Sugar Hill, 1985, is hereby amended by adding Article VI which shall read as follows:

SALE OF SPIRITUOUS LIQUOR FOR CONSUMPTION ON THE PREMISES

SECTION 3-200 PURPOSE

This Ordinance has been enacted for the purposes, among others, of promoting the health and general welfare of the community, to establish reasonable and ascertainable standards for the regulation and control for the licensing and sales of spirituous liquor for consumption on the premises; to protect and preserve schools and churches; to give effect to existing land use; and to preserve certain residential areas, with reasonable considerations, among others, to the character of the areas and their peculiar suitability for particular uses, the congestion in the roads and streets, and with a general view of promoting desirable living conditions and sustaining the stability of neighborhoods and property values; and to protect against the evils of concentration of the businesses serving spirituous liquor in one family and/or in one corporation and to prevent undesirable persons in engaging in or having any interest in the sale of alcoholic beverages.

SECTION 3-201 SALE WITHIN THE INCORPORATED AREAS OF THE CITY; LICENSE A PRIVILEGE

(A) Spirituous liquor for consumption on the premises may be sold within the incorporated areas of the City of Sugar Hill under a license granted by the appropriate government officials as governed by the terms and conditions hereafter provided.

(B) All licenses herein shall be a mere grant of privilege to carry on the business during the term of the license subject to all terms and conditions imposed by the ordinances of the City of Sugar Hill and State law.

(C) All licenses hereunder shall have printed on the front these words: "THIS LICENSE IS A MERE PRIVILEGE SUBJECT TO BEING REVOKED AND ANNULLED, AND IS SUBJECT TO ANY FUTURE ORDINANCES WHICH MAY BE ENACTED"

SECTION 3-202 DEFINITIONS

For the purpose of this Ordinance the following definitions shall apply:

(A) Adequate parking shall mean one (1) parking space for each

two hundred (200) square feet of customer service area within the premises of applicant, but not less than five (5) parking spaces. Such off-street parking shall have vehicular access to streets and shall be constructed of an all-weather surface.

- (B) "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.
- (C) "Alcoholic beverages" shall mean and include all alcohol, spirituous liquors as defined herein, beer, malt beverages, wine or fortified wine.
- (D) "Beer" or "malt beverage" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other product, or any combination of such products in water containing not more than six percent (6%) alcohol by volume, and including ale, porter, brown, stout, lager beer, small beer, and strong beer. The term "malt beverage" does not include sake, known as Japanese rice wine.
- (E) "Business area" shall mean any area which is correspondingly zoned in accordance with the City of Sugar Hill Zoning Ordinance.
- (F) "Church" shall mean a permanent building where persons regularly assemble for religious worship.
- (G) "Clerk" shall mean the person holding the official title of Clerk for the City of Sugar Hill, Georgia.
- (H) "College" shall mean only such State, County, City, Church, or other colleges as teach the subjects commonly taught in the common colleges of the State and shall not include private colleges where only specialized subjects such as law, stenography, business, music, art, medicine, dentistry, vocational occupations and other special subjects are taught.
- (I) "Distance" shall mean the measurement in linear feet as measured in a straight line from one point to another on ground between the closest walls of the pertinent structures.
- (J) "Family" shall mean and include any person related to the holder of a license issued under the provisions of this Ordinance within the first degree of consanguinity or affinity as determined according to the law of the State of Georgia.

- (K) "Fortified wine" means any alcoholic beverage containing more than twenty-one percent (21%) alcohol by volume made from fruits, berries, or grapes, either by natural fermentation or by natural fermentation with brandy added. "Fortified wine" includes, but is not limited to, brandy.
- (L) "Hotel" shall mean a building or structure kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are offered for adequate pay to travelers and guests whether transient, permanent or residential, in which fifty (50) or more rooms are used for the sleeping accommodations of such guests. Motels meeting the qualifications set out herein for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operation of a lounge restaurant in their privileges, and the holder of such franchise shall be included in the definition of hotel thereunder.
- (M) "License" shall mean the authorization by the appropriate government officials of the City of Sugar Hill to engage in the sale of spirituous liquor.
- (N) "Licensee" shall mean a person or persons, real or artificial, holding any class of license issued under the terms of this Ordinance.
- (O) "Liter" means metric measurement currently used by the United States.
- (P) "Lounge" shall mean a separate room connected with a part of and adjacent to a restaurant or located in hotels as defined herein with all booths, stools and tables being unobstructed and open to view. All lounges shall be air conditioned and have a capacity of at least fifty (50) persons.
- (Q) "Manufacturer" means any maker, producer, or bottler of an alcoholic beverage. "Manufacturer" also means: (a) In the case of distilled spirits, any person engaged in distilling, rectifying, or blending any distilled spirits. (b) In the case of malt beverage, any brewer.
- (R) "Package" means a bottle, can, keg, barrel, or other original consumer container.
- (S) "Person" means any individual, firm, partnership, cooperative, nonprofit membership corporation, joint venture, association, company, corporation, agency, syndicate, estate, trust, business trust, receiver, fiduciary, or other group or combination acting as a unit, body politic, or political subdivision, whether public,

private, or quasi-public.

- (T) "Premises" shall mean the definite closed or apportioned-in locality whether a room, shop or building, wherein alcoholic beverages are sold.
- (U) "Private residence" shall mean a house or dwelling where not less than one (1) or more than three (3) families customarily reside and shall not include an apartment house having facilities for housing four (4) or more families and any residence which has been unoccupied for a period of six (6) consecutive months immediately prior to the filing of any application hereunder.
- (V) "Restaurant" shall mean any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, without sleeping accommodations, such place being provided with adequate and sanitary kitchen and dining room equipment and seating capacity of at least one hundred (100) people, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. At least one (1) meal per day shall be served at least six (6) days a week, with the exception of holidays, vacations, and periods of redecorating, and the serving of such meals shall be the principal business conducted, with the serving of alcoholic beverages to be consumed on the premises as only incident thereto. The business shall derive at least fifty (50%) percent of its total annual gross sales from the sale of prepared food or meals.
- (W) "Retail sales" shall mean selling or offering for sale alcoholic beverages to any member of the public.
- (X) "School" shall mean only such State, County, City, Church or other schools as teach the subjects commonly taught in the common schools of this State and shall not include private schools where only specialized subjects such as law, stenography, business, music, art, medicine, dentistry, vocational occupations and other subjects are taught.
- (Y) "Spirituous liquors" or "distilled liquors" shall mean any alcoholic beverages containing alcoholic obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin, cordials, or other spirituous liquors by whatever name called to include fortified wines, as defined by the Federal Alcoholic Administration.

(Z) "Wholesaler" shall mean any person, firm or corporation engaged in distribution or selling to retailers for the purpose of resale, any alcoholic beverages as defined herein.

(AA) "Wine" shall mean any alcoholic beverages containing not more than twenty-one percent (21%) alcohol by volume made from fruits, berries or grapes either by natural fermentation or by natural fermentation with brandy added. The term includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, special natural wines, rectified wines, and like products. The term does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage.

SECTION 3-203 CONSTRUCTION OF DEFINITIONS

As used in this Ordinance, defined words shall have the meaning specified unless the context in which the word or term is used clearly requires that a different meaning be used.

SECTION 3-204 COMPLIANCE WITH ORDINANCE REQUIRED

It shall be unlawful for any person to sell or offer for sale at wholesale or retail any alcoholic beverages for consumption on the premises within the City of Sugar Hill without having first complied with the provisions of this Ordinance.

SECTION 3-205 SEPARATE APPLICATION AND SEPARATE LICENSE FOR EACH LOCATION OF SALE

Separate applications must be made for each location and separate licenses must be issued except as hereinafter set forth.

SECTION 3-206 APPLICATION FORMS

All persons, firms or corporations desiring to sell spirituous liquor for consumption on the premises within the City of Sugar Hill shall make application on the forms prescribed by the appropriate authorities of the City of Sugar Hill and must follow the procedures applicable to that particular license, hereinafter set forth.

SECTION 3-207

**APPLICATION FOR LICENSE PERMITTING THE SALE OF
ALCOHOLIC SPIRITUOUS LIQUOR FOR CONSUMPTION ON
THE PREMISES**

(A) No spirituous liquor shall be sold for consumption on the premises except under a license granted by the Clerk, as provided herein.

(B) Only the following shall be authorized or licensed under this Ordinance:

- (1) Spirituous liquor for consumption on the premises.

SECTION 3-208

APPLICATION; FORM; CONTENT; PROCESS; DEPOSIT

(A) All persons desiring to engage in the sale of spirituous liquor for consumption on the premises shall make written application to the Clerk for such privilege upon forms to be prepared and provided by the Clerk. Such application shall state and/or contain the name and address of the applicant; a plat of the place where the proposed business is to be located; the nature and character of the business to be carried on; if a partnership, the names of all partners, whether general or limited; if a corporation, the name of the top three (3) officers and all stockholders holding more than ten percent (10%) of the common stock; the names of all individuals other than stockholders and partners who will have an economic interest in the license if issued; and such other appropriate information as may be required by this Ordinance or by the Clerk, and shall be sworn to by the applicant before filing.

(B)(1) No license hereunder shall be issued to any person unless the building in which the business will be located is complete and detailed plans of said building and outside premises are attached to the application or unless proposed plans and specifications and a building permit of a proposed building to be built are attached to the application. Each applicant for a license shall attach to the application evidence of ownership of the building or proposed building or a copy of the lease if the applicant is leasing the building. If the proposed applicant is a franchise, such applicant shall attach a copy of the franchise agreement or contract with the application.

- (2) The completed building or the proposed building shall comply with the ordinances of the City; regulations of the State Revenue Commissioner; the laws of the State of Georgia; and all other pertinent laws. The proposed building shall also be subject to final inspection and approval when finished by the Building

Inspector. Each building in which the business is to be located shall contain sufficient lighting so that the building itself and the premises on all sides of the building are readily visible at all times from the front of the street on which the building is located so as to reveal all of the outside premises of such building. All premises for which a license shall be issued shall afford therein adequate sanitary toilet facilities and shall be adequately illuminated so that all hallways, passageways and open areas may be clearly seen by the customers therein.

(C) Each applicant shall, upon request by the Clerk, submit a survey by a registered land surveyor showing compliance with all distance requirements contained herein.

(D) In addition to the completion and submission of the application form as required by this Ordinance, such applicant shall attach thereto a completed application form with all attachments and requirements for a state license.

(E) Upon filing of the application with the Clerk, the applicant shall deposit in cash or by certified check a processing fee of two hundred fifty dollars (\$250.00) to cover the expense of investigation and processing the application which fee shall not be refundable.

(F) Upon approval, in accordance with the terms of this Ordinance of an application for license, the license fee shall be paid by certified check to the Clerk prior to the issuance of a license within ten (10) days after approval. The amount of the license fee is listed in Section 3-257.

(G) In the event the applicant is denied a license by the State, the license fee shall be refunded.

SECTION 3-209 FILING OF BONDS BY APPLICANTS FOR LICENSE

(A) All applicants for licenses permitting the sale of spirituous liquor for consumption on the premises shall file with the Clerk, along with each application, a bond:

- (1) Conditioned to pay all sums which may become due by the applicant to the City as taxes, license fees or other charges imposed by this Ordinance for the sale of spirituous liquor; and
- (2) Conditioned to pay all penalties which may be imposed upon the applicant for failure to comply with the laws, ordinances and rules and regulations pertaining to alcoholic beverages.

(B) The surety for the bond shall be a surety company licensed to do business in this State and the bond shall be in such form as is acceptable to the Clerk.

(C) The bond shall be in the amount of Five Thousand Dollars (\$5,000.00).

SECTION 3-210 INVESTIGATION OF APPLICANT; REPORT

All applications in which a license permitting the sale of spirituous liquor for consumption on the premises shall be investigated by the Gwinnett County Police Department and a report of said investigation presented to the Clerk for consideration with the application.

SECTION 3-211 PAYMENT OF TAXES AND OTHER DEBTS TO THE CITY

The Clerk shall cause an inquiry to be made into the tax records to determine if any applicant or other parties interested in an application have any outstanding taxes or special assessments that are delinquent or any other monies owing to the City of Sugar Hill. No license shall be issued nor shall a license be renewed until all such debts are paid in full.

SECTION 3-212 ISSUANCE OF LICENSE TO PERSONS WITH PRIOR CONVICTION PROHIBITED; EXCEPTION

No license hereunder permitting the sale of spirituous liquor for consumption on the premises shall be issued to any person who shall have been convicted or shall have entered a plea of guilty or shall have taken a plea of nolo contendere within a period of ten (10) years immediately prior to the filing of such application for any felony, misdemeanor of any state or of the United States, or any municipal ordinances except simple traffic violations. The term conviction shall include an adjudication of guilt, a plea of guilty, or a plea of nolo contendere or the forfeiture of a bond by a person charged with a crime.

SECTION 3-213 GENERAL QUALIFICATIONS

(A) No application for a license permitting the sale of spirituous liquor for consumption on the premises shall be granted when the application or investigation by the Clerk shows any of the following to exist:

- (1) That the applicant is of bad moral character or does not have sufficient mental capacity to conduct the business for which application is made or who has been dishonorably discharged from the armed services of the United States, or fails to demonstrate financial ability;

- (2) That the applicant has had any license issued by the City or by any other city in the State of Georgia, or by any other licensing authority in the State of Georgia relating to the manufacture, distribution or sale of alcoholic or malt beverages or wine previously revoked within the past ten years;
 - (3) That the applicant is related to any distributor or wholesaler of alcoholic beverages or employees thereof within the first degree of consanguinity or affinity as computed according to the laws of the State of Georgia;
 - (4) That applicant does not have adequate financial participation in the proposed business to direct and manage its affairs or that the applicant appears to be a mere surrogate for a person or persons who would not otherwise qualify for a license for any reason whatsoever;
 - (5) That the applicant is the City Clerk or a member of the City's Alcoholic Beverage Review Board or a spouse or minor child of one of the aforesaid persons;
 - (6) That the applicant is not of legal age and/or not a citizen of the United States or an alien lawfully permitted for permanent residence;
 - (7) That operators, managers or clerks or other employees of applicant are of bad moral character;
 - (8) That corporate or firm applicants are of bad business reputation;
 - (9) The Clerk, in his/her discretion may consider any extenuating circumstances that may reflect favorably or unfavorably on the applicant, application or the proposed location of the business. If, in his/her judgment, circumstances are such that granting the license would not be in the best interest of the general public, such circumstances may be grounds for denying the application.
 - (10) The Clerk may decline to issue a license when any person having any interest in the operation of such place of business or control over such place of business does not meet the same character requirements as herein set forth for the licensee.
- (B) All decisions of the Clerk either approving or denying license application shall be stated in writing and a copy of such statement shall be provided to the applicant either personally or by certified mail.

(C) Whenever the Clerk shall deny an application for a license, the applicant shall be notified of the right to a hearing under this Ordinance upon timely application.

SECTION 3-214 CHANGE IN RELATIONSHIPS AND/OR OWNERSHIP INTEREST

Any change in any of the relationships and/or ownership interest contained on the application must be filed with the Clerk within thirty (30) days after such change is made and the failure to do so shall be grounds for immediate cancellation and revocation by the Clerk of a license or for the immediate dismissal of any application for a license.

SECTION 3-215 CITY CLERK, MEMBERS OF ALCOHOLIC BEVERAGE REVIEW BOARD PROHIBITED FROM INTEREST IN LICENSE

It shall be unlawful for the City Clerk or any member of the City's Alcoholic Beverage Review Board or a spouse or minor child of said person to have any whole, partial or beneficial interest in any license hereunder.

SECTION 3-216 ANNUAL RENEWAL

All licensees holding licenses permitting the sale of spirituous liquor for consumption on the premises will be required to renew their licenses annually on forms prescribed by the Clerk.

SECTION 3-217 GAMBLING ON PREMISES PROHIBITED

There shall be no gambling, betting, games of chance, punch-boards, slot machines or the operation of any scheme for hazarding money or any other thing of value in any place of business licensed to sell alcoholic beverages for consumption on the premises or in any room adjoining the same, owned, leased or controlled by a licensee. No licensee holding a license permitting the sale of alcoholic beverages for consumption on the premises shall allow or permit any video game(s) to be placed on the bar in such establishment where alcoholic beverages are sold or delivered to customers. Any violation of this section shall be cause for suspension or revocation of a license. Nothing in this paragraph shall be construed to prohibit the conducting of lottery activities on the premises provided such activities have been properly approved by the State of Georgia.

SECTION 3-218 SOLICITATION PROHIBITED

No retail consumption dealer licensed to sell alcoholic beverages hereunder shall require, permit, suffer, encourage or indulge any employee or person to solicit in the licensed premises for himself or for any person other than the patron and guest of the patron, the purchase by the patron of any drink, whether alcoholic or non-alcoholic, or money with which to purchase the

same; nor shall any licensee pay any commission or any other compensation to any person frequenting his establishment or to his agents or manager to solicit for himself or for others, the purchase by the patron of any drink, whether alcoholic or non-alcoholic.

SECTION 3-219 TYPES OF ENTERTAINMENT, ATTIRE AND CONDUCT PROHIBITED

(A) It shall be unlawful for any person maintaining, owning or operating a commercial establishment located within the boundaries of the City of Sugar Hill, Georgia, at which spirituous liquor is offered for sale for consumption on the premises:

- (1) To suffer or permit any female person twenty-one (21) years of age or older, while on the premises of said commercial establishment, to expose to the public view that area of the human female breast at or below the top of the areola thereof.
- (2) to suffer or permit any female person twenty-one (21) years of age or older, while on the premises of said commercial establishment, to employ any device or covering which is intended to give the appearance of or simulate such portions of human female breasts as described in section (A) (1).
- (3) To suffer or permit any person twenty-one (21) years of age or older, while in the premises of said commercial establishment, to expose to public view his or her genitals, pubic area, anus or anal cleft.
- (4) To suffer or permit any person twenty-one (21) years of age or older, while on the premises of said commercial establishment, to employ any device or covering which is intended to give the appearance of or simulate the genitals, pubic area, anus, or anal cleft.
- (5) To suffer or permit any person twenty-one (21) years of age or older, while on the premises of said commercial establishment, to: (i) act or perform acts which simulate sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or (ii) touch, caress, or fondle the breasts, anus or genitals; (iii) display pubic hair, the anus or vulva.

(B) It shall be unlawful for any female person twenty-one (21) years of age or older, while on the premises of a commercial establishment located within the boundaries of the City of Sugar Hill, at which spirituous liquor is served or offered for sale for consumption on the premises, to expose to public view that area of the human female breasts at or below the top of the areola thereof,

or to employ any device or covering which is intended to give the appearance or simulate such areas of the female breasts as described herein.

(C) It shall be unlawful for any person twenty-one (21) years of age or older, while on the premises of a commercial establishment located within the boundaries of the City of Sugar Hill, at which spirituous liquor is offered for sale for consumption on the premises, to expose to public view his or her genitals, pubic area, anus, or anal cleft, or to employ any device or covering which is intended to give the appearance of or simulate the genitals, pubic area, anus or anal cleft.

(D) It shall be unlawful for any person maintaining, owning or operating a commercial establishment located within the boundaries of the City of Sugar Hill, Georgia, at which spirituous liquor is offered for sale for consumption on the premises, to hold, promote or allow any contest, promotion, special night or any other activity where patrons of the licensed establishment are encouraged or allowed to engage in any of the above prohibited conduct.

(E) Nothing in this ordinance adopted by the Mayor and Council of the City of Sugar Hill, Georgia, shall be construed to apply to the presentation, showing, or performance of any play, drama, ballet, or motion picture in any theater, concert hall, museum of fine arts, school, institution or higher education, or other similar establishment as a form of an expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise. This ordinance specifically applies to establishments licensed by the City of Sugar Hill, Georgia, to sell or offer for sale spirituous liquor for consumption on the premises and is intended solely to regulate the conduct of individuals physically present in such establishments.

SECTION 3-220 "HAPPY HOUR" PROMOTIONS AND SALES

(A) No licensee or employee or agent of a licensee, in connection with the sale or other disposition of alcoholic beverages for consumption on the premises shall:

- (1) Offer or deliver any free alcoholic beverage to any person or group of persons;
- (2) Deliver more than one (1) alcoholic beverage to one (1) person at one (1) time;
- (3) Sell, offer to sell, or deliver to any person or group of persons any alcoholic beverages at a price less than the price regularly charged for such beverage during the same calendar week, except at private

functions not opened to the public;

- (4) Sell, offer to sell, or deliver to any person or groups of persons an unlimited number of alcoholic beverages during any set period of time for a fixed price, except at private functions not opened to the public;
- (5) Sell, offer to sell or deliver alcoholic beverages to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not opened to the public;
- (6) Sell, offer to sell, or deliver any alcoholic beverages, including malt beverages, by the pitcher, except to two (2) or more persons at any one time;
- (7) Increase the volume of alcohol contained in a drink without increasing proportionately the price regularly charged for such alcoholic beverage during the same calendar week;
- (8) Encourage or permit on the licensed premises any game or contest which involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as a prize.

(B) Each licensee shall maintain a schedule of the prices charged for all alcoholic beverages to be served and consumed on the licensed premises or in a room or part thereof. The licensee shall not vary the schedule of prices from day to day or from hour to hour within a single day. The schedule of prices shall be posted in a conspicuous manner so as to be in view of the paying public and said schedule shall be effective for not less than one (1) calendar week.

(C) No licensee shall advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under subsection (A).

**SECTION 3-221 BRING YOUR OWN BOTTLE "BROWN BAGGING"
PROHIBITED.**

(A) It shall be unlawful for any person to bring his or her own alcoholic beverage (brown bag) into any establishment which is licensed under any of the business license or occupation tax provisions of the City of Sugar Hill, Georgia, whether or not such establishment is licensed or unlicensed to serve alcoholic beverages.

(B) It shall be unlawful for any corporation, partnership, individual or other entity who maintains a business which is lawfully licensed by the City of Sugar Hill, Georgia, to permit, allow or suffer the consumption or possession of any alcoholic beverages within any premises licensed for business under the laws and ordinances of the City of Sugar Hill, Georgia. Subpart (B) of this section shall not apply to nor shall it affect the lawful sale of alcoholic beverages for consumption by licensees operating under a valid license issued under the terms of this or other ordinances providing for consumption of alcoholic beverages on the premises.

SECTION 3-222 SALE OR DELIVERY TO UNLICENSED PREMISES

It shall be unlawful for any licensee hereunder to make deliveries of any alcoholic beverages by the package on the premises or beyond the boundaries of the premises covered by the license.

**SECTION 3-223 PURCHASE RESTRICTED; REQUIREMENTS OF WHOLESALERS
GENERALLY; MINIMUM LEGAL CONTAINER; SALES OFF-
PREMISES PROHIBITED.**

(A) No licensed retail consumption dealer shall buy or arrange to buy or in any way affect the transfer of any alcoholic beverages except from a wholesaler licensed by the state revenue department and the City. All wholesale dealers or distributors shall comply with all laws and regulations of the state revenue department before they sell or deliver any alcoholic beverages in the city. Deliveries and sales shall be made only to retailers licensed under the provisions of this ordinance and all deliveries shall be made in conveyances owned and operated by such wholesale dealers or distributors.

(B) No retail consumption dealer may purchase spirituous liquors in containers smaller than seven hundred fifty (750) milliliters.. The sale of alcoholic beverages by the licensee hereunder in unbroken packages or in any quantity for other than consumption on the premises is expressly prohibited.

SECTION 3-224 REGULATIONS GOVERNING RETAIL STORAGE

No retail consumption dealer licensed hereunder shall keep any alcoholic beverages at any place except the licensed place of business. No retail consumption dealer shall be permitted to enter any type of arrangement whereby alcoholic beverages ordered by licensee are stored by licensed wholesaler. The business premises of a licensed retail consumption dealer hereunder shall be open to inspection at any and all times by officers or officials representing the governing authority authorized to inspect such premises. Any alcoholic beverage found in any retailer's stock that is sold or distributed by a wholesaler who is not licensed in accordance with the laws of Georgia to make sales and deliveries in

the City of Sugar Hill shall be subject to immediate confiscation.

SECTION 3-225 MISREPRESENTATION OF ALCOHOLIC BEVERAGES

It shall be unlawful for licensees holding a license permitting the sale of alcoholic beverages for consumption on the premises or their agents to add to the contents of a bottle or to refill empty bottles or in any manner misrepresent the quantity, quality or brand names of any alcoholic beverage.

SECTION 3-226 DISPLAY OF LICENSES

The licenses provided for herein shall at all times be kept plainly exposed to view of the public at the place of business of the licensee.

**SECTION 3-227 LICENSEES TO MAINTAIN A COPY OF THIS ORDINANCE;
EMPLOYEES TO BE FAMILIAR WITH ITS TERMS;
RESPONSIBILITY OF LICENSEE FOR VIOLATIONS**

Each retail consumption dealer hereunder shall keep a copy of this Ordinance in the licensed premises and shall instruct any person working therein with respect to the terms hereof and each licensee, the licensee's agents and employees selling alcoholic beverages shall at all times be familiar with the terms hereof. The licensee shall be responsible for any acts of agents or employees which are in violation of this Ordinance or of the Laws of the State of Georgia or of the Rules and Regulations of the State Revenue Commissioner, except as hereinafter provided.

SECTION 3-228 (RESERVED)

SECTION 3-229 EXTERIOR ADVERTISEMENT PROHIBITED

No outdoor advertising or signs with respect to the sale of alcoholic beverages, or the prices of such beverages, shall be permitted on the exterior of any retail outlet, or on the windows or elsewhere in the outlet that may be viewed from the outside.

SECTION 3-230 SALES RESTRICTED TO PREMISES ONLY

No retail consumption dealer shall sell or deliver any alcoholic beverages to any person except in said licensee's place of business.

SECTION 3-231 SUSPENSION OR REVOCATION; NOTICE HEARING; REFUND

(A) Any license permitting the sale of alcoholic beverages which has been issued or which may hereafter be issued by the City of Sugar Hill to any licensee may be suspended or revoked for due cause as hereinafter defined, and after a hearing held for the purpose of considering any such suspension or revocation.

(B) The Mayor of the City of Sugar Hill is hereby authorized to suspend any license issued hereunder for any emergency situation such as civil disorders or natural disasters or in any situation that the Mayor deems such immediate suspension necessary for the protection of the health and welfare of the citizens of the City of Sugar Hill, and such suspension may be made effective immediately and shall remain in force until the Mayor determines that the emergency is over or until the next regular meeting of the Mayor and Council or a meeting called prior to the next regular meeting.

(C) Where a license, identified in subparagraph (A), is suspended or revoked, the City shall not be required to refund any portion of the license fee to the holder of such suspended or revoked license.

SECTION 3-232 SUSPENSION OF LICENSE; CAUSES

(A) Any license permitting the sale of alcoholic beverages which has been issued or which may hereafter be issued by the City of Sugar Hill to any licensee may be revoked for due cause as hereinafter defined after a hearing held for the purpose of considering such revocation. Any license permitting the sale of alcoholic beverages which has been issued or which may hereafter be issued by the City of Sugar Hill to any licensee may be suspended for due cause as hereinafter defined beginning thirty days after notification without a hearing unless the licensee appeals such suspension as provided for in this Ordinance within fifteen days after such notification.

(B) The violation of any term, condition or provision of this Ordinance in any particular, or as to any detail whatsoever by the licensee, shall be cause for the suspension or revocation of any license as provided for in this Ordinance.

(C) Whenever the State shall revoke any permit or license to manufacture or sell, at wholesale or retail, any alcoholic beverages, or suspend or revoke a state retail consumption dealer's license, said action shall automatically serve to suspend the applicable city license issued under the terms of this Ordinance pending a revocation hearing as provided for in this Ordinance. Whenever the judicial system for the State of Georgia or the City of Sugar Hill shall convict or accept a plea of guilty or nolo contendere for the sale of alcoholic beverages to an underage person, the license issued by the City to the offending licensee shall thereupon be automatically suspended pending a revocation hearing as provided for in this Ordinance.

(D) Any material omission from or untrue or misleading information which is contained in an original, renewal or transfer application for a license permitting the consumption of alcohol on the premises hereunder shall be cause for the denial or refusal of a license, and if any license has previously been granted under

such circumstances, the same shall constitute due cause for revocation of such license. Any failure to notify of the change in any relationship as specified in Section 3-214 within thirty (30) days within such change is made shall likewise constitute due cause for cancellation, revocation or suspension of a license issued hereunder. Further, failure to pay all fees, taxes or other charges imposed under the provisions of this ordinance shall constitute due cause for cancellation, revocation or suspension of a license issues hereunder.

(E) Any licensed establishment that is found to be in violation of Sections 3-219 or 3-220 of this ordinance shall be subject to immediate license suspension pending a revocation hearing as provided for in this Ordinance, in addition to all other penalties provided for in this Ordinance.

(F) The Clerk shall call a hearing as provided for in this Ordinance to revoke the license of any licensee whose license has been suspended three (3) or more times in any consecutive twelve-month period.

(G) The Clerk shall call a hearing as provided for in this Ordinance to revoke the license for any premises where alcoholic beverages have been sold or distributed during a period of suspension.

(H) The Clerk may suspend or revoke the license of any establishment which does not meet the licensing qualifications set forth in this Ordinance any time such knowledge becomes known to him or her as provided for in this Ordinance.

(I) An act or omission of a licensee, holding a license permitting the sale of alcoholic beverages for consumption on the premises, who is owner of more than a ten percent (10%) interest in the licensed establishment willingly or knowingly performed, which constitutes a violation of Federal or State law or any provision of this Ordinance will subject the licensee to suspension or revocation of its license in accordance with the provisions of this Ordinance when the Clerk determines to his or her own satisfaction that the act or omission did occur, regardless of whether any criminal prosecution or conviction ensues. In the case of an employee, the Clerk must determine that the acts of the employee were known to or under reasonable circumstances should have been known to the licensee, were condoned by the licensee, or the licensee had not established practices or procedures to prevent the violation from occurring.

SECTION 3-233 ALCOHOLIC BEVERAGE REVIEW BOARD

There is hereby established an Alcoholic Beverage Review Board which shall have the duty of hearing appeals from decisions of the Clerk denying the issuance or renewal of any license provided for

by this Ordinance and to hear appeals from the decision of the Clerk revoking or suspending any such license provided for by this Ordinance. The Alcoholic Beverage Review Board shall be composed of five (5) citizens of the City of Sugar Hill appointed by the Mayor and Council to serve a two year term.

SECTION 3-234 HEARINGS

(A) No license shall be denied, suspended or revoked without the opportunity for a hearing except as hereinafter provided.

(B) The Clerk shall provide written notice to the applicant or licensee of his order to deny, suspend, or revoke the license. Such written notification shall set forth in reasonable detail the reasons for such action and shall notify the applicant or licensee of the right to appeal under the provisions of this Ordinance. Any applicant or licensee who is aggrieved or adversely affected by a final action of the Clerk may have a review thereof by appeal to the Alcoholic Review Board. Such appeal shall be by written petition, filed in the office of the Clerk within fifteen (15) days after the final order or action of the Clerk.

(C) A hearing shall be conducted on each appeal within thirty (30) days of the date of filing with the Clerk, unless a continuance of such date is agreed to by the appellant and the Clerk. The appellant at such hearing shall have the right to be represented by an attorney, at the expense of the appellant, and to present evidence and cross examine witnesses.

(D) The findings of the Alcoholic Review Board shall be forwarded to the Clerk after the conclusion of the hearing and it shall be the duty of the Clerk to notify the appellant of the action of the Alcoholic Review Board.

(E) The findings of the City Clerk shall not be set aside unless the Alcohol Beverage Review Board finds them to be:

- (1) Contrary to law or ordinances; or
- (2) Unsupported by substantial evidence on the record as a whole; or
- (3) Unreasonable.

(F) The findings of the Alcoholic Review Board shall be final unless appealed within thirty (30) days of the date of said findings by certiorari to the Superior Court of Gwinnett County.

SECTION 3-235**NOTICE**

For the purpose of Section 3-233 and 3-234, notice shall be deemed delivered when personally served or, when served by registered mail and/or certified mail, within three (3) days after the date of deposit in the United States Mail.

SECTION 3-236**ACCEPTANCE AND CONSIDERATION OF APPLICATION
AFTER REJECTION OR REVOCATION**

When any license or permit authorizing the sale of spirituous liquor for consumption on the premises is revoked, it shall be unlawful for the appropriate governing officials to accept and/or consider any application from the same applicant for license within twelve (12) months from the time of such revocation.

SECTION 3-237**TIME LIMIT FOR COMMENCEMENT OF BUSINESS IN
LICENSEE'S ESTABLISHMENT; FORFEITURE FOR NON-USE**

(A) All holders of licenses for the sale of spirituous liquor for consumption on the premises must, within twelve (12) months after the issuance of said license, open for business, the establishment referred to in the license. Failure to open the licensed establishment within twelve (12) months after the issuance of such license shall serve as cause for the forfeiture of such license and no refund of license fees shall be made to the license holder.

(B) Failure to operate the business authorized by the license referred to in subsection (A) above for a period of six (6) consecutive months after the licensee has begun operation under a license shall serve as cause for the forfeiture of such license and no refund of license fees shall be made to the license holder.

SECTION 3-238**COMPLETION OF PROPOSED LICENSED PREMISES**

Where a building in which an applicant proposes to operate under a license permitting the sale of spirituous liquor for the consumption on the premises is at the time of the application for such license not in existence, or not yet completed, a license may be issued for such location providing the plans and specifications for the proposed building are filed with the Clerk and show clearly a compliance with the other provisions of this Ordinance and applicable ordinances of the City. No sales shall be allowed in such establishment until it has been completed in accordance with said plans and specifications and is in conformity with all other provisions of this Ordinance and applicable ordinances of the City and an occupancy permit has been issued.

SECTION 3-239**REMOVAL OF SIGNS**

When any license for the sale of alcoholic beverages is revoked, all signs indicating that such beverages may be sold or purchased, shall be immediately removed from the place of business.

SECTION 3-240**RESTRICTION UPON TRANSFERS**

(A) Licenses for the sale of spirituous liquor for consumption on the premises shall not be transferrable except as otherwise provided in this section.

(B) In case of the death of any person owning a license issued under this Ordinance, or any interest therein, the same may, with the approval of the Clerk and subject to the terms of this Ordinance, be transferred to the administrator, executor or personal representative of the deceased person, or to the heirs at law of the deceased person, if such heirs meet all of the other qualifications contained herein. The license of such deceased person shall be held by the administrator, executor or personal representative of such deceased person only for the time necessary to complete execution of his estate and dispose of the license or his interest therein, but in no event to exceed six (6) months.

(C) Nothing in this section, however, shall prohibit one or more of the partners in a partnership holding a license to withdraw from the partnership and to assign his/her interest in such partnership to one or more of the partners who were partners at the time of the issuance of the license. Such withdrawal shall not, however, serve as to bring any new ownership into the partnership, unless all provisions of this Ordinance are fully complied with by the new partner.

(D) Should a transfer of the location be approved, there shall be no prorata return of any license fee and the new location shall meet all requirements of a new license to be issued hereunder, except payment of license and investigation fees.

(E) A licensee may take in partners or additional stockholders where it is determined that additional capital furnished is to be used exclusively for additional inventory or expanding the facilities of the business or for building new facilities and where it appears that the licensee himself will directly receive none of the additional capital investment. Under this section an additional partner or new stockholder must be approved in accordance with this Ordinance. This section only applies to corporations when the new stockholder obtains ten percent (10%) or more of the common stock.

**SECTION 3-241 APPLICATION FOR NEW LICENSE IN EXISTING LICENSE
LOCATION**

An application filed under this section shall meet and qualify under all requirements of this Ordinance for granting of a new license.

**SECTION 3-242 EMPLOYEES OF LICENSEES TO BE FINGERPRINTED;
PROCEDURE**

(A) All persons employed to work on the premises in connection with the sale of spirituous liquor for consumption on the premises must be fingerprinted by the Gwinnett County Police Department and issued a letter of clearance by the Gwinnett County Police Department indicating the person employed is eligible for employment.

(B) All persons subject to the provisions of this section shall, within three (3) days after the date of their first work in an establishment holding a license to sell alcoholic beverages, report to the Gwinnett County Police Department for purposes of being fingerprinted.

(C) The Gwinnett County Police Department shall make a complete and exhaustive search relative to the record of any person so fingerprinted. In the event there is a record of a violation, as defined in Section 3-243, the City Marshall or City Clerk shall issue a letter to the person fingerprinted stating that the person is not eligible for employment. The City Marshall or City Clerk shall likewise notify the employer that such person is not eligible for continued employment.

(D) Any letter of eligibility for employment issued hereunder shall expire twelve (12) months from the date of issuance unless earlier cancelled. The City may prescribe regulations for certifying the eligibility for continued employment without the necessity of an employee being again fingerprinted. The Gwinnett County Police Department may prescribe reasonable fees for certifying the eligibility for employees which fee shall be paid by the employer or the employee at the time request for eligibility certification is made.

(E) It shall be the duty of all the persons holding a license under the terms of this Ordinance to file with the City Clerk the names of all employees working on the premises and connected with the sale or other disposition of alcoholic beverages with their Social Security number, date of birth, home addresses and home telephone numbers and places of employment. Changes in the list of employees, with the names of new employees, must be filed with the City Clerk within three (3) days from the date of any such change.

(F) The licensee is responsible for the conduct and action of his/her employees while in his/her employment.

SECTION 3-243 EMPLOYMENT OF PERSONS WITH PRIOR CONVICTIONS PROHIBITED

No licensee shall employ in any premises licensed for the sale of alcoholic beverages any person in any capacity whatsoever, who has been convicted of, in this state or any other state, or in the United States, or in any other country, within ten (10) years immediately prior to the application for employment: soliciting for prostitution, pandering, letting of premises for prostitution, keeping a disorderly house, illegal dealing in narcotics, sex offenses or other charges related to the manufacturer or sale of alcohol or any crime involving moral turpitude.

SECTION 3-244 APPLICATION; DATA; INFORMATION

(A) The City Clerk shall have authority to prescribe forms for new or renewal applications which are required under this Ordinance. All applicants shall furnish all data requested of them by the Clerk and failure to furnish such data, information and records within thirty (30) days from the date of such request shall automatically serve to dismiss, with prejudice, the application. The applicants, by filing an application for a license permitted under this Ordinance, agree to produce, for oral interrogation, any person or persons requested by the Clerk or the Gwinnett County Police Department, considered as being important in the ascertainment of the facts relative to such application and/or license to be issued under this Ordinance. The failure to produce such person or persons within thirty (30) days after being requested to do so shall result in the automatic dismissal of any application pending under this Ordinance.

SECTION 3-245 ISSUANCE OF LICENSES LIMITED TO DESIGNATED AREA

No license permitting the retail sale of spirituous liquor for consumption on the premises shall be granted to any applicant hereunder unless the proposed premises for the sale of spirituous liquor for consumption on the premises is a restaurant, hotel, or lounge, and is located in the appropriate zoning district permitting such use as provided by the zoning ordinances of the City of Sugar Hill now or hereafter amended. Such sales shall be permitted in the following zoning districts: BG, HSB.

SECTION 3-246 SALE AT PUBLIC GOLF COURSE

The City or any other entity designated by the City to provide food service at the City of Sugar Hill Public Golf Course shall be authorized to obtain a license under the provisions of this ordinance for the sale of spirituous liquor by the drink, either in association with the provision of food service or in connection

with private parties which may be conducted in or around the clubhouse facilities.

SECTION 3-247 CITIZENSHIP; RESIDENCE REQUIREMENTS; REGISTERED AGENT

(A) No license permitting the sale of spirituous liquor for consumption on the premises shall be granted to any applicant who is not a citizen of the United States or an alien lawfully admitted for permanent residence. Where the applicant is a corporation or other business entity other than an individual, the stock holders or joint venturers or principals behind such business must meet the requirements of this section and, in the event any license provided for hereunder shall be issued, such license shall be issued in the name of the corporation and the principal stockholder or principal behind such business entity. If the applicant is a partnership, the requirements of this section shall apply to all partners.

(B) All establishments licensed to sell spirituous liquor for consumption on the premises must have and continuously maintain in the City or Gwinnett County a registered agent upon whom any process, notice or demand required or permitted by law under this Ordinance to be served upon the licensee or owner, may be served. This person must be a resident of the City or Gwinnett County. The licensee shall file the name of each such agent along with the written consent of such agent with the Clerk at the time of application.

SECTION 3-248 DISTANCE FROM SCHOOLS, CHURCHES, RESIDENCES

No license permitting the sale of spirituous liquor for consumption on the premises shall be issued hereunder where the place of business of the applicant is located within a distance of one hundred (100) yards of any church or with two hundred (200) yards of any school or college. If an applicant or licensee otherwise qualifies hereunder, he shall be entitled to a license to continue to operate any business described herein in the event that subsequent to the date of granting a license hereunder a school or church is located closer than the distance set forth herein.

SECTION 3-249 HOURS OF SALE

(A) No one holding a license under this Ordinance shall furnish, sell or offer for sale any alcoholic beverage at any time except between the hours of 9:00 a.m. until 1:30 a.m. Monday through Friday, and 9:00 a.m. until 12:00 midnight on Saturday.

(B) No license holder shall serve alcoholic beverages at any time in violation of a local ordinance or regulation or of a special order of the Mayor and Council or on Sundays.

SECTION 3-250**OTHER LICENSES**

The licenses and taxes provided for in this Ordinance are not levied in lieu of any other license fees or taxes that may be levied upon licensed premises, but are in addition thereto.

**SECTION 3-251 EMPLOYMENT OF UNDERAGE PERSONS PROHIBITED;
EXCEPTIONS**

No licensee shall employ any person under twenty-one (21) years of age, in or about the premises where alcoholic beverages are sold or offered for sale, to sell, take orders for delivery, or to aid or assist in the sale or delivery, directly or indirectly, of alcoholic beverages unless the said person under twenty one (21) years of age shall be under direct supervision of a person who shall be both employed by said establishment and who shall be over the age of twenty one (21) years of age.

**SECTION 3-252 SALES TO UNDERAGE PERSONS, INCOMPETENTS,
DRUNKARDS PROHIBITED**

No licensee hereunder shall sell alcoholic beverages to any person under the age of twenty one (21) years of age, or to any person in an intoxicated condition or to any person known to such licensee or his employees to be a habitual drunkard, or to any such person known to such licensee or his employees to be of unsound mind.

**SECTION 3-253 FURNISHING OF ALCOHOLIC BEVERAGES TO UNDERAGE
PERSONS**

It shall be unlawful for any person to purchase for or to furnish any alcoholic beverages to any person who has not attained the age of twenty one (21) years.

**SECTION 3-254 PURCHASE, CONSUMPTION OR POSSESSION BY OR FOR
UNDER AGED PERSONS**

(A) It shall be unlawful for any person under twenty one (21) years of age to purchase, drink or possess any alcoholic beverages within the City of Sugar Hill.

(B) It shall be unlawful for any person to keep or maintain a place where any person under twenty one (21) years of age is allowed or permitted to come and purchase, drink, or possess an alcoholic beverage.

(C) It shall be unlawful for any parent or other person to buy alcoholic beverages and furnish the same on the premises to persons under twenty one (21) years of age for consumption.

(D) It shall be the responsibility of the licensee to examine the identification of patrons to be certain that such patrons are of legal age. A Georgia drivers license, which is apparently valid upon its face, may be accepted by the licensee or his employee as evidence of age.

SECTION 3-255 MISREPRESENTATION OF AGE BY PERSONS UNDER TWENTY ONE YEARS OF AGE

(A) It shall be unlawful for any person under twenty one (21) years of age to falsely misrepresent his/her age in any manner whatsoever.

(B) It shall be unlawful for any person under twenty one (21) years of age to purchase, drink or possess any alcoholic beverages as defined herein.

SECTION 3-256 ALCOHOLIC BEVERAGES IN PUBLIC PLACES

(A) It shall be unlawful for any person to consume any alcoholic beverage while in or upon public streets, alleys, sidewalks, parking lots, or other public ways except as otherwise provided or allowed by this Code.

(B) No person shall be in possession of any glass, can or open container containing alcoholic beverages on any thoroughfare, street, sidewalk, alley, parking lot or any other public way.

(C) No person, firm or corporation licensed to sell alcoholic beverages shall permit any person to remove from such premises, any alcoholic beverage.

(D) No person shall have in his or her possession an open container containing alcoholic beverages while within or on a motor vehicle, including motorcycles, while parked or standing on a public street or public parking lot in the city, or while such vehicle is in motion.

SECTION 3-257 ANNUAL FEES FOR SALE OF SPIRITUOUS LIQUOR FOR CONSUMPTION ON THE PREMISES

(A) The licenses listed below are the only license authorized to be issued by this chapter and each such license is a separate and distinct license and shall require the payment of separate license fees as provided for in this chapter. The types of licenses, the restrictions on the issuance of each, and the fees for such licenses are as follows:

- (1) Each licensee holding a license for the sale of spirituous liquor for consumption on the premises shall pay an annual fee of \$ 2,500.00. This fee may be amended annually.

- (2) All annual license fees herein shall be paid in advance, on or before January 1 of each year and any new license granted hereunder during a calendar year shall pay the full license fee without proration; provided, however, that if a license is granted after July 1, the license fee shall be one half (1/2) of the annual license for such calendar year.
- (3) Any person licensed hereunder shall be required to renew his/her license on or before January 1 of each year. In addition to any other penalties that may be authorized otherwise, a penalty of ten percent (10%) of the license fee shall be imposed for failure to renew the license on or before January 1 of each year.

SECTION 3-258 SPECIAL PROVISIONS APPLICABLE TO WHOLESALE PURCHASE

(A) Any person desiring to sell at wholesale any alcoholic beverages in the City of Sugar Hill shall make application to the Clerk of the City for a license to do so, which application shall be in writing on the prescribed forms and pay any application and license fees as set by this Ordinance.

(B) No person who has any direct financial interest in any license for the retail sale of any alcoholic beverages in the City of Sugar Hill shall be allowed to have any interest or ownership in any wholesale alcoholic beverage license issued by the City of Sugar Hill.

(C) No retailer shall purchase any alcoholic beverage from any person other than a wholesaler licensed under this ordinance. No wholesaler shall sell any alcoholic beverage to any person other than a retailer licensed under this Ordinance. Provided, however, that this section shall not prohibit the purchase by one retailer of another retailer's entire stock in a bona fide purchase of an ongoing business.

(D) No alcoholic beverage shall be delivered to any retail sales outlet in the City except by a duly licensed wholesaler. The name of the wholesale distributor shall be clearly marked on the delivery vehicle.

SECTION 3-259 ANNUAL FEES FOR WHOLESALERS

Each licensee for Wholesale Sales shall pay an annual fee of \$ 100.00. This fee may be amended annually.

SECTION 3-260

EXCISE TAX: LEVIED, AMOUNT, PAYMENT, DUTIES OF DEALERS AND WHOLESALERS

(A) Scope of Section. In addition to all other taxes or license fees heretofore or hereafter imposed upon retail dealers engaged in the City in the business of selling alcoholic beverages, there is imposed and levied upon all hereinafter described dealers within the City an excise tax to be computed and collected as hereinafter set forth. The taxes imposed by this Ordinance shall not be levied with respect to the following:

- (1) Wine sold to and used by established and recognized churches and synagogues for use in sacramental service only; and
- (2) Any sale of wine which is exempt from taxation by the state or under the Constitution of the United States.

(B) Basis for Computation of Tax.

- (1) The tax levied hereunder shall be computed on the basis of twenty-two cents (\$0.22) per liter for spirituous liquors sold or delivered as hereinafter set forth. The twenty-two cents (\$0.22) per liter shall be pro-rated down on fractional parts of liters, so that each bottle or each individual size container shall be taxed on the basis of twenty-two cents (\$0.22) per liter. It shall be unlawful and a violation of this Ordinance for any such licensee to possess, own, hold, store, display or sell any liquor on which such tax has not been paid.

(C) Computations, Payment, Duties of Wholesale Dealer and Distributor. The tax imposed shall be computed and payable monthly. Each wholesale dealer or distributor selling, shipping, or delivering alcoholic beverages to any retail dealer in the City of Sugar Hill shall, as a condition to the privilege of conducting said business in the City of Sugar Hill:

- (1) Keep and maintain true and correct records of all sales, shipments or deliveries of alcoholic beverages to each retail dealer in the City of Sugar Hill such records to be preserved for a period of not less than one (1) year and to be made available on request for the inspection of any duly authorized representative of the City.
- (2) Collect from each retail dealer in the City of Sugar Hill at time of delivery of alcoholic beverages the amount of tax due under the terms of this Section and hold the same in trust for the City until such tax is remitted to the City as herein provided.

(3) On or before the 10th day of each calendar month, each wholesaler shall make a verified and comprehensive report to the City which shall correctly show and reflect all sales and deliveries of alcoholic beverages to or for retail dealers in the City for the calendar month immediately preceding the date of said report. Said report shall show the name and address of each retail dealer, the quantities delivered to each retail dealer, the amount of excise tax collected under the terms of this Section, and such other reasonable information as may be requested by the City. Said report shall be accompanied by remittance payable to the City of Sugar Hill for all taxes collected or due, as shown on said report.

(4) The excise tax levied in this Section is hereby levied upon the retailer licensed to do business in the City of Sugar Hill and it is the intent of this Ordinance to so levy this tax but to require the payment of the tax at the time of delivery to the retailer by the wholesaler, who shall have the responsibility of remitting the tax to the City on behalf of the retailer on or before the 10th day of each calendar month, as hereinbefore required. In the event the tax due hereunder is not paid on or before the 10th day of each calendar month, a ten percent (10%) penalty on the gross tax will be levied by the City against each defaulting retailing licensee for whom the tax is not paid on or before the 10th day of the month.

(5) To insure payment of the excise tax levied hereby and prior to the issuance of any retail alcoholic beverage license in the City, an applicant must post and file with the governing authority of the City, along with his application, a performance bond conditioned upon the faithful observance and performance by the applicant of the rules and regulations contained in this Ordinance, and upon the payment of any taxes due to the City of Sugar Hill. Upon the violation of this Ordinance, or any part thereof, such bond will be forfeited as determined by the Clerk at a hearing held for that purpose upon three (3) days written notice given to the licensee concerned. Bond shall be payable to the Clerk of the city and shall be in the amount of One Thousand Dollars (\$1,000.00) and shall be in a form acceptable to the Clerk of the City of Sugar Hill.

(D) Non-Compliance by Wholesale Dealer; Distributor. If any wholesale dealer or distributor fails or refuses to make the reports required herein, the City of Sugar Hill shall notify such dealer or distributor in writing and if the reports are not made and the taxes are not remitted within five (5) days from the date of such notice, such wholesale dealer or distributor shall be prohibited from making any further deliveries in the City of Sugar Hill and the retail licensees served by such wholesale dealer or

distributor for whom the taxes have not been paid shall be subject to having their license suspended or revoked as herein provided.

(E) Unlawful Retail Sales. It shall be a violation of this Ordinance for any person, firm or corporation to sell at retail within the City of Sugar Hill alcoholic beverages on which the taxes herein provided for have not been paid.

(F) Unlawful Deliveries. It shall be unlawful and a violation of this Ordinance for any wholesale dealer or distributor, person firm or corporation to deliver any alcoholic beverages to any retail dealer in the City of Sugar Hill without at the time of such delivery collecting the excise taxes herein provided for.

(G) Violations and Penalties. Any person, firm or corporation violating any of the provisions of this Ordinance or who shall assist any retail dealer in alcoholic beverages in the City of Sugar Hill to evade or avoid the payment of the taxes herein provided for shall be guilty of a violation of this Section and on conviction thereof in the Municipal Court shall be fined or sentenced as provided by this Ordinance and any such person so convicted shall also be subject to having his license suspended or revoked, if he shall be a licensed dealer in alcoholic beverage at wholesale.

SECTION 3-261 EXCISE TAX ON SALE OF SPIRITUOUS LIQUOR BY THE DRINK

(A) In addition to all other taxes or license fees imposed upon retail dealers engaged in the sale of spirituous liquor by the drink, there is imposed an excise tax upon the sale of said drinks in the amount of three hundredths percent (.03%) of the total cost of such drink which is charged to the public. Such taxes shall be collected by the licensee under this chapter and any such licensee shall remit the same to the Clerk of the City of Sugar Hill on or before the tenth (10th) day of the succeeding month along with a summary of the licensee's gross sales derived from the sale of spirituous liquor by the drink. Gross sales shall include all credit card sales and shall be reported and taxes collected thereon shall be submitted to the Clerk to the same extent as required of cash sales. It shall be the duty of every such licensee required to make a report and pay any tax levy hereunder to keep and preserve suitable records of the sales taxable under this Section, and such other books or accounts as may be necessary to determine the amount of tax due. It shall be the duty of every licensee to keep and preserve such records for a period of three (3) years.

(B) In the event the Clerk deems it necessary to verify the excise tax submitted to the city pursuant to this section, for any month, he or she shall notify the licensee of such need for verification and the licensee shall submit a verified comprehensive

report to the clerk, prepared by an auditor, reflecting all sales under this section by the licensee and the taxes submitted to the city. The licensee shall have thirty (30) days to submit such a report to the clerk following such a request.

SECTION 3-262 REQUIREMENTS OF WHOLESALERS GENERALLY

All wholesale dealers or distributors shall be licensed by the State Revenue Department of Georgia and shall comply with all laws and regulations of the State Revenue Department before they sell or deliver any alcoholic beverages in the City of Sugar Hill. Deliveries and sales shall be made only to retailers licensed under the provisions of this Ordinance and all deliveries shall be made in conveyances owned and operated by such wholesale dealers or distributors.

SECTION 3-263 RETAILERS TO PURCHASE FROM LICENSED WHOLESALERS ONLY

Retail dealers in alcoholic beverages licensed under the provisions of this Ordinance shall not buy nor accept deliveries of spirituous liquor from wholesalers, dealers or distributors, except who are licensed by the State Revenue Department of Georgia.

SECTION 3-264 INVOICES

(A) Upon each and every delivery by a licensed wholesaler to a licensed retailer, an invoice in triplicate shall be prepared showing the quantities and brands of spirituous liquor delivered, together with the price thereof and the excise tax due and collected thereon. The original of such invoice shall be delivered by the wholesaler to the retailer simultaneously with such delivery. The wholesaler shall retain the second copy of such invoice and shall keep it for a period of thirty-six (36) months after the date of delivery and during such thirty-six (36) month period, such invoices shall be made available for inspection by the Clerk of Sugar Hill, or their duly authorized representatives. Upon request of the City, a copy of such invoice shall be attached to any reports requested or required by the City.

(B) Each retail licensee doing business in the City of Sugar Hill shall keep and maintain the original invoice of each sale to him or purchase by him from a wholesaler of any alcoholic beverages for at least thirty-six (36) months after the date of such purchase and shall maintain records to show the sales of spirituous liquor and any other records required by the City. The City of Sugar Hill, or its duly authorized representative shall have the right to inspect the records of each licensee and make a complete audit of the records of each licensee at any time. Failure of a licensee to maintain proper records showing receipt of spirituous liquor, payment therefor, and payment of the taxes due thereon to the appropriate wholesaler, and records which clearly show the sales,

the amount of sales, and the types of sales of each licensee may, at the discretion of the Clerk, after a hearing as herein provided, result in the revocation or suspension of such license.

SECTION 3-265 (RESERVED)

SECTION 3-266 PRODUCTION OF RECORDS

In conjunction with any application for license, or in conjunction with any license which has been issued under the terms hereof, or in conjunction with the revocation, suspension or cancellation of any license, or in conjunction with the payment or non-payment of any excise tax levied or to be collected hereunder, the Clerk shall have the right to subpoena all or any part of the records, books, documents, reports or invoices of any licensee for the purpose of auditing the records of such licensee, securing compliance by such licensee with the provisions of this Ordinance proving or disproving violation of any part of this Ordinance by any licensee, or to show payment or non-payment of any taxes, fees, charges or the like due hereunder.

SEVERABILITY

In the event that any portion of this Ordinance shall be declared in violation of any superior law or the Constitution of the United States, or the Constitution of the State of Georgia, this Ordinance shall remain in full force and effect as if it had been written with said unlawful provision or part thereof omitted therefrom.

PENALTIES

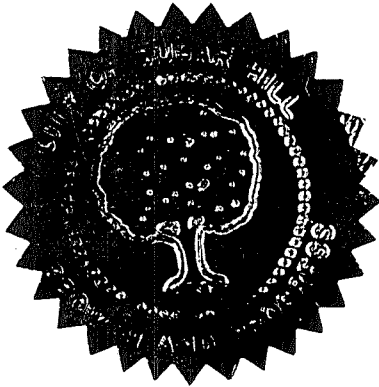
Any person who violates any provision of this Ordinance, may, upon conviction, be punished by a fine, not to exceed One Thousand Dollars (\$1,000.00), and imprisonment for a period not to exceed sixty (60) days, or by both such fine and imprisonment. Each day the violation continues constitutes a separate offense.

It is so Ordained, this 11 day of December, 1995.

Charles A. Spradlin
Council Member

[Signature]
Council Member

(signatures continue on following page)



Robert D. Quinn
Council Member

James B. Shanley
Council Member

W. J. D. O'Dell
Council Member

Attest: Debra B. Garbino
City Clerk

Submitted to Mayor: December 11, 1995

Approved by Mayor, this 11 day of December, 1995.

Harry J. West
Mayor

(signatures continuing from previous page)
SPIRITUOUS LIQUOR (CONSUMPTION) ORDINANCE

MINUTES
CITY OF SUGAR HILL CALLED COUNCIL MEETING
MONDAY, JULY 15, 1996-7:30 P.M.

The Mayor and Council of the City of Sugar Hill met for a Called Meeting on Monday, July 15, 1996 at 7:30 P.M. in the Community Center.

Notice of the meeting was posted on the doors of City Hall, on the Community Center door and on the sign at PIB and Alton Tucker Blvd.

Those present were Mayor Gary Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Tim Pugh, and newly elected Council Member Dorland Baird, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Election Superintendent James B. McCalla, Attorney Lee Thompson, Jean Baird and Family, Mrs. Charlotte Lanton, Leona Bailey, citizens and guests. Council Member Spradlin was absent due to a conflict in meetings.

The purpose of the Called Meeting was:
Certification of the Election
Oath of Office-Dorland Baird
Amending the Alcohol Ordinance
Permitting a Game Room

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Bailey gave the Invocation.

A: CERTIFICATION OF THE ELECTION:

Election Superintendent James McCalla presented the results of the Special Election held on Tuesday, July 9, 1996.

To fill the unexpired term of W. J. Dodd.

Dorland Baird	451
Herb Payne	445

"SHOULD THE GOVERNING AUTHORITY OF THE CITY OF SUGAR HILL, GEORGIA, BE AUTHORIZED TO PERMIT AND REGULATE SUNDAY SALES OF DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES, FOR BEVERAGE PURPOSES BY THE DRINK?"

YES:	535
NO:	359

Council Member Bailey made a motion to certify the returns, seconded by Council Member Pugh and unanimously passed by those present. (3-0)

B: OATH OF OFFICE-DORLAND BAIRD:

Mayor Webster administered the Oath of Office to newly elected Council Member Dorland Baird. Council Member Baird was accompanied by his wife, Jean Baird and other family members.

C: AMENDMENT TO ALCOHOL ORDINANCE:

Attorney Thompson presented an amendment to the Alcohol Ordinance to permit Sunday sales of alcohol by the drink for consumption on the premises only. Clerk Garbutt read the Ordinance. Council Member Bailey made the motion to approve the amendment, seconded by Council Member Pugh and passed on a unanimous vote of those present. (4-0)

D: GAME ROOM PERMIT:

Attorney Thompson brought the Council up to date on the issue and what the new Occupational Tax Law requires. Council Member Pugh made a motion to remove the item from the table. The motion died for a lack of a second.

EXECUTIVE SESSION:

Council Member Bailey made a motion, seconded by Council Member Pugh to go into Executive Session at 7:42 P.M. to discuss possible litigation and personnel. The motion passed on a unanimous vote of those present. (4-0)

The Executive Session ended at 7:59 P.M. on a motion by Mayor Pro Tem Davis, seconded by Council Member Baird and unanimously passed by those present. (4-0)

There was no action taken out of the Executive Session.

ADJOURNMENT:

Council Member Bailey made a motion to adjourn at 8:00 P.M., seconded by Council Member Baird and unanimously passed by those present. (4-0)

ORDINANCE

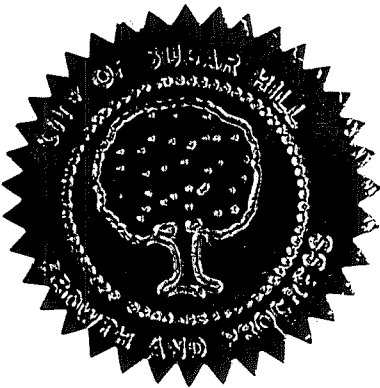
The Council of the City of Sugar Hill hereby ordains that Section 3-249 of the alcoholic beverage ordinance authorizing the sale of spirituous liquor for consumption on the premises of "The Code Sugar Hill, Georgia" is hereby amended by deleting said section and inserting in lieu thereof:

SECTION 3-249 HOURS OF SALE

(A) No one holding a license under this Ordinance shall furnish, sell or offer for sale any alcoholic beverage for consumption on the premises at any time except between the hours of 9:00 a.m. until 1:30 a.m. Monday through Friday; 9:00 a.m. until 12:00 midnight on Saturday; and in eating establishments which derive at least fifty percent (50%) of their total annual gross food and beverage sales from the sale of prepared meals or food, between 12:30 p.m. and 12:00 midnight on Sunday.

(B) No license holder shall serve alcoholic beverages at any time in violation of a local ordinance or regulation or of a special order of the Mayor and Council.

IT IS SO ORDAINED this 15 Day of July, 1996.



John C. Bailey
Council Member

John Ruff
Council Member

Robert A. Harris
Council Member

Abraham D. Bland
Council Member

Council Member

Attest: Beverly B. Gerhart

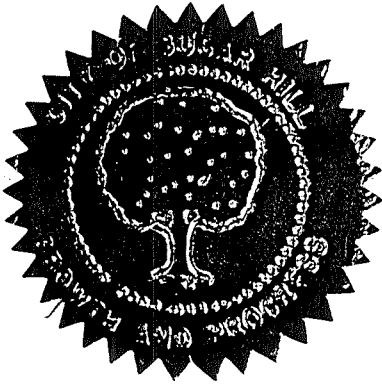
City Clerk

Submitted to Mayor: July 15, 1996

Approved by Mayor, this 15th day of July, 1996.

Harry L. White
Mayor

ADOPTED by the City Council of Sugar Hill, Georgia, this 8th day of April, 1996.



Harry L. Smith
Mayor

W. J. D. S. S.
Councilmember

John C. Hickey
Councilmember

Charles A. Spradley
Councilmember

Robert A. H. H.
Councilmember

J. H. Rugh
Councilmember

Attest:

Betty B. Garland
City Clerk

ORDINANCE

RZ-96-004

The Council of the City of Sugar Hill, Georgia hereby ordains:

That "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by amending the official zoning map adopted by that ordinance to classify the area described on Exhibit A which is attached hereto and incorporated herein by reference as Light Manufacturing and Industrial District (LM) on said official zoning map.

BE IT FURTHER ORDAINED THAT the following conditions are hereby included on the property as conditions of zoning:

A. Personal Storage Warehouses.

1. The color scheme of the buildings shall be provided and be of earthtone colors.
2. The site shall be enclosed within a fence.
3. The fence adjoining Georgia S.R. 20 shall be of decorative materials.
4. Lighting shall be contained in a cut-off type illuminaries so as not to reflect all adjoining residential properties.

B. Warehouse/Office

1. Elevations of Buildings facing any adjoining street right-of-way shall be constructed with a facade of brick, stone, or stucco.
2. All overhead doors shall be located to the interior of the site.
3. Any proposed outdoor storage shall be screened with a solid fence.
4. Lighting shall be contained in a cut-off type illuminaries so as not to reflect all adjoining residential properties.
5. All buildings shall be single story with a maximum interior height of 18'.
6. Site shall be built in concept proposed in site plan with offices located in the front and warehouses located in the rear of the building structure.
7. Buffer reduction is not approved.
8. Leave all trees along Border Street with a solid fence located along the rights-of-way to a point where visual clearance is seen along Railroad Avenue.
9. Within 5 years plant a row of shrubs along rear buffer so as to provide continual screen to adjoining residential properties.
10. Construction drawings shall be reviewed by the Planning Commission prior to issuance of a Development Permit for compliance with the intent of this zoning and to insure adequate landscaping is being provided.

RZ-96-004

IT IS SO ORDAINED, this _____ day of _____, 1996.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

**AGENDA CITY OF SUGAR HILL COUNCIL MEETING
MONDAY, AUGUST 12, 1996 - 7:30 P.M.**

CALL TO ORDER AND INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF JULY 8 AND JULY 15, 1996 MINUTES:

DEPARTMENT REPORTS:

A:	PLANNING AND ZONING, ZONING APPEALS BOARD:	NEVAD
B:	BUDGET AND FINANCE:	GIBBS
C:	UTILITIES:	NEVAD
D:	GOLF:	QUEEN
E:	RECREATION:	NEVAD
F:	DRAINAGE:	NEVAD
G:	ECONOMIC DEVELOPMENT:	SCOTT

OLD BUSINESS:

A:	COMPUTER SYSTEM:	SPRADLIN
B:	GAME ROOM PERMIT-REMOVE FROM TABLE:	PUGH
C:	ZONING PROPOSAL-REMOVE FROM TABLE:	NEVAD
D:	PUBLIC INVITATION TO "OLEANNA"	WEBSTER

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

A:	RZ96003-ROBERT S. JORDAN-PIB MAP # 7274 00A-27.692 ACRES FROM LM TO BG: PUBLIC HEARING	NEVAD
B:	DISCUSSION ON ORDINANCE ON BUFFER, LANDSCAPE, TREES:	NEVAD
C:	ANNEXATION APPLICATION ACCEPTANCE: .5 ACRES OFF WHITEHEAD ROAD SUGAR VALLEY JOINT VENTURE	NEVAD
D:	LEGAL CONSULTATIONS:	SPRADLIN
E:	ORGANIZATION CHART:	SPRADLIN
F:	RATIFY NEW REVIEW FEES:	NEVAD
G:	GAS TAP FEES:	NEVAD
H:	ABANDONMENT OF FLOYD STREET:	THOMPSON
I:	ANIMAL NUISANCE-POOPER SCOOPER LAW:	DAVIS
J:	UNITED WAY INC.-WASTE DISPOSAL:	BELLAMY

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

POSSIBLE LITIGATION:
PERSONNEL:

ADJOURNMENT:

AGENDA
CITY OF SUGAR HILL COUNCIL MEETING
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CITY CLERK'S REPORT:

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PERSONNEL:

ADJOURNMENT:

MINUTES
CITY OF SUGAR HILL CALLED COUNCIL MEETING
MONDAY, JULY 15, 1996-7:30 P.M.

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Notice of the meeting was posted on the doors of City Hall, on the Community Center door and on the sign at PIB and Alton Tucker Blvd.

Those present were Mayor Gary Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Tim Pugh, and newly elected Council Member Dorland Baird, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Election Superintendent James B. McCalla, Attorney Lee Thompson, Jean Baird and Family, Mrs. Charlotte Lanton, Leona Bailey, citizens and guests. Council Member Spradlin was absent due to a conflict in meetings.

The purpose of the Called Meeting was:
Certification of the Election
Oath of Office-Dorland Baird
Amending the Alcohol Ordinance
Permitting a Game Room

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Bailey gave the Invocation.

A: CERTIFICATION OF THE ELECTION:

Election Superintendent James McCalla presented the results of the Special Election held on Tuesday, July 9, 1996.

To fill the unexpired term of W. J. Dodd.

Dorland Baird	451
Herb Payne	445

"SHOULD THE GOVERNING AUTHORITY OF THE CITY OF SUGAR HILL, GEORGIA, BE AUTHORIZED TO PERMIT AND REGULATE SUNDAY SALES OF DISTILLED SPIRITS OR ALCOHOLIC BEVERAGES, FOR BEVERAGE PURPOSES BY THE DRINK?"

YES:	535
NO:	359

Council Member Bailey made a motion to certify the returns, seconded by Council Member Pugh and unanimously passed by those present. (3-0)

B: OATH OF OFFICE-DORLAND BAIRD:

Mayor Webster administered the Oath of Office to newly elected Council Member Dorland Baird. Council Member Baird was accompanied by his wife, Jean Baird and other family members.

C: AMENDMENT TO ALCOHOL ORDINANCE:

Attorney Thompson presented an amendment to the Alcohol Ordinance to permit Sunday sales of alcohol by the drink for consumption on the premises only. Clerk Garbutt read the Ordinance. Council Member Bailey made the motion to approve the amendment, seconded by Council Member Pugh and passed on a unanimous vote of those present. (4-0)

D: GAME ROOM PERMIT:

Attorney Thompson brought the Council up to date on the issue and what the new Occupational Tax Law requires. Council Member Pugh made a motion to remove the item from the table. The motion died for a lack of a second.

EXECUTIVE SESSION:

Council Member Bailey made a motion, seconded by Council Member Pugh to go into Executive Session at 7:42 P.M. to discuss possible litigation and personnel. The motion passed on a unanimous vote of those present. (4-0)

The Executive Session ended at 7:59 P.M. on a motion by Mayor Pro Tem Davis, seconded by Council Member Baird and unanimously passed by those present. (4-0)

There was no action taken out of the Executive Session.

ADJOURNMENT:

Council Member Bailey made a motion to adjourn at 8:00 P.M., seconded by Council Member Baird and unanimously passed by those present. (4-0)

**MINUTES
COUNCIL MEETING
AUGUST 12, 1996 - 7:30 P.M.**

The Mayor and Council of the City of Sugar Hill met for the Regular Monthly Meeting on August 12, 1996 at 7:30 P.M. in the Community Center.

The Agenda was posted on the door of the Community Center, the City Hall and faxed to the media on Wednesday, August 7, 1996.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Dorland Baird, Tim Pugh, and Charles Spradlin, City Manager Warren P. Nevad, Deputy City Clerk Shirley Gibbs, Golf Director Wade Queen, Attorney Lee Thompson, registered guests Steve Patterson and Bob Wagner, citizens, guests and representatives of the news media. Clerk/Finance Director Betty B. Garbutt was on vacation.

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Spradlin gave the Invocation.

Council Member Spradlin made a motion to approve the Agenda with one (1) modification of adding, before department reports, a presentation by the Gwinnett County Department of Family and Children Services on Foster Care. Manager Nevad requested that Item J, United Waste Disposal, under New Business be removed. The motion was seconded by Council Member Bailey and passed on a unanimous vote. (5-0)

Council Member Spradlin made a motion to approve the July Minutes, seconded by Council Member Baird and approved unanimously. (5-0)

Gwinnett County DEFAC Presentation:

Recruitment Coordinator Steve Patterson discussed issues of Child Abuse and Neglect. He gave a very informative report, of the needs, on the 400 children in the 70 foster homes in Gwinnett County. He distributed information packets to be given to those interested in the program. He gave information on future events planned for the foster children in Gwinnett County. Mayor Webster stated this is a program he believes in because he was a foster child himself. Council Member Spradlin thanked Mr. Patterson for his presentation and the work he is doing.

DEPARTMENT REPORTS:

A: PLANNING AND ZONING, ZONING APPEALS BOARD:

Manager Nevad reported that during July the department issued 26 single family residential permits, and 2 development permits. There were 280 inspections conducted.

Manager Nevad reported that the P&Z Board recommended that 27

acres be rezoned on PIB from Light Manufacturing to General Business for a neighborhood shopping center. This will be discussed later tonight.

Manager Nevad also reported that the Zoning Appeals Board rescinded the approval of a Development Permit for an Asphalt Plant to be constructed on Brogdon Road.

Buffer requirements will be discussed later tonight.

B: FINANCE DEPARTMENT:

Deputy Clerk Gibbs reported that the City continues to maintain \$100,000+ in the checking account and that we have transferred \$300,000 from General Fund, \$314,816.75 from Sanitation Escrow Account and \$47,500 from the Golf Club House Escrow Account to the Georgia Fund I, formerly known as the Local Government Investment Pool.

C: UTILITIES:

Manager Nevad reported that during July the Gas Department set 40 new services. Year to date total is 271 new services. The department installed over 3,300 ft of line. The City has 4,137 customers.

D: GOLF DEPARTMENT:

Director Queen reported an increase of 7 1/2% over July of 1995 and revenue is up 15 1/2% over last year. Additions to the driving range have been completed. There were numerous visitors during the Olympics and weekends are booked through September for various outings. He reported that he expects continued growth at the course.

E: RECREATION:

Manager Nevad reported that the City has received the final Grant payment of \$2,325 from the State. The Board did not meet last month.

F: DRAINAGE:

Manager Nevad reported that the City has almost completed the project on the Fox property. Work will begin on curbing Owen Circle very soon. One (1) additional easement is required before work can begin on South Roberts Drive.

G: ECONOMIC DEVELOPMENT:

No report was given.

OLD BUSINESS:

Council Member Spradlin welcomed Council Member Dorland Baird and he was introduced to the audience and given a round of applause.

A: COMPUTER SYSTEM:

Council Member Spradlin made a motion for the City to

appropriate \$40,000 for a new Computer System. The motion was seconded by Council Member Bailey.

Council Member Spradlin explained the proposed system. The Hardware Vendor he is recommending is Computer Factory Outlet who has staff for local support. There will be 12 work stations and 1 server. He, Council Member Pugh, and Manager Nevad attended a Windows NT Seminar in Kansas City and they joined Council Member Spradlin in his recommendation. The Software cannot be used until a license is obtained from MicroSoft. He gave a detailed explanation of the system and the approximate cost of each part of the system. After discussion, Council Member Pugh expressed appreciation to Council Member Spradlin, he was given a round of applause for the work involved and the vote on the motion was unanimous. (5-0)

B: GAME ROOM PERMIT:

Council Member Pugh made a motion to remove this item from the table, seconded by Council Member Spradlin and unanimously approved. (5-0)

Council Member Pugh made a motion to issue a business permit to Mrs. Lanton for a Game Room, with stipulation to reduce the age limit from fourteen (14) years to twelve (12) years ^{without} without parental guidance and stipulate that the business have a security agency or off-duty policeman on duty at all times the business is open. The motion was seconded by Council Member Spradlin. Council Member Spradlin asked for clarification and Attorney Thompson stated that there would be two (2) modifications to the current Game Room Ordinance with these two (2) stipulations and the permit be issued under the current Game Room Ordinance with these modifications. Council Member Pugh stated that the security person is to see that no one enters the business if they are under twelve (12) years of age ^{without} without parental guidance and that no loitering is done in the parking lot outside the premises. The vote on the motion was unanimous. (5-0)

C: ZONING PROPOSAL:

Council Member Bailey made a motion to remove this item from the table, seconded by Council Member Pugh. The vote on the motion was unanimous. (5-0) Manager Nevad stated that last month the Council discussed proposals to amend and codify the Zoning Ordinance and Development Regulations. Three (3) proposals were reviewed. McFarland and Dyer gave the best quote at \$14,400 with funding to come out of the 1997 Budget. Council Member Bailey requested more specific information regarding number of copies and disk application. This proposal includes twenty-five (25) copies and a computer disk copy of each application. Council Member Bailey made a motion to accept this proposal, seconded by Council Member Pugh. This project would coincide with the 1997 Budget. He requested a motion to accept the proposal from McFarland and Dyer to amend and codify our Zoning Ordinance and Development Regulations. Council Member Spradlin questioned doing the work now and paying for it out of the 1997 Budget. Mr. McFarland explained

the details of the project. Attorney Thompson stated that the City should not be indebted past the end of the year. This was discussed and Council Member Spradlin made an amendment to the motion to pay for the project this year, seconded by Council Member Bailey. Manager Nevad explained that the funds would be transferred from Inspection Department salaries, and Gas Department salaries. The vote on the motion to amend was unanimous. (5-0) The vote on the original motion as amended was unanimous. (5-0)

D: PUBLIC INVITATION TO "OLEANNA":

Mayor Webster issued an invitation to the public to attend a performance of the play "Oleanna" by the Gainesville Theater Alliance at the North Gwinnett High School Auditorium on September 4, 1996 at 7:00 P.M. and on September 11, 1996 at 7:00 P.M. He also requested that this be for adults since it is such a powerful performance concerning sexual harassment. This will be free of charge to the public. Council Member Spradlin made a motion that the City fund a mailing, signed by the Mayor, to all residents of the City, inviting them to attend the performance. The motion died for lack of a second. Mayor Pro Tem Davis made a motion, that since Council Member Spradlin has worked diligently to put this together, and also worked so hard on the computer system, that the letter go out under the signature of Council Member Spradlin. The motion was seconded by Council Member Bailey and unanimously approved. (5-0)

CITIZEN'S AND GUEST'S COMMENTS:

Mr. Bob Wagner spoke to the Council on the fact that he was tired of the bickering by the audience, and he would like to have a debate with Mr. Herb Payne before the next meeting. He also informed everyone of all the good things happening in and around the City of Sugar Hill. He expressed a desire to be on the Agenda for the next meeting.

NEW BUSINESS:

A: RA96003-ROBERT S. JORDAN-PIB

MAP # 7274 00A-27.692 ACRES FROM LM TO BG:

Council Member Bailey made a motion to go into a Public Hearing, seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0)

Mr. McFarland explained where the property was located. Manager Nevad explained that this request follows a trend to rezone property on PIB for commercial development. There was discussion on this issue concerning the proximity of residential development. Manager Nevad stated that the advertisement requirements have been met.

Council Member Bailey made a motion to return to the Regular Meeting, seconded by Council Member Spradlin and unanimously approved. (5-0)

Council Member Bailey made a motion to approve the rezoning,

seconded by Council Member Pugh. During discussion Council Member Bailey asked what could be placed in the BG zoning. Mr. McFarland gave the requirements for commercial development in the General Business. Council Member Spradlin asked what the worst possible things that can go into LM and BG. Mr. McFarland stated that outdoor storage, and heavier traffic in the LM and this cannot be done in the BG zoning. Hours of operation in the BG can be longer. This was discussed. Council Member Spradlin made a motion to go back into a Public Hearing for any questions to be asked which the public wished to ask. The motion was seconded by Council Member Bailey and unanimously passed.

Mr. Herb Payne stated that he feels that planning is essential in all the P & Z issues. He feels that a some form of site development plan should be presented before the rezoning is done.

Some of these issues will be dealt with during the upgrade of the Zoning Ordinance and Development Fees.

Council Member Spradlin made a motion to go back into Regular Session, seconded by Council Member Bailey and unanimously approved. (5-0)

Council Member Spradlin made a motion to table the issue until next month, seconded by Mayor Pro Tem Davis. The vote on the motion was Davis and Spradlin for, Bailey and Pugh against, Baird abstained. Mayor Webster voted to table the motion making the tie vote 3-2 in favor of tabling until next month.

B: DISCUSSION ON ORDINANCE ON BUFFER, LANDSCAPE, AND TREES:

Manager Nevad asked Don McFarland to make a presentation on this. Mr. McFarland has assumed the contract position of the Development Director.

Mr. McFarland gave the background of this Ordinance. He also told what can be planted in a buffer zone for landscaping and trees. It is modeled after the Gwinnett County regulations and almost identical to the Duluth Ordinance.

Council Member Spradlin made a motion to approve this Ordinance, seconded by Mayor Pro Tem Davis and after discussion the motion passed unanimously. (5-0)

C: ANNEXATION APPLICATION ACCEPTANCE: .5 ACRES OFF WHITEHEAD ROAD SUGAR VALLEY JOINT VENTURE:

Manager Nevad stated that this is an application to allow a subdivision to expand. Mr. McFarland explained this parcel adjoins land already in the City.

Council Member Spradlin made a motion to approve the application, seconded by Council Member Pugh and unanimously approved. (5-0)

Council Member Spradlin asked for a ten (10) minute recess.

D: LEGAL CONSULTATIONS:

Council Member Spradlin made a motion that the City of Sugar Hill adopt as policy that all contact with the City Attorney be

made by or through the City Manager, or with the majority of the City Council present, all exceptions to this policy must be approved by majority consensus of the City Council, with said majority being identified wherever contact is not initiated by the City Manager, in cases of emergency which the City Attorney deems as an emergency his word will be acceptable if a consensus of Council or City Manager is not available at the time. Motion was seconded by Council Member Pugh and approved unanimously. (5-0)

E: ORGANIZATION CHART:

Council Member Spradlin presented an upper level Organization Chart (see attached) which basically is viewed by the Council as the organization structure of the City and he made a motion that the City Council officially recognize this organization chart as accurate and that it be so recognized, by this Council, as the upper level chain of command. The motion was seconded by Council Member Pugh and after discussion the motion was unanimously approved. (5-0)

F: RATIFY NEW REVIEW FEES:

Manager Nevad stated that this pertains to concept, construction and final plat review fees. The cost to the City is reimbursed in the form of development permit fees. Charges made by engineers are passed on to the developers. The request is that the fees be adjusted on a per lot basis of \$1 per lot, the construction plan by \$4 per lot and final plat fees by \$5 per lot and the commercial plan review fee would remain the same. Due to the new laws in soil erosion and environmental laws, roll tests and etc, we recommend an adjustment to these fees. Council Member Pugh made a motion to adopt these fees, seconded by Mayor Pro Tem Davis and passed on a vote of 4-0, with Council Member Spradlin abstaining.

G: GAS TAP FEES:

Manager Nevad reported that the City currently charges \$250 for Gas Tap Fees to builders for residential building. Meter cost is between \$70 - \$75. He requested a motion to increase the fee from \$250 to \$275. Council Member Spradlin made a motion to change the fees for the Gas Tap Fees with the charge being \$200 plus the cost of the meter so that the fees may be adjusted by the City Manager without having to come before the Council each time the cost of a meter changes. The motion was seconded by Mayor Pro Tem Davis and passed unanimously. (5-0)

H: ABANDONMENT OF FLOYD STREET:

Attorney Thompson reported that property owners adjacent to Floyd Street have asked that Floyd Street, a street which is no longer used by the City, be abandoned. Attorney Thompson gave the legal ramifications of abandonment of a street and stated that all property owners have been notified. There was some discussion with Attorney Thompson stating that no property owner contacted him. Mr. Robinson contacted Manager Nevad and stated he had no

opposition to this abandonment as long as the property went back to the adjacent owners. Council Member Spradlin made a motion to approve and requested that the Mayor hold off on signing until the ten (10) day veto time is over so that any property owner will have additional time to contact the City should they desire to do so. The motion was seconded by Council Member Bailey and after discussion the vote was unanimous. (5-0)

I: ANIMAL NUISANCE-POOPER SCOOPER LAW:

After discussion concerning animal nuisance, Mayor Pro Tem Davis made a motion to instruct Attorney Thompson to draft an Ordinance and present it to the Council at the next Council Meeting. The motion was seconded by Council Member Spradlin. After discussion on enforcement and Gwinnett Animal Control, the motion passed unanimously. (5-0)

CITY CLERK'S REPORT:

Deputy Clerk Gibbs reported that the Clerk's Office has received the 1996 Tax Digest from Gwinnett County and all changes have been made to real property. Personal Property will be added as it comes in from Gwinnett County. The office expects to bill taxes by October 20, 1996 so that they will be payable by December 20, 1996. There are some parcels under appeal, but as Gwinnett County settles these the evaluations will be changed.

CITY MANAGER'S REPORT:

Manager Nevad stated that our sympathy goes out to Wayne Clement whose mother passed away recently. Ruth Ann Cooper has had ankle surgery and Margie Wilson will have a knee replacement on Tuesday, August 13, 1996. We wish them well.

Church Street, and Hickory Hills Drive have been paved and quite a few streets have been patched. A leaf vacuum collection unit to mulch leaves has been ordered on the recommendation of resident Mr. Farmer.

An employee appreciation lunch will be held on September 11, 1996.

COUNCIL REPORTS:

Council Member Bailey thanked Manager Nevad for bringing Mr. McFarland aboard the City for work in the Development Department.

Council Member Spradlin made a motion that the Council authorize the Mayor to sign the Contract with Computer Factory Outlet with Attorney Thompson looking over the Contract. Council Member Pugh seconded the motion. After more discussion, the vote was unanimous. (5-0)

Council Member Spradlin thanked the Council for their support of his endeavors during the period he and Council Member Bailey have researched a new Computer System for the City.

Council Member Baird stated he was proud to be serving on the Council and pledged his support to the citizens. He expressed appreciation to Manager Nevad for his work and also expressed well wishes to Margie Wilson and Ruth Ann Cooper.

Mayor Pro Tem Davis again thanked Council Member Spradlin for his work on updating the City's Computer System. He expressed appreciation to Manager Nevad on his second anniversary with the City and welcomed Council Member Baird to the City.

Council Member Pugh thanked Manager Nevad and Margie Wilson for the work on the LARP Program. He wished Margie and Ruth Ann quick recoveries and apologized to the audience for the sound system at the meeting tonight.

Council Member Spradlin reported on the Staff Minutes provided by Manager Nevad where Golf Director Queen stated that the computer at the golf course was almost inoperable. The new system will help them tremendously.

EXECUTIVE SESSION:

Council Member Bailey made a motion to go into Executive Session at 9:30 P.M. to discuss possible litigation and personnel. Mayor Pro Tem Davis seconded the motion which passed on a vote of 4-1 with Council Member Spradlin abstaining.

The Executive Session ended at 10:10 P.M. on a motion by Council Member Bailey, seconded by Council Member Baird and approved unanimously by those present. (4-0) Mayor Pro Tem Davis left for work committment.

It was announced that the Council would hold a Called Meeting on Thursday, August 15, 1996 at 6:30 P.M. to discuss possible litigation and personnel and rezoning 27 acres of Robert S. Jordan Property on PIB.

ADJOURNMENT:

Council Member Spradlin made a motion to adjourn at 10:15 P.M., seconded by Council Member Bailey and unanimously approved by those present. (4-0)

THOMPSON & SWEENEY, P.C.
Law Offices

LEE THOMPSON, JR.
VORLA SWEENEY
MELANIE D. WILLIAMS
PAUL E. ANDREW
JORGIA C. NORTHROP

Longleaf Commons
690 Longleaf Drive, Lawrenceville, GA 30246
Telephone: 770/363-1997
Telephone Copier: 770/822-2913

Mailing Address
P.O. Drawer 1250
Lawrenceville, Georgia 30246

September 5, 1996

Mayor and Council
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Re: Animal Destruction Ordinance

Dear Mayor and Council:

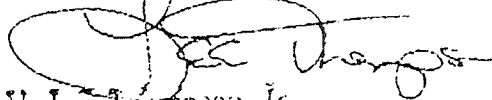
The ordinance you directed me to draft which prohibits destruction of property by animals is attached to this letter.

Several points were raised concerning the proposed ordinance which I was unable to incorporate into the ordinance. Of course, offenders can always be issued warnings when in the judgement of the issuing officer a warning is warranted. In addition, for a person to be found in violation of the ordinance, a witness or some other evidence will be necessary for a conviction. Also, the county's leash law applies within the City limits, so unleashed animals constitute a violation of that ordinance.

Finally, there was some discussion about payment by the person who owns or controls the dog to the property owner. Section 4.13 of the Charter gives the Municipal Court the power to try and punish violations of City Ordinances (criminal trials). However, the Charter only permits the Court to exact punishment for conviction of offenses consisting of money (up to \$1000.00), imprisonment, or labor in a city work gang. Ruling that a party owes another party money is a civil matter, beyond the jurisdiction of the Municipal Court. The fines recommended by the prosecutor could equal the amount of damages of the injured citizen (up to the limit listed in the ordinance), but would be paid to the City, not the injured citizen. If an injured citizen wished, they could file a claim in civil court, but the Sugar Hill Municipal Court does not have the power to order one party to pay another.

Sincerely,

THOMPSON & SWEENEY, P.C.


V. Lee Thompson, Jr.

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that "The Code Sugar Hill, Georgia" is hereby amended by adding section §4-3, to read as follows:

Sec. 4-3: Damage Caused by Animals

(a) It shall be unlawful for the owner or any person having custody of any dog or other animal to permit, either willfully or by failure to exercise due care or control, any dog or animal to enter upon or damage the property of the city, or to damage the property of another, whether said animal is under leash or restraint or not under such leash or restraint.

(b) For purposes of this ordinance, the leaving or dropping of fecal matter by any dog or animal upon city property or property of another which is not immediately removed shall be deemed to cause damage thereupon.

(c) If a dog or animal damages property as provided herein, the owner or other person having custody or control of such dog or animal shall immediately remove such fecal matter or other droppings and dispose of such matter on his or her own property or in some other lawful manner that does not create a danger to the public health.

(d) For the purposes of this ordinance, the property of the city shall include but not be limited to any and all public streets, sidewalks, parks, buildings, and adjacent lawns thereto. The term "property of another" shall include the driveways and lawns of single-family residential homeowners as well as common halls in any apartment house, tenement house, hotel or other multiple dwelling; any entranceway, stairway, or wall immediately abutting a public sidewalk; and any theater, shop, store, office building, and any other building used in common by the public.

(e) In the event that any dog or other animal shall cause damage upon any property of another or upon city property, proof of the occurrence and proof of the identity of the owner or other person having custody or control of the dog or animal shall be sufficient to convict the person owning or having custody or control of the animal violating the terms and conditions of this ordinance.

(f) The penalty for any violation of this ordinance shall be a fine of not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

IT IS SO ORDAINED this _____ Day of _____, 1996.

Council Member



Robert L. Davis
Council Member

Charles A. Spradlin
Council Member

Michael Bailey
Council Member

Council Member

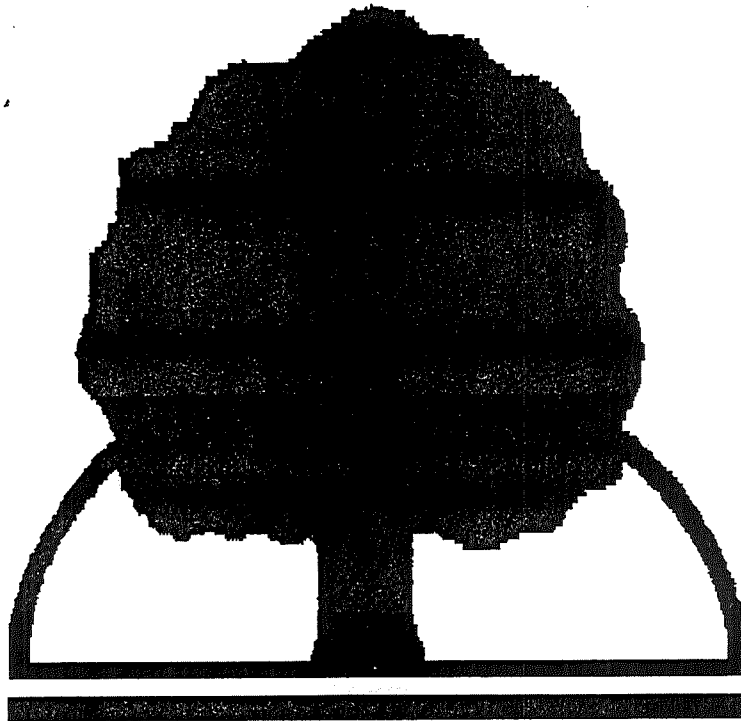
Attest: Betty B. Gault
City Clerk

Submitted to Mayor: October 14, 1996

Approved by Mayor, this 14 day of October, 1996.

Harry L. Miller
Mayor

Buffer, Landscape and Tree Ordinance



SUGAR HILL

CITY OF SUGAR HILL

4988 WEST BROAD STREET

SUGAR HILL, GA. 30518

770-945-6716

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ARTICLE 1

INTENT, PURPOSE AND TITLE

1.1 INTENT

- 1.1.1 This Ordinance shall apply to all properties or portions thereof located within the incorporated areas of The City of Sugar Hill, Georgia, to the extent of the provisions contained herein. The City Council of The City of Sugar Hill hereby finds that the protection and preservation of trees, the planting of new trees and other landscape material, and the provision of buffers between dissimilar uses as part of the land development process is a public purpose and provides for the public health and general welfare.

1.2 PURPOSE

- 1.2.1 The purpose of this Ordinance is to preserve and enhance the City's natural environment through tree protection and preservation, the planting of trees and other landscape material, and the provision of natural and/or planted buffers between dissimilar uses. The Ordinance is intended to further the City's policy that all development sites where trees are most commonly removed will achieve upon project completion a uniform standard related to tree coverage, landscaping and buffers.
- 1.2.2 This Ordinance is also intended to further the City's policy of encouraging all individuals or firms who propose to develop land, and which are required to meet the requirements of this Ordinance, to consider the use of water-efficient landscaping principles and techniques.

1.3 TITLE

- 1.3.1 This Ordinance shall be known as "The Buffer, Landscape, and Tree Ordinance of The City of Sugar Hill, Georgia" and may be referred to generally as "The Buffer Ordinance," or "The Landscape Ordinance," or "The Tree Ordinance," or, as used herein, "this Ordinance."

ARTICLE 2

DEFINITIONS

2.1 DEFINITIONS OF WORDS AND PHRASES

- 2.1.1 In construing the provisions hereof and the meaning of each and every word, term, phrase, or part thereof, where the context will permit, the definitions of words as contained in the adopted Zoning Resolution of City of Sugar Hill, supplemented by the following, shall apply:

Buffer: Land area used to visibly separate one use from another through screening and distance, to shield or block noise, light, glare, or visual or other conditions, to block physical passage to non-similar areas, or to reduce air pollution, dust, dirt, and litter.

Clearing: The removal of vegetation from a property, whether by cutting or other means.

Construction Buffer: A type of buffer which is temporary and remains in effect during the construction of a project.

Department : The City of Sugar Hill Department of Planning and Development (DoP&D), as established by the City of Sugar Hill City Council, and as operated through the actions and administration of the appointed Director of said department or his/her designee.

Development Regulations: The adopted regulations providing for the subdivision and development of real property within City of Sugar Hill, Georgia, as amended from time-to-time by the City Council of the City of Sugar Hill.

Diameter Breast Height (DBH): The diameter of a tree measured at a point 4 and 1/2 feet above the ground.

Director: The Director of the Department of Planning and Development or his/her designee.

2.1.1 (Cont.)

Dripline: A line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground; i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.

Floodplain, 100-Year: Those lands subject to flooding, which have at least a one percent probability of flooding occurrence in any calendar year; and specifically, the floodplain as shown on the Flood Boundary and Floodway Map as prepared by the Federal Emergency Management Agency (FEMA).

Grading: The placement, removal, or movement of earth by use of mechanical equipment on a property.

Land Disturbance Permit (LDP): Any permit other than a Building Permit issued by City of Sugar Hill that authorizes clearing or grading activities on a site or portion of a site. Said permit may be Clearing, Clearing and Grubbing, Grading, or Development Permit as defined and authorized under the Development Regulations of the City of Sugar Hill.

Landscape Strip: Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Screening: A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like.

Shrub: A woody plant of relatively low height, as distinguished from a tree by having several stems rather than a single trunk.

Timber Harvesting: The felling, loading and transporting of timber products (pulpwood, etc.). The term "timber harvesting" may include both clearcutting and selective cutting of timber.

Tree Density Unit (TDU): A credit assigned to a tree, based on the diameter of the tree, in accordance with tables contained in this Ordinance.

2.1.1 (Cont.)

Tree Density Standard (TDS): The minimum number of Tree Density Units per acre which must be achieved on a property after development.

Tree: Any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than 3 inches at any point and a height of over 10 feet.

Tree Diameter: The widest cross-sectional dimension of a tree trunk measured at diameter breast height (dbh) or at a point below dbh for new trees or multi-trunked species, but in no case less than 6 inches from the ground.

Tree Protection Area (TPA): Any portion of a site wherein are located existing trees which are proposed to be preserved in order to comply with the requirements of this Ordinance. The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.

Tree Preservation/Replacement Plan (TP/RP): A plan that identifies Tree Protection Areas where existing trees are to be preserved and where proposed replacement trees are to be planted on a property to meet minimum requirements, as well as methods of tree protection to be undertaken on the site and other pertinent information.

Tree Thinning: Selective cutting or thinning of trees only for the clear purpose of good forestry management in order to protect said forest from disease or infestation and in no way shall be construed as clearcutting.

Zoning Buffer: A buffer required by the Zoning Resolution or as a condition of zoning, special use or variance approval for a specific property.

Zoning Resolution: The Zoning Resolution of City of Sugar Hill, Georgia, as amended from time-to-time by the City Council of City of Sugar Hill or any such Ordinance not expressly superceding this Ordinance.

ARTICLE 3

BUFFER REGULATIONS

3.1 APPLICABILITY.

3.1.1 Buffers shall be required between dissimilar districts or uses in accordance with the provisions of the Zoning Resolution or as a condition of zoning, special use or variance approval.

3.2 STANDARDS FOR PERMANENT BUFFERS

3.2.1 Width of Buffers

Buffers shall meet the minimum width requirements contained in the Zoning Resolution, except as authorized to be reduced by the applicable buffer reduction process, as follows:

- a. As specified in the "Minimum Buffer Strip Requirement Table"; or
- b. As specified in a residential zoning district for a permitted non-residential use (e.g. a church, temple, synagogue, etc.); or
- c. As required by a condition of zoning, special use, or variance approval.

3.2.2 Screening Requirements

- a. Buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replantings as may be required.
- b. Buffers shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen.
- c. Buffers required along side property lines shall extend to a street right-of-way line unless otherwise required by the Director in order to

3.2.2 (Cont.) observe the sight distance requirements contained in the Development Regulations, or as authorized by a condition of zoning, special use, or variance approval.

- d. In situations where the required buffer width is partially or completely contained within an existing easement (e.g. power or natural gas transmission, etc.), the screening requirements of this Ordinance shall be met outside of the easement area.

3.2.3 Supplemental Plantings

- a. Buffers in which vegetation is non-existent or is inadequate to meet the screening requirements of this Ordinance shall be planted with supplemental plantings so as to provide a year-round effective visual screen.
- b. Supplemental plantings and replantings shall consist of evergreen trees, shrubs, or combination thereof, native or adaptable to the region. All trees planted shall be a minimum of 6 feet in height at time of planting and shall be a species which will achieve a height of at least 20 feet at maturity. All shrubs planted shall be a large growing species, shall be a minimum of 3 feet in height at time of planting and shall be a species which will achieve a height of at least 10 feet at maturity.
- c. All supplemental plantings shall be installed to allow for proper plant growth and maintenance.

3.2.4 Non-Vegetative Screening

- a. Non-vegetative materials utilized to satisfy the screening requirements of this Ordinance, in addition to the use of existing vegetation and/or supplemental plantings, may consist of walls, fences, earthen berms or any combination thereof.
- b. If walls or fences are to be utilized, their placement and installation shall be such so as to cause minimal disturbance of existing vegetation and located so as to provide an effective visual screen.

3.2.5 Disturbance or Encroachments

- a. Ditches, swales, stormwater conveyance facilities, stormwater detention ponds, sanitary sewer conveyance facilities, similar facilities, and any associated easements, shall not encroach into a buffer except that necessary access and utility crossings (e.g. stormwater or sanitary sewer pipes) may encroach into the buffer as near to perpendicular as practical.
- b. Supplemental plantings or replantings of vegetation, or authorized non-vegetative screening devices shall be authorized to encroach into a buffer provided there is minimal disturbance of any significant existing vegetation.
- c. Land disturbance is authorized in areas of a buffer that are devoid of significant vegetation provided that the final grade and replantings of vegetation meet the screening requirements contained herein.
- d. Dying, diseased or dead vegetation may be removed from a buffer provided minimal disturbance occurs. Vegetation thus removed shall be replaced where necessary to meet the screening requirements contained herein.

3.2.6 Protection During Land Disturbing Activities

- a. During authorized land disturbing activities, buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.
- b. The method of demarcation and protection utilized shall be in accordance with best management practices or as required by the Department.

3.3 STANDARDS FOR CONSTRUCTION BUFFERS.

3.3.1 Where Required

Construction buffers shall only be required where specifically provided as a condition of zoning, special use or variance approval.

3.3.2 Time Constraints

Construction buffers shall only be in effect during the construction period of a project and shall terminate upon project completion. In the case of a residential subdivision, a construction buffer shall terminate upon each individual lot with the issuance of a Certificate of Occupancy for the principal dwelling.

3.3.3 Disturbance or Encroachments

- a. Construction buffers shall be natural, undisturbed and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein.
- b. The encroachment of ditches, swales, stormwater conveyance facilities, stormwater detention ponds, sediment basins, sanitary sewer conveyance facilities, similar facilities, and any associated easements, into a construction buffer shall not be authorized except that necessary access and utility crossings (e.g. stormwater or sanitary sewer pipes), and natural bottom detention ponds (sediment basins must be located outside of the construction buffer) and their appurtenant structures which require no grading and removal of trees, may encroach upon the construction buffer.
- c. If the construction buffer on a residential lot is devoid of existing trees and vegetation, and a tree survey is submitted to document this situation prior to conducting land disturbing activities (including clearing) on the lot, then the Department may authorize the encroachment of a building or structure into the construction buffer for a distance not to exceed 10 feet.

3.3.4 Protection During Land Disturbing Activities

- a. During authorized land disturbing activities, construction buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.
- b. The method of demarcation and protection utilized shall be in accordance with best management practices or as required by the Department.

ARTICLE 4

LANDSCAPE REGULATIONS

4.1 APPLICABILITY.

4.1.1 Non-Residential and Multi-Family Uses

Non-residential and multi-family uses shall provide for landscape plantings on-site as follows:

- a. In a Landscape Strip at least 10 feet in width adjacent to any street right-of-way abutting the property and running the length of the entire property frontage; and
- b. In areas adjacent or internal to off-street parking lots that are required by the Zoning Resolution to contain more than 5 off-street parking spaces; and
- c. As required by a condition of zoning, special use or variance approval.

4.1.2 Residential Subdivisions

Residential subdivisions shall provide for landscape plantings on-site as follows:

- a. In no-access easements that are required to be provided by the Development Regulations along the line of double frontage lots abutting upon a major thoroughfare; and
- b. As required by a condition of zoning, special use or variance approval.

4.2 LANDSCAPE STRIP PLANTING REQUIREMENTS

4.2.1 Ten (10) Foot Wide Landscape Strips

Landscape Strips which are required to be 10 feet in width shall contain landscaping and plantings within said strip as follows:

- a. One (1) tree for each 25 linear feet of strip length shall be provided. Each tree shall be at least 6 feet in height at time of planting and shall be a species native or suitable to this region.

4.2.1 (Cont.)

- b. One (1) shrub for each 25 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.
- c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of plantings is achieved.
- d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and/or planted with groundcover species and/or provided with other landscaping material, or any combination thereof.

4.2.2 Five (5) Foot Wide Landscape Strips

Landscape Strips which are required to be 5 feet in width shall contain landscaping and plantings within said strip as follows:

- a. One (1) tree for each 50 linear feet of strip length shall be provided. Each tree shall be at least 6 feet in height at time of planting and shall be a species native or suitable to this region.
- b. One (1) shrub for each 50 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.
- c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of required plantings is achieved.
- d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and/or planted with groundcover species and /or provided with other landscaping material, or any combination thereof.

4.2.3 Encroachments Into Landscape Strips

Required Landscaped Strips shall not be encroached upon by parking spaces, driveway surfaces or stormwater detention facilities except that driveway crossings may traverse such strip as near to a perpendicular alignment as practical.

4.3 OFF-STREET PARKING LOT PLANTING REQUIREMENTS

4.3.1 Quantity, Spacing and Planting Standards

Off-street parking lots which are required to contain more than 5 off-street parking spaces shall contain landscaping and plantings as follows:

- a. One (1) tree for each 5 spaces around the perimeter of the parking lot shall be provided.
- b. One (1) tree for each 10 spaces on the interior of the parking lot shall be provided.
- c. Each tree shall be at least 6 feet in height at time of planting and shall be a species native or suitable to this region.
- d. The minimum planting area or space for each tree shall be at least 25 square feet.
- e. Trees shall be planted in areas surrounding the perimeter of the parking lot and/or shall be planted in planting areas or islands internal to the parking lot. Trees may be planted and spaced singly or in groups.
- f. Ground areas shall be sodded, seeded or hydroseeded with grass and/or planted with groundcover species, and/or provided with other landscaping material, or any combination thereof.

4.4 NO-ACCESS EASEMENT SCREENING REQUIREMENTS

4.4.1 No-access easements which are required to be provided and recorded by the Development Regulations, or as a condition of zoning, special use or variance approval, shall be screened as follows:

- a. Planted with a single line of evergreen trees or shrubs; or,
- b. Contain a solid or decorative fence; or,
- c. Contain such other landscaping treatments or grade changes which will produce a partial screening effect as authorized by the Director.

ARTICLE 5

TREE PRESERVATION AND TREE REPLACEMENT REGULATIONS

5.1 APPLICABILITY AND EXEMPTIONS

5.1.1 The terms and provisions of this Article shall apply to any activity on real property which requires the issuance of a Land Disturbance Permit within unincorporated City of Sugar Hill, but specifically excluding construction of individual single-family detached and duplex dwellings, and except as further excluded in other paragraphs in this Section. Table A: Summary of Applicability and Exemptions, at the end of this Section, summarizes those activities which are exempt from the provisions of this Ordinance and those for which a Tree Preservation/Replacement Plan must be approved prior to issuance of a Land Disturbance Permit.

5.1.2 Grandfathered Projects

- a. This Article shall not apply to any portion of a property included within the limits of a valid Land Disturbance Permit issued prior to the effective date of this Ordinance, provided that all time constraints relating to the permit issued shall be observed. In no event shall any grandfathered project be extended for a greater time period than 24 months from the date of enactment of this Ordinance.
- b. The requirements of this Article may be waived by the Department for a Land Disturbance Permit which is to proceed with development of a larger project, at least 75% of the land area of which has already received a permit or permits initiating clearing or grading activities.

5.1.3 Horticultural or Agricultural Operations

- a. All plant or tree nurseries and botanical gardens shall be exempt from the terms and provisions of this Ordinance in relation to those trees which are being grown for relocation and continued growth in the ordinary course of business, or for some public purpose.

5.1.3 (Cont.)

- b.. All orchards of trees in active commercial operation shall be exempt from the terms and provisions of this Ordinance for bona fide agricultural purposes only.

5.1.4 Removal of Disease or Infestation

Upon the advice of the County Extension Service or the Georgia Forestry Commission in accordance with commonly accepted forestry practices and a finding of tree disease or infestation, the Director may authorize the removal of trees to prevent the transmission of disease or infestation, to prevent the danger of these trees falling, or to prevent potential injury to life and property. The owner/developer, prior to the removal of the diseased trees, shall notify the Director, identifying the location of the infested property, and shall submit to the Director the written finding of the County Extension Service or Georgia Forestry Commission.

5.1.5 Tree Thinning

Upon the written advice and findings of the County Extension Service or Georgia Forestry Commission, the thinning of trees (selective cutting only) solely for the purpose of good forestry management, may be permitted upon authorization by the Director and shall require the submittal and approval of a Tree Preservation/Replacement Plan. Permits authorizing tree thinning shall be limited to the following:

- b) The property shall not have been subdivided. The property shall have the same configuration since June 9, 1970.
- c) A 75 foot undisturbed buffer (not a zoning buffer) shall be provided and maintained along the entire perimeter of the property, including road frontages, during the land disturbing activity, except for authorized access crossings.
- d) The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized land disturbing activities.

5.1.5 (Cont.)

- e) The owner/developer shall utilize the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.

5.1.6 Credit For Zoning Buffer Plantings Excluded

Existing trees proposed to be retained and new trees proposed to be planted in order to meet the buffer requirements of the Zoning Resolution or conditions of zoning, special use or variance approval shall not be considered in fulfilling the requirements of this Ordinance. Trees or other vegetation shall not be removed from a zoning buffer area except under the provisions as established herein or by the Zoning Resolution.

5.1.7 Easement Exemption

- a) Properties possessing natural gas, petroleum or electric power transmission easements, or major sanitary sewer main (greater than 8 inches in diameter) or water main (greater than 16 inches in diameter) distribution easements, may exclude the land area contained in said easement from the total acreage of the property in fulfilling the Tree Density Standard of this Ordinance provided that no improvements (e.g. parking lots, tennis courts, driveways, stormwater detention facilities, etc.) are proposed within the easement. If any improvements are proposed within the easement, then the land area so utilized within the easement for the improvements, plus an additional 10-feet of land area surrounding the improvements, shall be used to fulfill the Tree Density Standard of this Ordinance.

TABLE A
SUMMARY OF APPLICABILITY AND EXEMPTIONS

PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
1 and 2 Family Dwellings	Building Permit	Exempt (5.1.1)
Grandfathered Projects	Any property included within the limits of a LDP approved prior to the effective date of this Ordinance.	Exempt (5.1.2)
Horticultural or Agricultural Operations	Land clearing for clearly agricultural purposes, including timber harvesting, in RA-200 zoning district; Plant or Tree Nurseries; Orchards	Exempt (5.1.3)
Diseased or Infested Trees	Removal upon advice and written finding of County Extension Service or Georgia Forestry Commission	Exempt (5.1.4)
Tree Thinning	Thinning of trees (selective cutting) in zoning districts other than RA-200 solely for the purpose of good forestry management, utilizing recommended BMP's of the Georgia Forestry Commission, upon the advice and written findings of the County Extension Service or Georgia Forestry Commission	TP/RP Required (5.1.5)

TABLE A
(CONTINUED)

PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
Residential and Non-Residential Subdivisions	Land disturbance limited to areas needed for streets, drainage and utilities	TP/RP <u>not</u> required * (5.2.3,a)
	Land disturbance beyond areas needed for streets, drainage, and utliities	TP/RP required (5.2.2)
	Building Permit for the construction of 1 and 2 Family Dwellings	Exempt (5.1.1)
	Recreation Area	TP/RP required (5.2.3,a)
Multi-family and Non-Residential Sites	Clearing or clearing and grubbing only, limited to areas outside of all minimum yards, buffers, and 100 year flood plain	TP/RP <u>not</u> required * ** (5.2.3,b)
	Clearing or clearing and grubbing only, proposing disturbance within a minimum yard or 100 year flood plain	TP/RP required (5.2.2)
	Grading or Development Permit	TP/RP required (5.2.2)
	Building Permit	Covered by TP/RP as approved by LDP (5.2.2)

* LIMITS OF LAND DISTURBANCE TO BE DESIGNATED WITH PROTECTIVE TREE FENCING, STAKING, OR CONTINUOUS RIBBON PRIOR TO COMMENCEMENT OF ACTIVITIES, CONSISTENT WITH EXEMPTION ALLOWANCES.

** ADDITIONAL AREAS MAY BE DESIGNATED BY DOP&D TO REMAIN UNDISTURBED BASED ON LAND USE PLAN.

5.2 PERMITS

5.2.1 Land disturbance activities shall not commence until such activities have been authorized by issuance of an appropriate Land Disturbance Permit under the provisions of the Development Regulations.

5.2.2 For those projects not exempt from the provisions of this Ordinance, and not included under Subsection 5.2.3 below, a Tree Preservation/Replacement Plan shall be submitted along with the other documents required by the Development Regulations for the issuance of a Clearing, Clearing and Grubbing, Grading, or Development Permit.

a. All Tree Preservation/Replacement Plans and related documentation shall be reviewed by the Department for conformance to the provisions of this Ordinance along with and at the same time as all other plans required for a requested Land Disturbance Permit under the provisions of the Development Regulations.

b. Clearing, grading and development activities shall conform in all respects with the approved Tree Preservation/Replacement Plan. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted permit application, shall be shown on a revised Tree Preservation/Replacement Plan and be approved as part of the new or revised permit prior to the commencement of such changed activities.

5.2.3 Projects which propose only limited development activities may be issued a Land Disturbance Permit without a Tree Preservation/Replacement Plan under the following circumstances:

a. Residential and nonresidential subdivisions shall not be required to submit a Tree Preservation/Replacement Plan if the proposed land disturbance and construction activities are strictly limited to those directly related to the provision of the streets and storm water drainage and detention facilities, placement of required soil erosion and sedimentation controls, the installation of public or private utilities, and other required improvements, excluding recreation areas, expressly required by the City or by a

5.2.3 (Cont.) condition of zoning, special use or variance approval.

- b. Individual multi-family residential and nonresidential projects (not involving the subdivision of the property) may be allowed to undertake activities limited to clearing or clearing and grubbing only, without approval of a Tree Preservation/Replacement Plan if the proposed land disturbance activities are limited to those portions of the property outside of all minimum yard areas required by the zoning district, all buffer areas required by the Zoning Resolution or conditions of zoning, variance or special use approval, and any area within the 100-year flood plain, except for curb cut access into the property and for the placement of required soil erosion and sedimentation controls. Additional areas may be designated by the Department to remain undisturbed as may be reasonably required with consideration given to the proposed use of the property, as well as adjacent properties, in accordance with the City 's Land Use Plan. The limits of clearing or clearing and grubbing shall be established no closer to the boundaries of all said undisturbed areas than the driplines of the trees which are located within said areas.
- c. For any property for which a Tree Preservation/Replacement Plan was not required prior to issuance of a Land Disturbance Permit under the provisions of this Section, all areas required to be undisturbed shall be provided with protective tree fencing, staking, or continuous ribbon along the limits of clearing or grading which adjoin existing trees in accordance with the provisions found in Subsection 5.4.1. Such measures shall be in place prior to beginning clearing or grading activities, and shall be maintained throughout the land disturbance period.

5.3 TREE DENSITY REQUIREMENTS

5.3.1 Minimum Tree Density Standard

On each property for which a Tree Preservation/Replacement Plan is required by this Ordinance, existing trees may be retained and new trees shall be planted such that the property shall attain or exceed a Tree Density Standard of 16 Tree Density Units per acre, exclusive of any acreage within a zoning buffer and any trees required to be preserved or planted within a zoning buffer. The trees, both existing and new, where feasible shall be reasonably distributed throughout the site, with emphasis on tree groupings to achieve aesthetic results following professional landscaping standards. Trees may be retained or planted for credit within a public street right-of-way if granted authorization by the Department of Transportation.

5.3.2 Tree Density Standard Calculation

The Tree Density Standard shall be calculated by summing the following credits and dividing by the total acreage of the project included within the limits of the permit application (but excluding any acreage included within a zoning buffer).

- a. Credit for existing trees proposed to be preserved on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE B, CREDIT FOR EXISTING TREES. Credit shall be given all trees preserved on a property having a diameter of 3" or more, except trees located in a zoning buffer.
- b. Credit for new trees proposed to be replaced on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE C, CREDIT FOR REPLACEMENT TREES. Credit shall be given all new trees replaced on a property except for new trees of less than 1 inch in diameter and new trees planted in a required zoning buffer. Multi-trunked ornamental trees shall only be given credit by measuring the single largest trunk and not the cumulative total of the various trunks. Tree-form shrubs shall not be given credit for satisfying the required Tree Density Standard.

5.3.2 (Cont.)

c. Additional credits shall be granted under the following circumstances:

- (1) A total tree density credit not to exceed three (3) times the units shown on Table B, may be granted by the Department for existing trees to be retained which have greater value as outstanding specimen trees or having historic value or being a rare or unique species.
- (2) Existing trees to be retained within a minimum yard area (as required by the applicable zoning district) or within a 100-year flood plain shall be granted a bonus credit of 50 percent of the units assigned in Table B unless the tree is located within a required zoning buffer.

TABLE B - CREDIT FOR EXISTING TREES							
CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR TREES REMAINING ON SITE							
DIA.	UNITS	DIA.	UNITS	DIA.	UNITS	DIA.	UNITS
3	.05	15	1.2	27	4.0	39	8.3
4	.1	16	1.4	28	4.3	40	8.7
5	.15	17	1.6	29	4.6	41	9.2
6	.2	18	1.8	30	4.9	42	9.6
7	.3	19	2.0	31	5.2	43	10.1
8	.4	20	2.2	32	5.6	44	10.6
9	.5	21	2.4	33	5.9	45	11.0
10	.6	22	2.6	34	6.3	46	11.5
11	.7	23	2.9	35	6.7	47	12.0
12	.8	24	3.1	36	7.1	48	12.6
13	.9	25	3.4	37	7.5	49	13.1
14	1.1	26	3.7	38	7.9	50	13.6

NOTE: FOR THE PURPOSE OF THIS ORDINANCE, TREE DIAMETERS ARE MEASURED AT DIAMETER BREAST HEIGHT (DBH) OR AT ANY POINT BELOW DBH FOR NEW TREES OR MULTI-TRUNKED SPECIES, BUT IN NO CASE LESS THAN 6 INCHES FROM THE GROUND.

NOTE: FOR THE PURPOSE OF THIS ORDINANCE, TREE DIAMETER FRACTIONS MAY BE "ROUNDED-UP" IF 0.5 INCHES OR GREATER OR "ROUNDED-DOWN" IF LESS THAN 0.5 INCHES.

TABLE C - CREDIT FOR REPLACEMENT TREES			
CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR PROPOSED REPLACEMENT TREES			
Diameter	Units	Diameter	Units
1	.4	8	1.3
2	.5	9	1.5
3	.6	10	1.7
4	.7	11	1.9
5	.9	12	2.1
6	1.0	13	2.3
7	1.2	14	2.5

NOTE: FOR THE PURPOSE OF THIS ORDINANCE, TREE DIAMETERS ARE MEASURED AT DIAMETER BREAST HEIGHT (DBH) OR AT ANY POINT BELOW DBH FOR NEW TREES OR MULTI-TRUNKED SPECIES, BUT IN NO CASE LESS THAN 6 INCHES FROM THE GROUND.

NOTE: FOR THE PURPOSE OF THIS ORDINANCE, TREE DIAMETER FRACTIONS MAY BE "ROUNDED-UP" IF 0.5 INCHES OR GREATER OR "ROUNDED-DOWN" IF LESS THAN 0.5 INCHES.

NOTE: MULTI-TRUNKED ORNAMENTAL TREES SHALL BE GIVEN CREDIT BY MEASURING THE SINGLE LARGEST TRUNK ONLY. TREE-FORM SHRUBS SHALL NOT BE GIVEN CREDIT.

5.4 TREE PRESERVATION AND REPLACEMENT REQUIREMENTS

5.4.1 The following guidelines and standards shall apply to trees proposed to be preserved for credit toward meeting the minimum required Tree Density Standard on a property.

a. Tree Protection Areas

The root system within the dripline is generally considered to be the critical root zone. To protect these critical root zones, a tree protection area shall be established around each tree or group of trees to be retained.

- (1) The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.
- (2) Layout of the project site utility and grading plans shall avoid disturbance of the tree protection areas.
- (3) Construction site activities such as parking, materials storage, concrete washout, burnhole placement, etc., shall be arranged so as to prevent disturbances within tree protection areas.

b. Protective Barriers

- (1) Protective tree fencing, staking or continuous ribbon shall be installed between tree protection areas and areas proposed to be cleared, graded, or otherwise disturbed on the site, prior to any land disturbance.
- (2) All Tree Protection Areas are recommended to be designated as such with "tree save area signs" posted in addition to the required protective fencing, staking, or continuous ribbon. Signs requesting subcontractor cooperation and compliance with tree protection standards are recommended for site entrances.
- (3) All Tree Protection Areas must be protected from soil sedimentation intrusion through the

5.4.1 (CONT.) use of silt screens or other acceptable measures placed up-slope from the tree protection area.

- (4) All protective tree fencing, staking or continuous ribbon and all erosion control barriers must be installed prior to and maintained throughout the land disturbance and construction process, and should not be removed until final landscaping is installed.

c. Encroachment

If encroachment into a Tree Protection Area occurs which causes irreparable damage to the trees, the Tree Preservation/Replacement Plan shall be revised to compensate for the loss. Under no circumstances shall the developer be relieved of responsibility for compliance with the provisions of this Ordinance, nor shall plan revision activities stop the Department from instituting action for violation of this Ordinance.

5.4.2 Replacement trees proposed to be planted for credit toward meeting the minimum required Tree Density Standard on a property shall comply with the following guidelines and standards:

- a. The spacing of replacement trees must be compatible with spatial site limitations and with responsible consideration towards species size when mature.
- b. Species selected for planting shall be native or adaptable to the region and the intended growing site. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition, or similar publications. Refer to the American Association of Nurserymen publication "American Standard for Nursery Stock" (ANSI Z60, 1973) for plant material quality specifications. Refer to the "Manual of Woody Landscape Plants" (Michael Dirr, 1983, Castle Books) or similar publications for information on tree species site requirements.

5.4.2 (Cont.)

- c. Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor, so as to assure a reasonable expectation of survivability.

5.5 TREE BANK

- 5.5.1 Where a tree is to be removed under the provisions of this Ordinance, the City may, with the consent of the property owner, relocate the tree at the City's expense to City-owned property for replanting, either for permanent utilization at the new location, or for future use at other City property.
- 5.5.2 Credit may be given to the property for each relocated tree as though the tree was proposed to remain on the property, if the tree is relocated to a site designated by the City at the owner/developer's expense.

ARTICLE 6

PLAN AND PLAT SPECIFICATIONS

6.1 WATER-EFFICIENT DESIGN CONSIDERATION

It is the policy of The City of Sugar Hill to encourage individuals or firms who prepare the plans and plats required by this Ordinance to consider the use of water-efficient landscaping principles and techniques as one of the criterion to be used in plant selection and design.

6.1.1 Principles and Techniques of Water-Efficient Landscaping

The recommended principles and techniques to be considered are as follows:

- a. Proper Location and Design - locating plants where they will naturally thrive and not require excessive water and maintenance to survive, as well as grouping plants by water needs, and limiting and concentrating high water using plants.
- b. Turf Selection - selecting turf grasses that can survive the variable rainfall conditions in this region, and limiting turf areas.
- c. Efficient Watering - once plants are established, avoid watering during periods of normal rainfall and during droughts, watering every week to 10 days or less depending on the drought tolerance of the plants.
- d. Soil Improvements - loosening and breaking up the soil beyond the immediate planting area to allow better water absorption and to promote deep roots.
- e. Mulching - using mulch to hold moisture in the soil which helps maximize the benefits of watering as well as preventing weeds.
- f. Plant Selection - selecting plants according to their watering requirements and optimum locations.
- g. Maintenance - maintaining the landscape to maximize water conservations such as increasing mowing heights and avoiding fertilizing during dry spells.

6.2 BUFFER AND LANDSCAPE PLAN SPECIFICATIONS

The following subsections and paragraphs outline the required elements of the plans and plats mentioned throughout this Ordinance.

- 6.2.1 A Buffer and Landscape Plan shall be prepared for any project wherein buffer areas or other landscaping areas or treatment are required by this Ordinance, the Zoning Resolution, conditions of zoning, special use or variance approval, or other regulations of The City of Sugar Hill, and shall be approved prior to issuance of a Development Permit. While the Plan shall cover, at a minimum, the required buffer and landscape areas, the Plan can be combined with a general landscaping plan for the entire project and/or a Tree Preservation/Replacement Plan (if required), at the developer's option.
- 6.2.2 The Buffer and Landscape Plan shall be shown on a Site Plan or boundary survey drawn to the same or a larger scale as the other plan documents prepared for the Development Permit Application and shall cover the same area.
- 6.2.3 The Buffer and Landscape Plan shall contain but need not be limited to the following:
- a. Project name and Land District, Land Lot, and acreage.
 - b. Developer's name and telephone number.
 - c. The name, address, and telephone number of the Registered Landscape Architect, Urban Forester, or Arborist responsible for preparation of the plan, and the Seal or statement of professional qualifications of said person (which may be attached separately). The performance of professional services in the preparation of plans required herein shall comply with Georgia Law governing the practice of the applicable profession.
 - d. Boundary lines of each buffer or other landscape area, appropriately labeled.
 - e. Delineation of undisturbed buffer areas, and any other areas wherein trees are proposed to be retained to meet City requirements, along the

6.2.3 (Cont.7) driplines of the trees or groups of trees contained therein. These areas shall be treated in accordance with the Tree Protection Area requirements contained in this Ordinance, and labeled as such. Protective barriers and signage as required by this Ordinance shall be shown as to location and detailed.

- f. General location of all proposed trees, shrubs, vines, groundcovers, mulching, and other features proposed within the buffer/landscape area. A scale sufficient to clearly indicate all details shall be used, along with a north arrow.
- g. Within areas involving or adjacent to land form changes, existing and finish grade topographic lines at an interval of no more than 2 feet may be required.
- h. For new plant materials to be installed, a plant material list including but not limited to:
 - (1) Common and botanical names of all proposed plants.
 - (2) Plant quantities.
 - (3) Size and condition of plants. (Example: 1" caliper, 6 feet height, balled and burlapped).
 - (4) Spacing.
 - (5) Remarks as necessary to insure proper plant selection upon installation. (Example: Specimen, multi-trunked).

6.3 TREE PRESERVATION/REPLACEMENT PLAN SPECIFICATIONS

6.3.1 Tree Preservation/Replacement Plans shall be prepared by a professional Landscape Architect, Urban Forester, or Arborist in accordance with the specifications for such plans contained herein. The performance of professional services in the preparation of plans required herein shall comply with Georgia Law governing the practice of the applicable profession. Other licensed professionals (e.g. architects, engineers, etc.) may be authorized by the Director to prepare Tree Preservation Plans, but not

6.3.1 (Cont.)

Tree Replacement Plans, provided that they demonstrate, to the satisfaction of the Director, competency and knowledge in the principles and practices of arboriculture.

6.3.2 The Tree Preservation/Replacement Plan shall be shown on a copy of a Preliminary Plat, Concept Plan or Site Plan, with the exception of a permit to conduct tree thinning, as appropriate to the proposed development, drawn to the same scale as the other plan documents prepared for a Land Disturbance Permit application on the property, and shall cover the same area. The plan may be combined with a required Buffer and Landscape Plan for the project, at the option of the developer.

6.3.3 The Tree Preservation/Replacement Plan shall provide sufficient information and detail to clearly demonstrate that all applicable requirements and standards of this Ordinance will be fully satisfied.

6.3.4 The Tree Preservation/Replacement Plan shall contain but need not be limited to the following:

- a. Project name, Land District, Land Lot, north arrow and scale.
- b. Developer's name, address, and telephone number.
- c. The name, address, and telephone number of the professional Landscape Architect, Urban Forester, Arborist or other authorized individual responsible for preparation of the plan, in accordance with the requirements of Subsection 6.3.1, above, and the Seal or statement of professional qualifications of said person (which may be attached separately).
- d. Delineation of all minimum yard areas, buffers, and landscape areas as required by the Zoning Resolution or conditions of zoning, special use or variance approval.
- e. Total acreage of the site and total acreage exclusive of all zoning buffer areas.
- f. Delineation of all areas located within a 100-year flood plain.

6.3.4 (Cont.)

- g. Existing Trees to be retained in Tree Protection Areas:

Trunk location and size (to the nearest inch in diameter at or below diameter breast height), of individual trees proposed to remain for credit toward meeting the minimum tree density standard on the property. Groups of 3 or more trees whose driplines combine into a single Tree Protection Area may be outlined as a group and their number, by diameter, shown in the Summary Table. If the number and size of all existing trees to remain on the site exceeds the required tree density standard for the entire site, only those trees required to meet the minimum tree density standard must be shown. All Tree Protection Areas are to be outlined and labeled.

- h. Tree Protection Measures:

- (1) A detail or description of the protective tree fencing, staking, or continuous ribbon to be installed, and the location of such measures, which at a minimum shall follow the dripline of all trees to be retained along adjoining areas of clearing, grading, or other construction activity.
- (2) Measures to be taken to avoid soil sedimentation intrusion into Tree Protection Areas, and the location of such devices.
- (3) Proposed location of temporary construction activities such as equipment or worker parking, materials storage, burn holes, equipment washdown areas, and entrance pads.
- (4) Proposed type and location of any tree save area signs or other pertinent signage.

- i. If replacement trees are proposed to be planted in order for the property to achieve the required Tree Density Standard, the replacement trees shall be shown and their spacing and diameter identified, to the extent needed to achieve the minimum requirements. Trees grouped together in tree planting areas may be listed on the Summary Table by total number in the grouping, by size.

6.3.4 (Cont.)

- j. A Summary Table of the number of existing trees to remain and new trees to be planted, by diameter to the nearest inch at or below dbh, shall be shown along with calculations showing the tree density achieved for the site. Additional credits shall be noted where applicable (see Subsection 5.3.2, paragraph c.). Groupings of trees in Tree Protection Areas and areas for new tree planting may be keyed to the Summary Table by area rather than having each tree individually labeled on the plan.

- 6.3.5 The plan sheet which shows the grading plan, including existing and proposed contour lines, shall indicate the dripline location of all Tree Protection Areas through the use of shading on the plans. The exact location of each tree is not desired to be shown, only the limits of the Tree Protection Area and any other areas which are not to be disturbed.

ARTICLE 7

COMPLIANCE

7.1 ARTIFICIAL MATERIALS PROHIBITED

- 7.1.1 All artificial plants, trees, shrubs, grass or other vegetation shall be prohibited from fulfilling the requirements of this Ordinance.

7.2 WARRANTY OR MAINTENANCE SURETY

- 7.2.1 Upon final installation of new trees, shrubs or other landscape material planted to meet the requirements of this Ordinance, and following acceptance by the Department in accordance with the procedures set forth in the Development Regulations, the owner shall either provide proof of warranty or post a Maintenance Bond or other acceptable surety, warranting the new trees, shrubs or landscape material for a period of no less than one (1) year.

7.3 INSPECTION

- 7.3.1 The Department shall perform an inspection of the plantings and landscape materials required by this Ordinance prior to expiration of the one (1) year warranty or maintenance period. The owner shall be notified of any replacements or restoration that must be made to maintain compliance with this Ordinance or conditions of zoning, special use or variance approval.
- 7.3.2 Required landscape material found to be dead or near death shall be replaced prior to release by the Department of the warranty or maintenance surety. In no case shall replacement be delayed greater than 30 days from notification unless a performance bond is posted with the Department.

7.4 PERFORMANCE SURETY

- 7.4.1 Compliance Prior to Certificate of Occupancy or Final Plat Approval

In the event that new trees proposed to be planted to achieve the Tree Density Standard as set forth in the Tree Regulations contained herein, or other trees or landscape material required to be planted as set forth in the Buffer Regulations or Landscape Regulations

7.4.1 (Cont.) contained herein, are not installed upon application for a Certificate of Occupancy or Final Plat approval as appropriate to the project, then a Performance Bond or other acceptable surety in an amount equal to 110% of the value of the new trees or landscape material and their installation shall be posted with the Department in accordance with the performance bonding requirements and provisions of the Development Regulations.

7.4.2 Compliance upon Permit Completion or Expiration

Properties where a permit is issued to conduct land disturbing activities that do not require the issuance of a Certificate of Occupancy or the approval of a Final Plat, or said activities as authorized are completed or the permit expires, shall comply with the Tree Density Standard of this Ordinance as follows:

a. Clearing, Clearing and Grubbing, or Grading Only Permits

Replacement trees proposed to be planted to achieve the Tree Density Standard of this Ordinance which are not planted upon completion or prior to expiration of a Clearing, Clearing and Grubbing, or Grading Permit, shall be planted within 30 days of the completion or expiration of said permit unless a Performance Bond is posted with the Department.

b. Development Permits

Replacement trees proposed to be planted to achieve the Tree Density Standard of this Ordinance which are not planted upon expiration, as opposed to completion, of a Development Permit shall be planted within 30 days of expiration of said permit unless a Performance Bond is posted with the Department.

7.5 CONTINUING MAINTENANCE

- 7.5.1 The owner, occupant, tenant, and respective agent of each, if any, shall be jointly and severally responsible for the perpetual maintenance and protection of buffers and landscape plantings required by this Ordinance.
- 7.5.2 The Department is hereby authorized to order diseased, infested, dying, dead or damaged landscaping required herein to be replaced.
- 7.5.3 Buffers that, over a period of time, lose their screening ability shall be replanted to meet the requirements of this Ordinance.
- 7.5.4 Replacement trees and landscaping shall be in accordance with the applicable provisions of this Ordinance.

ARTICLE 8

ENFORCEMENT, VIOLATION AND APPEALS

8.1 ENFORCEMENT

It shall be the responsibility of the Department to enforce this Ordinance. The Director or his/her designee shall have the authority to revoke, suspend, or void any Clearing, Clearing and Grubbing, Grading, Development or Building Permit or to withhold issuance of a Certificate of Occupancy, and shall have the authority to suspend all work on a site or any portion thereof, where tree removal or damage occurs in violation of this Ordinance or the provisions of the approved Tree Preservation/Replacement Plan for the site.

8.2 VIOLATION AND PENALTY

Any person violating provision of this Ordinance shall be guilty of violating a duly adopted Ordinance of The City of Sugar Hill, and upon conviction by a court of competent jurisdiction, may be punished either by a fine not to exceed \$500, or confinement in the County jail not to exceed 60 days, or both. The Court shall have the power and authority to place any person found guilty of a violation of this Ordinance on probation and to suspend or modify any fine or sentence. As a condition of said suspension, the Court may require payment of restitution or impose other punishment allowed by law which may include mandatory attendance at an educational program regarding tree preservation. The owner of any property wherein a violation exists, and any builder, contractor, or agent who may have assisted in the commission of any such violation, shall be guilty of a separate offense.

8.3 APPEALS AND WAIVERS

8.3.1 Variance from the Zoning Resolution

The preservation of trees may be considered as a condition peculiar to a piece of property in support of a request for a Variance from the literal application of the provisions of the Zoning Resolution, under the procedures and requirements contained therein.

8.3.2 Appeals

Appeals of the interpretation of the requirements of this Ordinance by the Director shall be filed and processed in accordance with the appeal procedures as set forth in the Development Regulations.

8.3.3 Waivers

Waiver requests of the requirements of this Ordinance shall be filed and processed in accordance with the waiver procedures as set forth in the Development Regulations.

ARTICLE 9

ADOPTION AND AMENDMENT

9.1 REPEAL CLAUSE

The provisions of any ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are repealed, save and except such ordinances or resolutions or parts of ordinances or resolutions which provide stricter standards than those provided herein.

9.2 SEVERABILITY

Should any section, subsection, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance in whole or any part thereof other than the part so declared to be invalid.

9.3 AMENDMENT

This Ordinance may be amended from time-to-time by resolution of the City Council of The City of Sugar Hill. Such amendments shall be effective as specified in the adopting resolution.

9.4 EFFECTIVE DATE

This Ordinance shall become effective upon its adoption.

Adopted this, the 12 day of August, 1996.



BY: *Harry J. Hunt*
City of Sugar Hill

ATTEST:

DATE SIGNED: 10/17/96

Debra B. Gault 10/17/96
Clerk Date

ADMINISTRATIVE REPORT

PLANNING, ZONING, & BUILDING INSPECTIONS DEPARTMENT

JULY 1996

PRINTED 08-05-96

PERMITS ISSUED DURING THE PERIOD 07/01/96 THROUGH 07/31/96

THIS REPORT WAS PRINTED ON AUGUST 5, 1996

PAGE 1

CITY OF SUGAR HILL

PERMIT TYPE AND DESCRIPTION	# OF PERMITS	VALUATION	FEES DUE	FEES PAID
AD - ADDITION/GARAGE PERMIT	3	22,500.00	416.80	416.80
AV - ADMINISTRATIVE VARIANCE	4	0.00	600.00	600.00
AX - ANNEXATION APPLICATION	1	0.00	350.00	350.00
CG - CLEARING & GRUBBING PERMIT	4	0.00	35.00	35.00
CM - COMMERCIAL PERMIT	1	0.00	158.00	158.00
DK - DECK PERMIT	2	0.00	50.00	50.00
DP - DEVELOPMENT PERMIT	1	0.00	466.00	466.00
EC - ENERGY CODE AFFIDAVIT	26	0.00	0.00	0.00
EL - ELECTRICAL AFFADAVIT	33	0.00	0.00	0.00
FP - FENCE PERMIT	3	0.00	0.00	0.00
HE - HEATING/AIR AFFADAVIT	29	0.00	0.00	0.00
MH - MOBILE HOME INSTALLER AFFIDAVIT	2	0.00	0.00	0.00
MI - MISCELLANEOUS-COMPLIANCE PERMIT	6	0.00	118.50	118.50
PL - PLUMBING AFFADAVIT	29	0.00	0.00	0.00
RF - REVIEW FEES	1	0.00	400.00	400.00
RM - REMODELING PERMIT	2	8,000.00	130.24	130.24
RZ - REZONING APPLICATION	1	0.00	350.00	350.00
SF - SINGLE FAMILY RESIDENTIAL	26	1,918,624.00	16,032.60	16,032.60
SP - SIGN PERMIT	4	0.00	100.00	100.00
TL - TRADE LICENSE REGISTRATION	15	0.00	150.00	150.00
TP - TAP & METER PAYMENTS	14	0.00	3,500.00	3,500.00
TOTALS FOR ALL PERMIT TYPES	207	1,949,124.00	22,857.14	22,857.14

THIS REPORT WAS PRINTED ON AUGUST 5, 1996

CITY OF SUGAR HILL

TRANS. DATE	#	RESIDENTIAL 1000-0001	COMMERCIAL 1000-0002	MISCELLANEOUS 1000-0003	MOBILE HOMES 1000-0004	DEVELOPMENT 1000-0005	GAS 1000-0006	WATER 1000-0007	SEWER 1000-0008
07/01/96	7	340.00	0.00	35.00	0.00	1.00	0.00	0.00	0.00
07/02/96	3	0.00	25.00	20.00	0.00	0.00	0.00	0.00	0.00
07/03/96	4	300.00	196.00	10.00	0.00	0.00	0.00	0.00	0.00
07/08/96	2	25.00	0.00	15.00	0.00	0.00	0.00	0.00	0.00
07/09/96	8	1341.00	158.00	10.00	0.00	0.00	0.00	0.00	0.00
07/10/96	2	405.00	400.00	0.00	0.00	0.00	1500.00	0.00	0.00
07/11/96	5	1090.00	55.24	10.00	0.00	0.00	250.00	0.00	0.00
07/12/96	4	50.00	0.00	20.00	0.00	0.00	750.00	0.00	0.00
07/15/96	3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
07/16/96	1	0.00	0.00	0.00	0.00	0.00	750.00	0.00	0.00
07/17/96	13	3227.40	0.00	0.00	0.00	0.00	250.00	0.00	0.00
07/18/96	4	466.00	50.00	10.00	0.00	14.00	2000.00	0.00	0.00
07/19/96	2	559.00	0.00	10.00	0.00	0.00	250.00	0.00	0.00
07/23/96	7	1431.40	0.00	0.00	0.00	0.00	250.00	0.00	0.00
07/24/96	8	1778.80	0.00	20.00	0.00	0.00	1750.00	0.00	0.00
07/26/96	4	55.80	25.00	10.00	0.00	0.00	1500.00	0.00	0.00
07/29/96	3	175.00	0.00	10.00	0.00	0.00	250.00	0.00	0.00
07/30/96	4	700.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
07/31/96	1	13.50	0.00	0.00	0.00	20.00	250.00	0.00	0.00
=====	==	=====	=====	=====	=====	=====	=====	=====	=====
TOTALS	85	11957.90	909.24	180.00	0.00	35.00	9750.00	0.00	0.00
Non-Existing Categories		0.00							
Current Categories		22832.14							
		=====							
Grand Total		22832.14							

CITY OF SUGAR HILL

PERIODIC REPORT OF PERMITS ISSUED (GROUPED BY REPORT CODE)

DATE RANGE: 07/01/96 TO 07/31/96

Printed on: AUGUST 5, 1996

	CODE	PRMS	VALUATION	FEES	DUE	UNITS
NEW RESIDENTIAL HOUSEKEEPING BLDGS:						
* Single Family Houses Detached	101	26	1,918,624.00	16,032.60	0	
* Single Family Houses Attached	102	0	0.00	0.00	0	
* 2 Family Building	103	0	0.00	0.00	0	
* 3 and 4 Family Buildings	104	0	0.00	0.00	0	
* 5 or More Family Buildings	105	0	0.00	0.00	0	
NEW RESIDENTIAL NON-HOUSEKEEPING BL:						
* Hotels, Motels & Tourist Cabins ..	213	0	0.00	0.00	0	
* Other Non-Housekeeping Shelter ...	214	0	0.00	0.00	0	
NEW NON-RESIDENTIAL BUILDINGS:						
* Amusement, Social, & Recreational	318	1	0.00	158.00	0	
* Churches & Other Religious	319	0	0.00	0.00	0	
* Industrial	320	0	0.00	0.00	0	
* Prkng Garages (Blds & Open Decked)	321	0	0.00	0.00	0	
* Service Stations & Repair Garages	322	0	0.00	0.00	0	
* Hospitals & Institutional	323	0	0.00	0.00	0	
* Offices, Banks, & Professional ...	324	0	0.00	0.00	0	
* Public Works & Utilities	325	0	0.00	0.00	0	
* Schools & Other Educational	326	0	0.00	0.00	0	
* Stores & Customer Services	327	0	0.00	0.00	0	
* Other Non-Residential Bldgs	328	0	0.00	0.00	0	
* Structures Other than Buildings ...	329	0	0.00	0.00	0	
ADDITIONS, ALTERATIONS, & CONVERSION						
* Residential	434	2	8,000.00	111.04	0	
* Non-Residential & Non-Housekeeping	437	1	22,500.00	196.00	0	
* Adds of Resid. Garages (Atch/Detc)	438	0	0.00	0.00	0	
DEMOLITIONS AND RAZING OF BUILDINGS:						
* Single Family Houses (Atch/Detach)	645	0	0.00	0.00	0	
* 2 Family Buildings	646	0	0.00	0.00	0	
* 3 & 4 Family Buildings	647	0	0.00	0.00	0	
* 5 or More Family Buildings	648	0	0.00	0.00	0	
* All Other Buildings and Structures	649	0	0.00	0.00	0	
TOTALS FOR PERMITS SHOWN ABOVE						
	30		1,949,124.00	16,497.64	0	
Totals of other permits in the period						
	177		0.00	6,359.50	0	
TOTAL FOR ALL PERMITS IN THE PERIOD						
	207		1,949,124.00	22,857.14	0	

THIS REPORT WAS PRINTED ON AUGUST 5, 1996

CITY OF SUGAR HILL

<< STATISTICAL BREAKOUT >>

<----- Inspections -----> <----- Re-Inspections -----> Based On # Activities

# ACTIVITIES	INSPECTIONS (I)	PASSED	CORRECTIONS	RE-INSPECTIONS (R)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
280	193	106	86	87	69	17	103
	% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED
	69	55	45	31	79	20	37

INSPECTOR ID BREAKDOWN

TONY - 128 INSPECTIONS

JOE - 152 INSPECTIONS

1996 INSPECTION'S DEPARTMENT MONTHLY REPORT

UPDATED 08-05-96

PERMIT TYPES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD TOTAL
AD - ADDITION/GARAGE PERMITS	1	1	0	2	0	2	3						9
CM - COMMERCIAL	1	3	3	0	0	1	1						9
CT - CONSTRUCTION/SALES TRAILER	0	0	1	0	1	2	0						4
DL - DEMOLITION	0	0	0	0	0	0	0						0
DP - DEVELOPMENT PERMIT	2	3	2	0	2	3	1						13
FP - FENCE	4	1	2	5	2	7	3						24
GP - GRADING PERMIT	0	1	1	0	0	0	0						2
MI - MISCELLANEOUS/COMPLIANCE	6	9	6	8	7	12	6						54
MN - NEW MOBILE HOME	0	5	2	1	0	2	0						10
PP - POOL PERMIT	0	0	3	2	0	1	0						6
RF - REVIEW FEES	0	0	0	0	0	0	1						1
RM - REMODELING PERMITS	2	1	1	3	2	1	2						12
SB - STORAGE BUILDING	2	2	1	2	2	2	0						11
SF - SINGLE FAMILY	27	18	30	31	34	16	26						182
SP - SIGN PERMIT	2	5	2	1	2	3	4						19

AV - ADMINISTRATIVE VARIANCE	2	5	7	15	3	2	4						38
VA - APPEALS VARIANCE	0	1	0	0	9	0	0						10

AX - ANNEXATION APPLICATIONS	0	0	0	0	0	0	1						1
RZ - REZONING APPLICATIONS	0	0	1	1	0	2	1						5

CERTIFICATES OF OCCUPANCY	10	23	32	19	29	25	27						165

GAS TAPS ISSUED	31	45	35	60	50	37	39						297

BUILDING INSPECTIONS	215	248	433	352	277	284	280						2089

SUBDIVISION LOT AVAILABILITY LIST

Updated 08-05-96

Available Lots	Subdivision	Near What Major Street	Permits		C.O.'s		Lots Not		City	
			Issued	Issued	Issued	Issued	Built On	Built On	Gas	Gas
92	Abingdon Place	Whitehead Road	67		45		25		X	X
58	Arbor Clos	Highway 20	41		19		17		X	X
112	Bent Creek	Level Creek Road	110		110		2		X	X
7	Brandon Oaks	Austin Garner Road	6		6		1			
26	Brookside at Parkview	Parkview Mine Drive	26		25		0		X	X
39	Emerald Lakes IV	Cumming Highway	35		25		4		X	X
57	Hillcrest Crossing	Hillcrest Drive					57		X	X
33	Hillcrest Glenn	Hillcrest Drive					33		X	X
131	Lakefield Forest	Level Creek Road	128		124		3		X	X
174	Princeton Oaks	Riverside Road	146		122		28		X	X
81	Richland Creek Unit I	Sycamore Road	17		6				X	X
106	Saddle Tree	Suwanee Dam Road	37		23		69		X	X
116	Secret Cove	Old Suwanee Road	116		114		0		X	X
96	Sugar Crossing	Austin Garner Road	87		74		9		X	X
34	Sugar Hill Plantation	Old Cumming Highway	2				32		X	X
178	Sycamore Summit	Sycamore Road/Riverside Road	176		171		2		X	X
14	The Lakes at Riverside	Riverside Road	13		13		1			
51	The Links	Suwanee Dam Road	11		3		40			
101	The Oaks at Lanier	Highway 20	100		91		1		X	X
84	The Springs I	Highway 20	53		41		31		X	X
50	West Price Hill	West Price Road	47		46		3		X	X

FINANCE REPORT
AUGUST 1996

We continue to maintain \$100,000+ in the checking account. We have on deposit in the GMA LGIP which is now Georgia Fund I, \$300,000 which was transferred from the checking account. We also have the Sanitation Escrow monies of \$341,816.75 and the Golf Club House Payment Escrow monies of \$47,500.00 in that account.

We will be receiving a check for \$38,000+ from the Lease Pool for refinancing the last three (3) vehicles we purchased. This money will be at a very low interest rate and the \$38,000 will be placed in the Georgia Fund I currently earning 5.321%. This will give us over \$733,000 in that fund. This investment will earn considerably more interest income for the last six (6) months of the year.

Georgia Fund I, formerly LGIP, is offered by the State of Georgia to counties, municipalities, public colleges, boards of education, special districts, and state agencies as a safe, efficient and liquid investment alternative. The primary investment objectives of Georgia Fund I are safety of capital, liquidity, yield, and diversification with primary emphasis on safety of capital and liquidity. It is managed by the Office of Treasury and Fiscal Services.

REVENUES/INCOME AND EXPENDITURES/EXPENSES REPORT 1996

JULY

DEPARTMENT: BUDGET '96 '95YD: '96YD: PERCENT: NET '96
'96YTD: YTD-BUDGET:

Administration:					
Revenues	\$1,034,470	\$524,118	\$430,574	41.62%	\$603,896
Expenditures	\$850,752	\$412,036	\$467,809	54.99%	\$382,943
Net Income:	\$183,718	\$112,082	(\$37,235)	-20.27%	\$220,953
Inspections:					
Revenues	\$71,800	\$60,466	\$109,577	152.61%	(\$37,777)
Expenditures	\$150,405	\$69,101	\$85,217	56.66%	\$65,188
Net Income:	(\$78,605)	(\$8,635)	\$24,360	-30.99%	(\$102,965)
Street:					
Revenues	\$78,800	\$48,248	\$24,835	31.52%	\$53,965
Expenditures	\$311,003	\$194,543	\$187,052	60.14%	\$123,951
Net Income:	(\$232,203)	(\$146,295)	(\$162,217)	69.86%	(\$69,986)
Sanitation:					
Income	\$378,000	\$170,102	\$204,787	54.18%	\$173,213
Expenses	\$378,000	\$169,490	\$160,541	42.47%	\$217,459
Net Income:	\$0	\$612	\$44,246	ERR	(\$44,246)
Gas:					
Income	\$2,454,500	\$1,387,969	\$2,017,098	82.18%	\$437,402
Expenses	\$2,223,879	\$685,506	\$1,717,708	77.24%	\$506,171
Net Income:	\$230,621	\$702,463	\$299,390	129.82%	(\$68,769)
Water:					
Income	\$0	\$364,004	\$21,125	ERR	(\$21,125)
Expenses	\$0	\$320,577	\$104,141	ERR	(\$104,141)
Net Income:	\$0	\$43,427	(\$83,016)	ERR	\$83,016
Sewer:					
Income	\$0	\$316,889	\$36,782	ERR	(\$36,782)
Expenses	\$0	\$558,276	\$253,319	ERR	(\$253,319)
Net Income:	\$0	(\$241,387)	(\$216,537)	ERR	\$216,537
Golf:					
Income	\$901,000	\$511,520	\$598,292	66.40%	\$302,708
Expenses	\$901,000	\$372,679	\$466,046	51.73%	\$434,954
Net Income:	\$0	\$138,841	\$132,246	ERR	(\$132,246)
Total Income:	\$4,918,570	\$3,383,316	\$3,443,070	70.00%	\$1,475,500
Total Expenditures/ Expenses	\$4,815,039	\$2,782,208	\$3,441,833	71.48%	\$1,373,206
Variances	\$103,531	\$601,108	\$1,237	1.19%	\$102,294

CASH FLOW ANALYSIS REPORT - ACTUAL VARIANCES AND PROPOSED ACTION

[illegible]

CASH FLOW ANALYSIS REPORT - ACTUAL REVENUES

1996 ACTUAL														
Revenues		JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTALS
I. Non-Seasonal														
A. General		\$41,311.56	\$47,205.97	\$97,915.01	\$36,093.66	\$72,090.63	\$29,414.87	\$24,065.17						\$348,096.87
B. Sanitation		\$33,160.68	\$28,101.95	\$28,022.99	\$29,094.47	\$28,709.89	\$28,544.99	\$28,998.87						\$204,633.84
C. Gas		\$7,909.31	\$7,767.58	\$14,120.66	\$15,722.63	\$78,180.52	\$11,735.61	\$10,225.78						\$145,662.09
D. Water			\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00						\$1,500.00
E. Sewer			\$20,000.00	\$0.00	\$450.00	\$0.00	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00	\$20,450.00
I. Sub-totals:		\$82,381.55	\$104,575.50	\$140,058.66	\$81,360.76	\$178,981.04	\$69,695.47	\$63,289.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$720,342.80
II. Seasonal														
A. General:														
Property Tax		\$25,147.35	\$2,091.99	\$1,725.45	\$4,567.57	\$5,060.98	\$297.15	\$2,070.76						\$40,961.25
Ga. Pwr Fee				\$144,820.59										\$144,820.59
So. Bell Fee														\$0.00
NE Cable Fee			\$10,051.50			\$8,105.73								\$18,157.23
Insur Fee										\$0.00				\$0.00
GEFA LOAN														\$0.00
A. Sub-total:		\$25,147.35	\$12,143.49	\$146,546.04	\$4,567.57	\$13,166.71	\$297.15	\$2,070.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$203,939.07
B. Gas Fund:														
Gas Sales		\$437,981.15	\$400,834.20	\$407,963.77	\$311,316.90	\$155,140.14	\$85,022.60	\$73,176.74						\$1,871,435.50
C. Water Fund:														
Water Sales		\$20,369.84	(\$335.73)	(\$106.88)	(\$188.35)	\$0.00	(\$56.21)	(\$57.41)						\$19,625.26
D. Sewer Fund:														
Sewer Sales		\$16,324.30	\$8.00	\$8.00	(\$8.00)	\$0.00								\$16,332.30
Sewer Taps														\$0.00
E. Sub-total:		\$16,324.30	\$8.00	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,332.30
F. Golf Course:														
Int. on Golf Fund		\$18,139.32	\$45,259.64	\$53,922.66	\$98,528.57	\$122,186.41	\$135,237.47	\$124,586.05						\$597,860.12
II. Sub-total:		\$517,961.96	\$457,909.60	\$608,748.68	\$414,708.94	\$290,493.26	\$220,501.01	\$199,776.14	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,710,099.59
TOTAL REVENUES:		\$600,343.51	\$562,485.10	\$748,807.34	\$496,069.77	\$469,474.30	\$290,196.48	\$263,065.96	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,430,442.39

July 1996
Customer Services

A) Total utility customers:

1) Gas

4137

Total Gas Customers

4137

B) New customers:

1) Gas

71

Total new customers

71

C) Customers moving out of city:

1) Gas

29

Total customers moving

29

D) Meter re-reads:

1) Before Billing

1191

2) Per customer's request

4

3) Over-reads

0

4) Total re-reads

1195

E) Other:

1) Cut-offs

38

TOTAL

38

Report by:

Customer Service Manager

JULY 1996 **GAS DEPARTMENT MONTHLY REPORT**

<u>SUPT</u> <u>REC</u>	<u>BLDR</u> <u>REQUEST</u>	<u>SUBDIVISION</u>	<u>LOT</u>	<u>COMPLETED</u>
04/15/96	06/20/96	DEER VALLEY	21A	07/01/96
04/15/96	06/20/96	DEER VALLEY	22A	07/01/96
04/25/96	06/20/96	DEER VALLEY	23A	07/01/96
04/25/96	06/20/96	DEER VALLEY	24A	07/01/96
04/26/96	06/20/96	DEER VALLEY	25A	07/01/96
06/17/96	06/21/96	HIGHLANDS @ BRIDGEGATE	7C	07/01/96
06/26/96	06/26/96	OAKS @ RIVERSIDE	8A	07/01/97
07/01/97	06/28/96	OAKS @ RIVERSIDE	9A	07/01/96 MOVED METER
04/25/96	06/20/96	DEER VALLEY	18A	07/02/96
04/15/96	06/20/96	DEER VALLEY	19A	07/02/96
04/25/96	06/20/96	DEER VALLEY	20A	07/02/96
03/13/96	06/25/96	LAKEFIELD FOREST	22C	07/02/96
06/26/96	06/26/96	1498 BUFORD HWY, SUITE C		07/02/96
03/15/96	07/01/96	OAKS AT LANIER	22A	07/08/96
06/26/96	06/26/96	OAKS AT RIVERSIDE	5	07/10/96
05/21/96	07/08/96	PRINCETON OAKS	148B	07/10/96
05/13/96	07/01/96	EMERALD LAKE	57C	07/10/96
06/07/96	07/03/96	DEER VALLEY	6B	07/11/96
03/22/96	07/01/96	OAKS AT LANIER	112B	07/11/96
03/20/96	07/09/96	RICHLEIGH		
04/03/96	07/10/96	DEFERRED		
04/03/96	07/10/96	DEFERRED		
04/15/96	07/01/96			
02/13/96	07/11/96			
05/23/96	07/08/96			
04/25/96	07/18/96			
05/13/96	07/23/96			
07/16/96	07/16/96			
07/16/96	07/16/96			
07/16/96	07/16/96			
06/04/96	07/16/96			
05/21/96	07/16/96			
05/21/96	07/16/96			

1996 GAS DEPARTMENT REPORT											
NEW SERVICES ADDED	January	February	March	April	May	June	July				
LENGTH IN FEET	32	33	32	32	33	56	40				
TYPE OF MATERIAL	2080	3185	2284	2165	2815	4370	3332				
SIZE OF PIPE	5/8	5/8	5/8	5/8	5/8 & 3/4	5/8 & 3/4	5/8 & 3/4				
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
GAS LEAKS	24	20	11	9	9	12	31				
CORROSION CAUSED	2	0	0	7	0	0	2				
OUTSIDE FORCES	0	0	0	0	0	0	0				
MATERIAL DEFECT	7	3	1	0	0	0	0				
CUT OFF VALVE LEAKS	1	5	1	2	0	0	10				
LOW PRESSURE	3	35	4	0	0	0	0				
METERS REPLACED	12	4	11	6	1	2	0				
REGULATORS REPLACED	11	3	0	0	0	0	0				
REGULATORS RESET	0	1	0	0	0	0	0				
CUSTOMER SIDE	2	4	0	3	0	1	4				
NO LEAKS FOUND	8	7	5	4	1	0	4				
THIRD PARTY CUT LINES	12	13	11	6	6	8	12				
BILLED	11	10	9	4	5	6	5				
PAYMENTS RECEIVED	6	5	8	2	0	2	3				
OUTSTANDING	7	12	13	15	20	24	26				
KILLED SERVICES	0	0	4	0	0	0	0				
LENGTH IN FEET	0	0	495	0	0	0	0				
TYPE OF MATERIAL	N/A	N/A	PL & STL	0	0	0	0				
SIZE OF PIPE	N/A	N/A	5/8 & 3/4	0	0	0	0				
NEW MAINS PUT INTO SERVICE	0	0	1	2	1	1	0				
LENGTH IN FEET	0	0	3500	5000	1000	5900	0				
TYPE OF MATERIAL	N/A	N/A	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC				
SIZE OF MAIN	N/A	N/A	2" & 4"	2	2	4					
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A				
LOCATES	149	186	263	est. 200	364	322					

Sugar Hill Golf Club
Breakdown of Rounds
July 1996

Date	Deposit	Credit Card Sales	Res.	Non Res.	Res. Sr.	Non Res. Sr.	Jr.	Golf Pass
7/1	2141.01	878.18	4	50	1	10	3	0
7/2	2597.23	781.94	3	42	0	17	2	8
7/3	2834.91	909.81	3	55	1	19	1	4
7/4	5839.30	1752.39	14	122	0	0	0	0
7/5	6822.58	2902.04	22	132	0	0	0	2
7/6	9575.24	3391.67	13	194	0	0	0	5
7/7	5275.04	1484.59	19	102	0	0	0	0
7/8	2240.34	592.22	5	49	0	11	0	1
7/9	2062.36	659.79	6	37	0	14	0	11
7/10	1989.84	504.02	4	38	0	16	4	1
7/11	2993.36	971.35	30	44	0	20	0	0
7/12	3752.01	866.03	9	89	0	2	0	10
7/13	7323.61	3039.02	28	144	0	0	0	1
7/14	6584.17	1866.02	12	131	0	0	0	3
7/15	3313.34	984.44	7	56	0	2	0	1
7/16	2093.60	710.36	3	32	1	23	1	6
7/17	1870.15	519.17	4	36	1	12	4	2
7/18	3761.65	765.27	33	64	0	13	0	11
7/19	4294.68	1205.34	14	97	0	1	0	12
7/20	7136.77	2647.62	22	142	0	0	0	3
7/21	6086.96	2390.95	13	115	0	0	0	3
7/22	2521.12	608.27	7	50	0	17	0	3
7/23	3298.80	1202.88	2	62	1	27	3	8
7/24	3067.91	1264.65	4	66	2	18	5	6
7/25	3905.89	858.49	31	64	1	19	6	4
7/26	4574.77	1434.77	8	109	0	2	0	3
7/27	5577.16	2406.42	17	100	0	0	2	5
7/28	5180.62	1851.46	11	100	0	0	0	2
7/29	4038.08	1232.65	7	84	0	24	1	9
7/30	3333.81	1481.80	7	58	0	35	2	10
7/31	2907.69	1086.50	8	51	4	20	1	1
Total	128994.00	43250.11	370	2515	12	322	35	135
YTD	618523.91	202476.08	1833	11797	65	1296	135	823

DATE	DRAINAGE DEPARTMENT - JULY 1996
7/1 - 7/17	Installation of the 30" pipe at 4442 White Oak Dr. was completed.
7/18-7/31	Backfilling of ditch and yard fill-in at 4442 White Oak Dr. Dirt had to be hauled in to bring elevation of property back to its original grade. Rainy weather has delayed the completion of grading.
	The drainage department also delivered 2 loads of concrete stone and rock to each resident at 1157 Richland Trace and 990 Old Spring Way, to be placed by resident in drainage problem areas.
	Attached is a copy of all tickets completed in July.

007795

Complaint ☒Request ☐Memo ☐

From

Debbie Tankersley

TO: City of Sugar Hill

4988 West Broad Street, Sugar Hill, GA 30518

Telephone 945-6716

Attention

Dennis

Mailing Address

Building Address 1356 Frontier Trail

Phone #

945-0753

SUBJECT:

DrainageDATE: 6/10/969:15 A.M.

	Fee	MESSAGE
GAS TAP		Mrs Tankersley said she had
GAS METER		spoken with owner of property
WATER TAP		he heard her where him off come
WATER METER		home. They promised to correct
SEWER TAP		problem & have not - water
BACKFLOW PREVENTOR		comes across her yard & on
NUMBER FEET GAS LINE RUN		drive way, she can't go to
TOTAL		for can without getting met

REPLY

got. She appreciated what you
have been doing to correct
problem. Property owner
not doing his part.

DATE COMPLETED:

7-9-96

DATE

SIGNED

D. Zink

008301

Complaint ☐Request ☐Memo ☐

From

TO: City of Sugar Hill

4988 West Broad Street, Sugar Hill, GA 30518

Telephone 945-6716

Attention

Jan Payne

1412 Hunter Dr.

Mailing Address

Building Address

Phone #

Denny Ralph

SUBJECT:

DATE:

5-30-96

MESSAGE

Fee

GAS TAP

GAS METER

SERIAL #

WATER TAP

WATER METER

SERIAL #

SEWER TAP

BACKFLOW PREVENTOR

NUMBER FEET GAS LINE RUN

TOTAL

Working in front of Crossties
making drop off from streetSubjected a lead by chips to be
placed there to build up even
with street.

Please "Look" at this problem.

REPLY

Helped street dept. spread & rake chips-

DATE COMPLETED:

7-23-96

DATE

SIGNED

D. Zink

007796

Complaint ☒Request ☐Memo ☐

From

Cecil Harmon

TO: City of Sugar Hill

4988 West Broad Street, Sugar Hill, GA 30518

Telephone 945-6716

Mailing Address

Hickory Hills MHP

Building Address

5225 1/2 5227 Walnut Cir

Attention

Donna

Phone #

945-9763

SUBJECT:

Drainage

DATE:

6/10/96 10:00 AM Rth

	Fee	MESSAGE
GAS TAP		
GAS METER	SERIAL #	Builder has been grading
WATER TAP		? stopped up creek -
WATER METER	SERIAL #	Water is now flowing
SEWER TAP		new back properties
BACKFLOW PREVENTOR		
NUMBER FEET GAS LINE RUN		
TOTAL		

REPLY

Met with the Gorman @ 4:30p - Large amounts of mud and silt had washed down the creek - over flowed the creek leaving a silt and mud covering a substantial area of yards and driveway. Also met w/ Dev. (Elliot) City cleaned out creek - Developer repaired

DATE COMPLETED: damage to yard

DATE

7-17-96

SIGNED

D. Zimke

**McFarland • Dyer
& Associates, Inc.**

July 24, 1996

Mr. Warren Nevad , City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill , Georgia 30518

RE: ***PROPOSAL FOR UPDATE OF ZONING ORDINANCE &
DEVELOPMENT REGULATIONS***

Dear Mr. Nevad:

McFarland - Dyer & Associates, Inc. is pleased to offer this proposal to the City of Sugar Hill for planning services relating to updating the City's Zoning Resolution and Development Regulations. As Consultants, McFarland - Dyer will be retained by the City to work closely with the City Council, the Planning Commission and the City Staff to provide services as follows:

- Review and update the City's Zoning Resolution, and
- Review and update the Development and Subdivision Regulations.

Our goals are to provide the City of Sugar Hill with up-to-date regulations which are easy to interpret and merge existing County Regulations into a codified document applying solely to the incorporated limits of the City.

FEES (Lump Sum)

Complete update of the City's Zoning Ordinance	\$9,600.00
Complete update of the City's Development & Subdivision Regulations	\$4,800.00

(Estimated completion time: January-February, 1997)

Provide the City with 25 copies each of completed Ordinance and Regulations and a computer disc copy of each.

Land Planning • Landscape Architecture • Civil Engineering
3550 Lawrenceville-Suwanee Road • Suite 102 • Suwanee, Georgia 30174
Phone: (770) 932-6550 • Fax (770) 932-6551

Mr. Warren Nevad , City Manager
City of Sugar Hill
July 24, 1996

Page 2 of 2

We realize that these services will be budgeted for the City's 1997 Budget. We will invoice the City for services rendered beginning January 1, 1997 and will be based on percent of completion at that time.

If McFarland - Dyer can provide you with additional information or you have any questions, please call. Should you find this Contract acceptable, please indicate the selected Alternative, and sign in the space provided below. Please return an executed copy to our office. If the City has a Standard Agreement that it uses, then please forward your agreement for our review.

We would appreciate the opportunity to serve you and look forward to a mutually beneficial working relationship. Thank you.

Sincerely,

McFarland - Dyer & Associates, Inc.



Donald R. McFarland
Principal

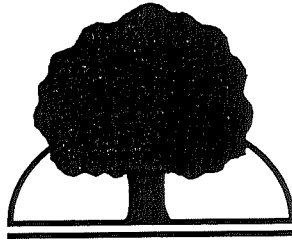
DRM/tlm
(P960601A)

Accepted:

Authorized Signature by City of Sugar Hill

Title: _____

Date: _____



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(770) 945-6716

August 12, 1996

Dear Resident:

We would like to invite everyone to attend the Gainesville Theater Alliance's performance of "Oleanna". This play is available to the public free of charge on two dates :September 4th and September 11th. Each showing begins at 7:00 p.m. at the North Gwinnett High School Auditorium. Oleanna is a powerful play which accents sexual harassment in an academic environment.

Sexual harassment has become a major issue in our lives too often confronting our families. The City's objective is to create an awareness on the importance of this issue. Ultimately, awareness of sexual harassment serves as a deterrent to harassment in society.

We have scheduled a play for our employees in order to create a sensitivity awareness to our workforce. Previously, we held a sexual harassment training course which was facilitated by our City Attorney.

The City Council and myself would like to extend this invitation to you. Following the play, a discussion forum will take place. We hope you plan to attend the play. Although not recommended for young children, we believe that Oleanna will be an enjoyable and educational experience for all.

Sincerely,

Gary L. Webster
Mayor

City of Sugar Hill
Annexation Application

Annexation Fee \$50.00

File Number AX-96-001

This annexation petition is made pursuant to the provision of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference # _____ # OF ACRES .5

It is requested that a zoning classification of (RS-100)

Medium Density Single Family be assigned to the property upon annexation. The property is currently zoned (AF)

Agricultural - Forest in Gwinnett County.

Is this property vacant? _____ yes ☒ no.

(If no, it is ~~not~~ necessary for elector to sign.)

LANDOWNER:

RICHARD F BUTTERWORTH
Name

882 WHITEHEAD RD
Address

SUGAR HILL GA 30518
City, State & Zip

770 945-8111 RETIRED
Home Phone Work Phone

Richard F Butterworth 7/30/96
Signature Date

ELECTOR (Registered Voter):

Name

Address

City, State & Zip

Home Phone Work Phone

Signature Date

Mayor & Council Annex. App. Acceptance Meeting: August 12, 1996

Planning & Zoning Public Hearing: August 19, 1996

Mayor & Council Public Hearing: September 9, 1996

Deadline for submitting application in order to follow this time schedule is 7-29-96.

FOR OFFICE USE ONLY

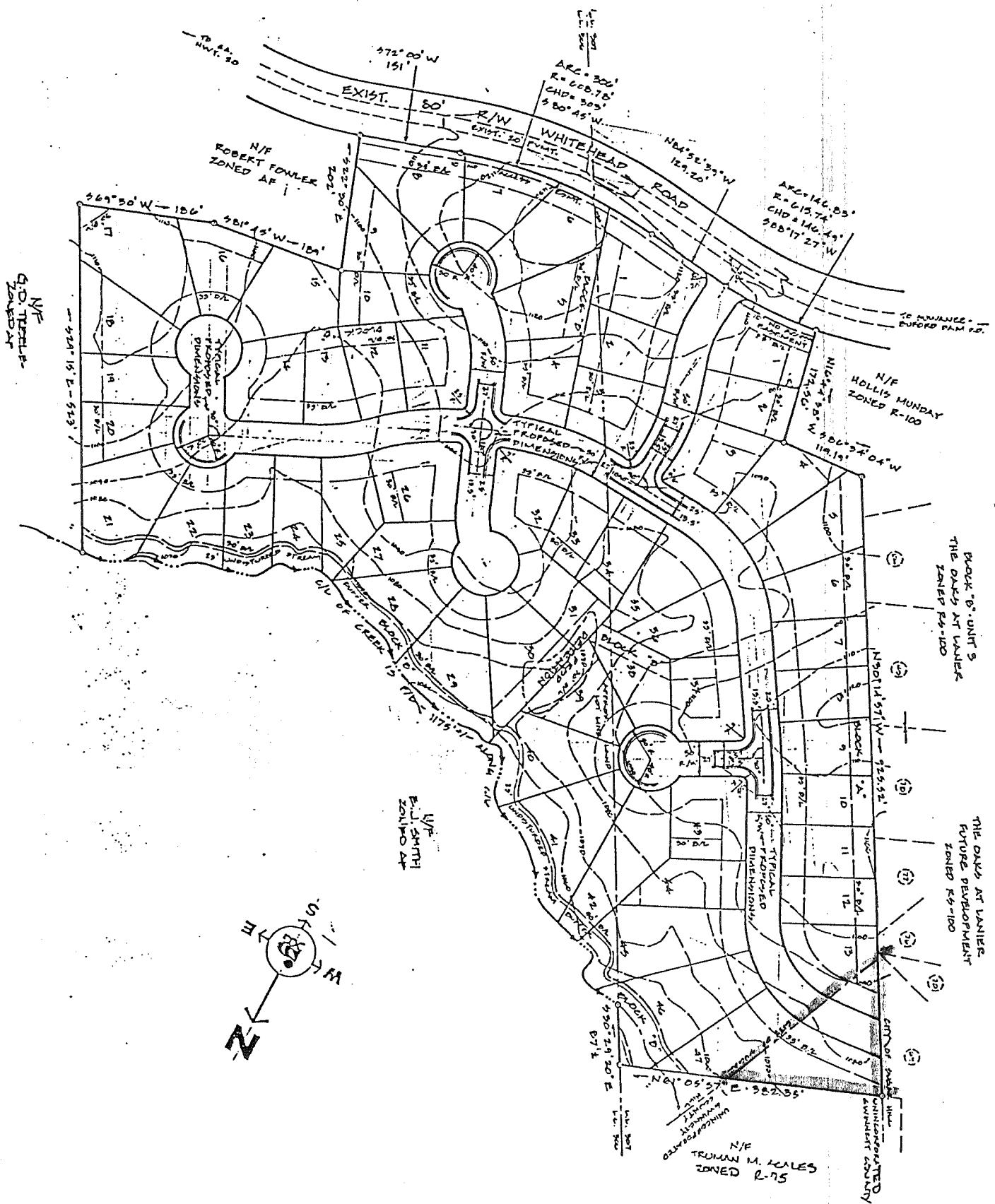
Amount Paid \$ _____ Date Paid _____

Paid by Cash _____ or Check # _____

REQUEST FOR ANNEXATION
SUGAR VALLEY JOINT VENTURE

JULY 23, 1996

In order to create a unified development Sugar Valley Joint Venture requests the property described in the attached legal description to be annexed. The property to be annexed is approximately .5 acres but is important in the expansion of the existing Oaks at Lanier development. As shown on the rezoning exhibit for Sugar Valley Joint Venture dated July 16, 1996, lots 13 and 47 lie within this area to be annexed. The proposed annexation is vital to our development because it will allow one contiguous development and insure the feasibility of the project. Annexation will eliminate any future conflict between the City of Sugar Hill and Gwinnett County regarding taxes or services.



UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, JULY 15, 1996 - 7:30 P.M.

The Planning Commission met on Monday, July 15, 1996 at 7:30 P.M.

Those present were: Chairman Jay Asgari, Board Members Larry Newberry, Rose Payne, and Bob Parris. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Board Member Granville Betts.

Chairman Asgari called the meeting to order and led in the Pledge to the Flag.

Member Rose Payne made a motion to approve the June 17, 1996 minutes, seconded by Member Bob Parris and approved unanimously by those present.

Board Member Granville Betts is now present.

Chairman Jay Asgari stated that he would like to move the election of Chairman and Vice Chairman to the end of the meeting before adjourning.

REZONINGS

RZ-96-003 MAP # 7-274-002A

Roberts S. Jordan is requesting to rezone 27.692 acres off Peachtree Industrial Boulevard from LM to BG. Discussion held. Member Bob Parris made a recommendation to approve the 27.692 acres off Peachtree Industrial Boulevard from LM to BG, seconded by Member Granville Betts and approved unanimously by those present.

RZ-96-004 MAP # 7-292-025

Swain Stewart is requesting to rezone 7.3± acres at Railroad Avenue and Highway 20 from BG to LM. Thomas McPherson who represents Mr. Stewart briefs the Board Members on their request. Attorney Ed Martin is present to represent Ms. Eleanor Scott owner of Cherry Valley Mobile Home Park. Mr. Martin addresses his clients concerns of this proposed development having a negative impact on this Mobile Home Park. Discussion held. Chairman Jay Asgari stated that Mr. Stewart and Ms. Scott appeared to be working with each other at this time. More discussion held. Member Granville Betts made a recommendation to approve the 7.3± acres at Railroad Avenue and Highway 20 from LM to BG with the following conditions:

A. Personal Storage Warehouses.

1. The color scheme of the buildings shall be provided and be of earthtone colors.
2. The site shall be enclosed within a fence.
3. The fence adjoining Georgia S.R. 20 shall be of decorative materials.
4. Lighting shall be contained in a cut-off type illuminaries so as not to reflect all adjoining residential properties.

B. Warehouse/Office

1. Elevations of Buildings facing any adjoining street right-of-way shall be constructed with a facade of brick, stone, or stucco.
2. All overhead doors shall be located to the interior of the site.

3. Any proposed outdoor storage shall be screened with a solid fence.
4. Lighting shall be contained in a cut-off type illuminaries so as not to reflect all adjoining residential properties.
5. All buildings shall be single story with a maximum interior height of 18'.
6. Site shall be built in concept proposed in site plan with offices located in the front and warehouses located in the rear of the building structure.
7. Buffer reduction is not approved.
8. Leave all trees along Border Street with a solid fence located along the rights-of-way to a point where visual clearance is seen along Railroad Avenue.
9. Within 5 years plant a row of shrubs along rear buffer so as to provide continual screen to adjoining residential properties.
10. Construction drawings shall be reviewed by the Planning Commission prior to issuance of a Development Permit for compliance with the intent of this zoning and to insure adequate landscaping is being provided.

seconded by Member Bob Parris and approved unanimously by those present.

DISCUSSION OF ADOPTING BUFFER, LANDSCAPE, & TREE ORDINANCE

Acting Planning Director Don McFarland made a recommendation for the Planning Commission to request adoption of the Gwinnett County Buffer, Landscape, and Tree Ordinance because it would be easier to work with the Developers. Member Larry Newberry made a recommendation to adopt Gwinnett County's Buffer, Landscape, & Tree Ordinance changing the wording of the ordinance to reflect City of Sugar Hill, seconded by Member Granville Betts and approved unanimously by those present.

NOMINATION OF CHAIRMAN & VICE CHAIRMAN FOR 1996

CHAIRMAN

Member Bob Parris nominates Jay Asgari for Chairman. No other nominations were made. Member Bob Parris made a motion to elect Member Jay Asgari as Chairman, seconded by Member Rose Payne and approved unanimously by those present.

VICE-CHAIRMAN

Chairman Jay Asgari nominates Member Granville Betts for Vice Chairman. No other nominations were made. Member Rose Payne made a motion to elect Member Granville Betts for Vice Chairman, seconded by Chairman Jay Asgari and approved unanimously by those present.

ADJOURNMENT:

Vice Chairman Granville Betts made a motion to adjourn the meeting, seconded by Member Bob Parris and approved unanimously by those present.

Meeting adjourned 9:45 p.m.

Kimberly B. Sanders

[Signature]

RZ-96-003

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE 1

PERMIT : 9601333

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 LE

ADDRESS: 7-274-002A

OWNER NAME: ROBERT S. JORDAN

CONTRACTOR: ROBERT S. JORDAN

FEE DUE FROM: ROBERT S. JORDAN

CODE CNT

DESCRIPTION OF ITEMS SELECTED

QUANTITY

AMOUNT

ALL REZONINGS

RC#113

1.00

350.00

SUBTOTAL OF ITEM AMOUNTS

350.00

Check- 5988

P A I D
JUN 13 1996

CITY OF SUGAR HILL

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: Robert S. Jordan	NAME: Robert S. Jordan
ADDRESS: 3715 Northside Parkway	ADDRESS: same as applicant
CITY: Bldg. 300, Suite 150	CITY:
STATE: GA ZIP: 30327	STATE: ZIP:
PHONE: (404) 237-2900	PHONE:
CONTACT PERSON: Robert S. Jordan	
PHONE: (404) 237-2900 FAX: (404) 237-2394	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
OWNER'S AGENT	☒ PROPERTY OWNER
CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): LM	REQUESTED ZONING DISTRICT: BG
LAND DISTRICT(S): 7	LAND LOT(S): 274 ACREAGE: 27.692 TAX ID#: 7 274 002A
ADDRESS OF PROPERTY: Peachtree Industrial Blvd. @ N. Price Rd.	
PROPOSED DEVELOPMENT: Neighborhood Shopping Center/Commercial	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

- ☐ Proposal is a Development of Regional Impact
☐ Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS:	NO. OF BUILDING/LOTS approximately 8
DWELLING UNIT SIZE (sq. ft.)	TOTAL GROSS SQUARE FEET 200,000±
GROSS DENSITY	DENSITY 10,000 Sq.Ft. per Acre
NET DENSITY	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes. There are properties to the south already developed commercially and most of the adjacent properties (in size) are zoned industrial.

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

No. Subject is presently zoned industrial and has been for some time. There are existing commercial uses to the south and north of subject property.

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

The highest and best use for the subject property is neighborhood shopping center or commercial. This use is needed because the subject property is adjacent to the proposed outer loop road and will have a median cut and traffic light.

D. Whether the proposed rezoning (or Special Exception) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

No. This will be a neighborhood development and draw primarily from already existing traffic.

E. 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 rezoning.

Yes. The outer loop highway alignment and land use plan call for commercial use.

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY *****

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

REZONING APPLICANT'S CERTIFICATION

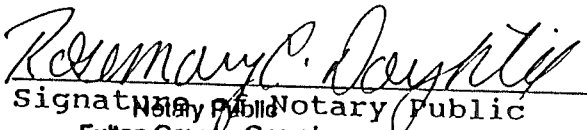
The undersigned below is authorized to make this application.
The undersigned is aware that no application or reapplication
affecting the same land shall be acted upon within 12 months from
the date of last action by the Mayor and Council.



Signature of Applicant 6 / 12 / 96
Date

Robert S. Jordan

Typed or Print Name and Title



Signature of Notary Public 6 / 12 / 96
Date
Fulton County, Georgia
My Commission Expires
July 8, 1997

NOTARY SEAL

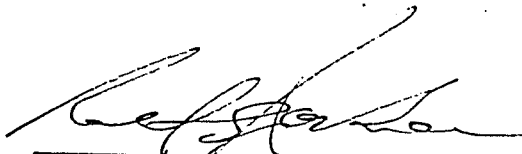
PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

REZONING 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 Mayor and Council.

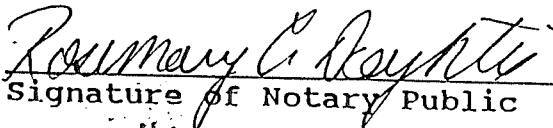


Signature of Owner

6 / 12 / 96
Date

Robert S. Jordan

Typed or Print Name and Title



Signature of Notary Public

6 / 12 / 96
Date

NOTARY SEAL

Notary Public
Fulton County, Georgia
My Commission Expires
July 8, 1997

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, 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.

Robert S. Jordan 6 / 12 / 96 Robert S. Jordan
Signature of Applicant Date Type or Print Name and Title

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

Reynold E. Bryant 6 / 12 / 96
Notary Public Notary Public Date NOTARY SEAL
Fulton County, Georgia
My Commission Expires
July 8, 1997

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 Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

No (yes/no)

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

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

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

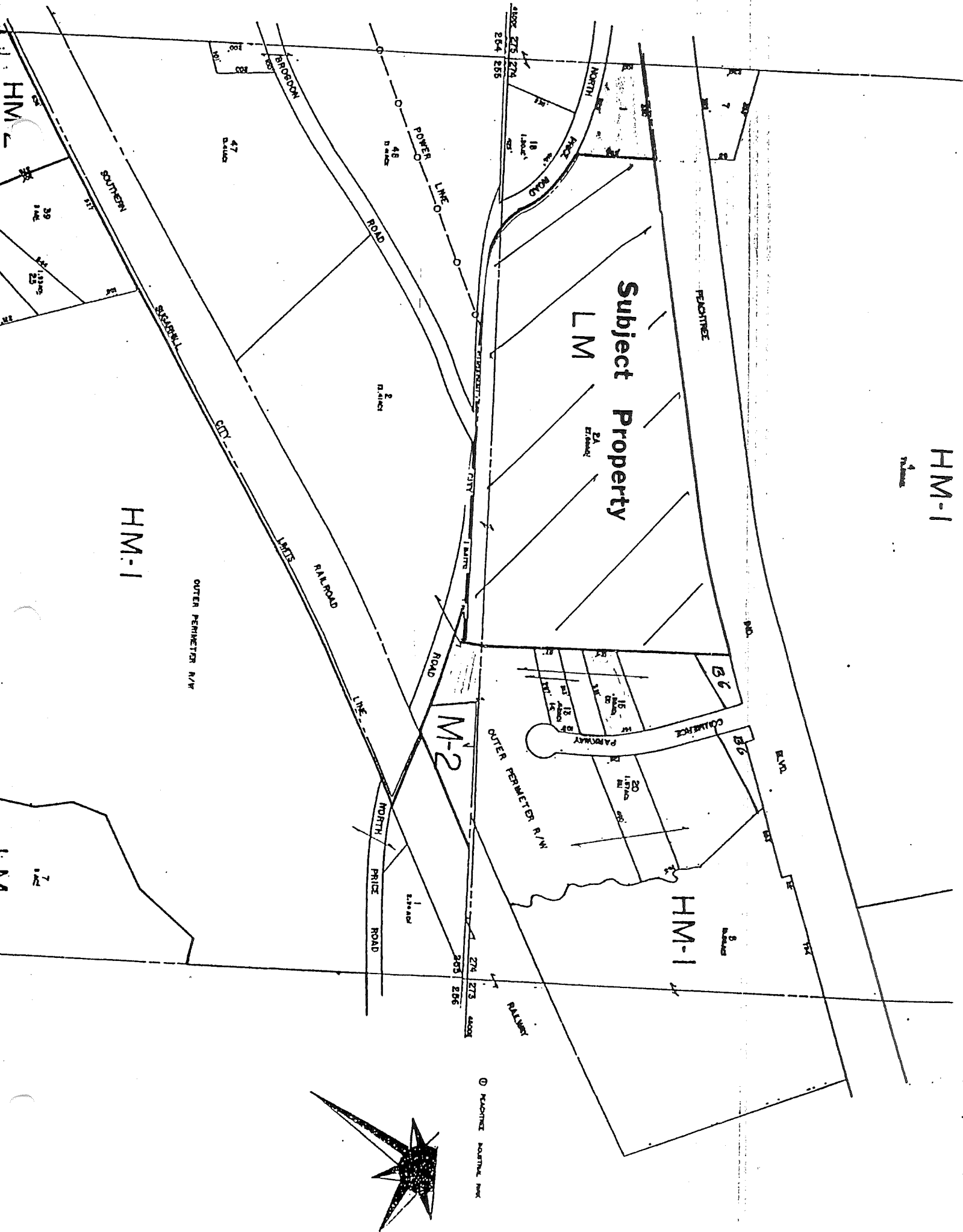
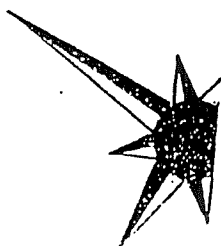
4
P. 1000



H.M.1

IN.

① **RECOMMEND** **POSSIBLE** **PAGE**



June 12, 1996

LETTER OF INTENT

I am requesting the 27 acres I own located in the City of Sugar Hill on Peachtree Industrial Boulevard in Land Lot 274 of the 7th District, Gwinnett County, be changed from LM to BG. It is the intend that the subject property be developed as a neighborhood shopping center and/or commercial development.

The property consists of 27± acres with 1,869 feet of frontage on Peachtree Industrial Boulevard and frontage along North Price Road.

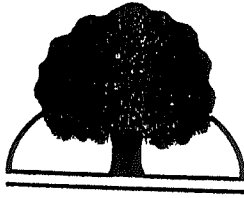
The zoning classification requested is BG, and for several years it has been zoned LM.

The Department of Transportation estimates taking approximately 8 acres of the property for the proposed outer loop highway. This will leave approximately 20 acres of land to be developed.

The plan I am submitting is preliminary and is not a working drawing. I firmly believe the highest and best use for the property is retail and commercial development. I appreciate your cooperation.

Yours very truly,

ROBERT S. JORDAN



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

ADJOINING PROPERTY OWNER(S) OF RECORD NOTIFICATION

TO: To Whom it May Concern
FROM: Kim Landers - Administrative Assistant
RE: PROPOSED REZONING
CASE # RZ-96-003
DATE: June 28, 1996

You are hereby informed that the attached Notice for Proposed Rezoning is contiguous to your property.

A public hearing will be held at the Sugar Hill City Hall on Monday, July 15, 1996 at 7:30 p.m. in the Community Center.

If you should have an interest in this petition, please plan to attend this meeting.

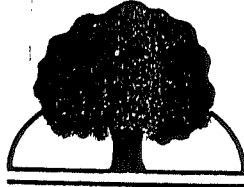
Thank you.

**REZONING APPLICATION FOR
ROBERT S. JORDAN**

Adjacent Property Owners to 7-274-002A

<u>Parcel Number</u>	<u>Owner</u>	<u>Zoning</u>
7-274-001 1.29 Acres on Western boundary	Kelly B. Braswell 312 N. Price Road Buford, GA 30518	M-1
Eastern boundary	Outer Perimeter Right-of-Way	
7-274-013 .42 Acres on Eastern boundary	Bobby L. Lord, Et Al 4530 Commerce Parkway P. O. Box 1314 Buford, GA 30518	HM-1
7-274-015 .56 Acres on Eastern boundary	Riverside Cabinet Shop, Inc. 4380 Commerce Parkway Buford, GA 30518	HM-1
7-255-002 12.41 Acres at Southeast corner	Suwanee Loop LP 205 N. Cambord Drive Atlanta, GA 30327	M-1

ORDINANCE



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: Planning Commission Members
FROM: Warren Nevad - City Manager *W. Nevad*
RE: ADMINISTRATIVE RECOMMENDATION RZ-96-003
DATE: June 18, 1996

This rezoning request follows our recent trend of approved rezoning requests to General Business on Peachtree Industrial Boulevard. This project is compatible to adjacent land uses. Further, development of a neighborhood shopping center would meet our economic development and land use goals of our Comprehensive Plan.

STAFF RECOMMENDATION: APPROVAL

EXHIBIT "A"

Tract No. 1

ALL THAT TRACT or parcel of land lying and being in Land Lot 274 of the 7th District of Gwinnett County, Georgia and being more fully and particularly described as follows:

BEGINNING at the point of intersection, marked by an iron pin, of the southeasterly land lot line of said Land Lot 274 (also being the northwesterly land lot line of Land Lot 255, said District, County, and State) and the northwesterly right-of-way line of North Price Road (80-foot right-of-way); thence running southwesterly along said northwesterly right-of-way line of North Price Road and arc distance of 394.99 feet (said arc having a radius of 11,499.160 feet and being subtended by a chord bearing South 63 degrees 33 minutes 02 seconds West a distance of 394.97 feet) to a point; thence running South 62 degrees 34 minutes 00 seconds West, along said northwesterly right-of-way line of North Price Road, a distance of 270.64 feet to a point; thence running southwesterly and westerly along said northwesterly and northerly right-of-way line of North Price Road an arc distance of 308.92 feet (said arc having a radius of 596.620 feet and being subtended by a chord bearing South 77 degrees 24 minutes 00 seconds West a distance of 305.48 feet) to a point; thence running westerly along said northerly right-of-way line of North Price Road an arc distance of 151.23 feet (said arc having a radius of 2,904.789 feet and being subtended by a chord bearing North 89 degrees 15 minutes 30 seconds West a distance of 151.22 feet) to a point; thence running North 68 degrees 46 minutes 44 seconds West a distance of 64.54 feet to a point marked by a concrete monument; thence running North 30 degrees 09 minutes 47 seconds West a distance of 241.46 feet to a point on the southeasterly right-of-way line of Peachtree Industrial Boulevard (200-foot right-of-way); thence running North 48 degrees 58 minutes 56 seconds East, along said southeasterly right-of-way line of Peachtree Industrial Boulevard, a distance of 1,174.06 feet to a point marked by a right-of-way marker; thence running northeasterly along said southeasterly right-of-way line of Peachtree Industrial Boulevard an arc distance of 695.87 feet (said arc having a radius of 5,797.578 feet and being subtended by a chord bearing North 45 degrees 32 minutes 37 seconds East a distance of 695.45 feet) to a point marked by an aluminum tube; thence running South 35 degrees 04 seconds 19 seconds East a distance of 877.43 feet to a point marked by a concrete monument on the southeasterly land lot line of Land Lot 274; thence running South 58 degrees 27 minutes 00 seconds West, along said southeasterly land lot line of Land Lot 274,, a distance of 776.56 feet to the Point of Beginning, and containing 27.6422 acres of land as shown and designated at Tract No. 1 on a plat of survey for Robert S. Jordan by Hannon, Meeks & Bagwell, Surveyors & Engineers, Inc. (Mack L. Meeks G.R.L.S. No. 1497), dated October 29, 1985.

Tract No. 2

ALL THAT TRACT or parcel of land lying and being in Land Lot 274 of the 7th District of Gwinnett County, Georgia and being more fully and particularly described as follows:

BEGINNING at the point of intersection of the southeasterly land lot line of said Land Lot 274 (also being the northwesterly land lot line of Land Lot 255, said District, County, and State) and the southeasterly right-of-way line of North Price Road (80-foot right-of-way); thence running South 58 degrees 27 minutes 00 seconds west, along said southeasterly land lot line of said Land Lot 274, a distance of 92.16 feet to a point marked by a concrete monument; thence running North 68 degrees 46 minutes 44 seconds West a distance of 69.44 feet to a point marked by a broken concrete monument on the southeasterly right-of-way line of North Price Road; thence running northeasterly along said southeasterly right-of-way line of North Price Road an arc distance of 145.39 feet (said arc having a radius of 676.620 feet and being subtended by a chord bearing North 80 degrees 50 minutes 43 seconds East a distance of 145.12 feet) to the Point of Beginning; and containing 0.0498 acres of land as shown and designated as Tract No. 2 on a plat of survey for Robert S. Jordan by Hannon, Meeks & Bagwell, Surveyors & Engineers, Inc. (Mack L. Meeks, G.R.L.S. No. 1497), dated October 29, 1985.

July 24, 1996

Sugar Hill Planning Commission
c/o Kim Landers, Administrative Assistant
4988 West Broad Street
Sugar Hill, Ga. 30518

Dear Members of the Commission:

I would like to withdraw from consideration my zoning request, Case No. RZ-96-004. Thank you for your time and help in this matter.

Sincerely,

Swain Stewart

Swain Stewart

SS/ws

Received
7-24-96
Kimberly B. Landers

*Reason for withdrawal,
Property is now under contract
and Buyer wishes to keep
Present Zoning.*

Swain Stewart

RZ-96-004

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE 1

PERMIT : 9601437

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 MK

ADDRESS: 7-292-025

OWNER NAME:

CONTRACTOR: MCPHERSON & ASSOCIATES INC

FEE DUE FROM: MCPHERSON & ASSOCIATES INC

CODE CNT

DESCRIPTION OF ITEMS SELECTED

QUANTITY

AMOUNT

ALL REZONINGS

RC#113

1.00

350.00

SUBTOTAL OF ITEM AMOUNTS

350.00

Check- 2189

P A I D
JUN 26 1996

CITY OF SUGAR HILL

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Swain Stewart</u>	NAME: <u>Sara Giles Moore</u>
ADDRESS: <u>1305 Hidden Circle Dr.</u>	ADDRESS: <u>526 East Paces Ferry Rd., N.W.</u>
CITY: <u>Buford</u>	CITY: <u>Atlanta</u>
STATE: <u>Ga.</u> ZIP: <u>30518</u>	STATE: <u>Ga.</u> ZIP: <u>30305</u>
PHONE: <u>(770) 932-1543</u>	PHONE: <u>(404) 237-6295</u>
CONTACT PERSON: <u>Swain Stewart</u>	
PHONE: <u>(770) 932-2833</u> FAX: <u>(770) 497-1561</u>	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<u> </u> OWNER'S AGENT	<u> </u> PROPERTY OWNER <u> X </u> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u> EG </u> REQUESTED ZONING DISTRICT: <u> LM </u>	
LAND DISTRICT(S): <u> 7 th </u> LAND LOT(S): <u> 292 </u> ACREAGE: <u> 7.3⁺ </u> TAX ID#: <u> R7292-025 </u>	
ADDRESS OF PROPERTY: <u> Railroad Avenue & Highway 20 </u>	
PROPOSED DEVELOPMENT: <u> Mini-/Incubator Warehouses </u>	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

- Proposal is a Development of Regional Impact
 Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u> </u>	NO. OF BUILDING/LOTS <u> 11 </u>
DWELLING UNIT SIZE (sq. ft.) <u> </u>	TOTAL GROSS SQUARE FEET <u> 100,000 </u>
GROSS DENSITY <u> </u>	DENSITY <u> 13,600 sq ft / acre </u>
NET DENSITY <u> </u>	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

The zoning to LM would be in keeping with development and uses of adjacent property owners.

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

The zoning to LM would not affect the existing usability of adjacent property and is compatible with current uses.

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

Because of the properties topo in relationship to Highway 20, this property would probably never be fully used for BG as currently defined.

D. Whether the proposed rezoning (or Special Exception) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

This use of the properties LM zoning is considered in terms of zoning as a "Quiet use". As proposed, it will be a very low user of streets, facilities and utilities.

E. 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 rezoning.

With the present traffic count reaching 30,000 cars per day on GA Highway 20, and the need for high visibility on a mini-warehouse project, this site will be an ideal location.

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

REZONING 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 Mayor and Council.

Swain Stewart 6 / 24 / 96
Signature of Applicant Date

Swain Stewart
Typed or Print Name and Title

Susan H. Sanders 6 / 24 / 96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Hall County, Georgia.
My Commission Expires October 6, 1998.

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

JORDAN COMPANY
3715 Northside Parkway
300 Northcreek, Suite 150
Atlanta, GA 30327

FAX

To: Swain Stewart

Phone:

Fax: 770-497-1561

From: Rose/Bob Jordan
Jordan Company

Phone: 404-237-2900

Fax: 404-237-2394

Date: 6-21-96

Number of Pages: 3

RE: Rezoning Certification

I'm mailing the original document to the 1305 Hidden Circle DR.
address in Buford today. A copy of Bobbie's power-of-attorney is
included, if needed. Let me know if we can be of any further help.
Thanks.

REZONING 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 Mayor and Council.

Bobbie J. Burnham 6/21/96
Signature of Owner POA Sara Giles Moore Investments Date

Sara Giles Moore Investments by
Bobbie J. Burnham by Power of Attorney

Typed or Print Name and Title

Rayman C. Gaspitis 6/21/96
Signature of Notary Public Date

Notary Public
Fulton County, Georgia
My Commission Expires
July 8, 1997

Notary Public
Fulton County, Georgia
My Commission Expires
July 8, 1997

NOTARY SEAL

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____

DATE RECEIVED _____

POWER OF ATTORNEY TO SELL PROPERTY

Know all men by these present, that I, Sara Giles Moore, of the city of Atlanta, Georgia county, Fulton, do by these present hereby make, constitute and appoint Bobbie J. Burnham, of Marietta, Georgia my true and lawful attorney-in-fact, for and in my name, place and stead, to perform any of the following acts, commitments or engagements; and on my behalf to enter into, execute and deliver all such instruments, and to do all such acts and things as fully and effectually in all respects as I myself could do if personally present, as she deems appropriate for the following purposes:

1. To sell and convey, on such terms and for such consideration my said attorney shall deem wise, any and all property, both real and personal, owned by me; including all of my interest in real estate property owned in the state of Georgia, and in my name, stead and behalf to execute, acknowledge, seal and deliver all deeds or instruments for such purposes;

2. To receive any monies which may be due or become due to me and to pay or deposit the same in my name, or otherwise, with any banker, broker or other agent; to endorse in my name checks, vouchers, bills of exchange, drafts, remittances, bonds, notes and other evidences of debt, and to deposit the proceeds in any savings or checking account, or to receive cash therefor, including, but without limiting the generality of the foregoing, to receive cash on checks drawn by my said attorney in my name payable to cash or to the order of said attorney; and the drawee is hereby authorized to honor all checks and orders drawn by said attorney and charge to the account upon which drawn all monies paid out by it on checks or orders so drawn.

I give and grant unto my said attorney full authority and power to do and perform any and all acts necessary or incident to the performance and execution of the powers granted, and the power to do and perform all acts authorized hereby as fully to all intents and purposes as I might or could do if personally present; and I hereby ratify and confirm all that my said attorney shall lawfully do or cause to be done by virtue hereof; and covenant and agree to hold harmless any person who may act in reliance upon the authority granted to my said attorney-in-fact hereby.

In witness whereof, I have hereunto signed this 23 day of August, 1993.

In presence of:

Carol Sutton

Signed: Sara Giles Moore

Mary Milner

Name: Sara Giles Moore

State of Georgia,
Fulton County

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, 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.

Swain Stewart 4/24/96

Signature of Applicant's
Attorney or Representative

____/____/____
Date

Type or Print Name and Title

Susan M. Sanders
Signature of Notary Public
Notary Public, Hall County, Georgia.
My Commission Expires October 6, 1993

6/24/96
Date

NOTARY SEAL

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 Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

No (yes/no)

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

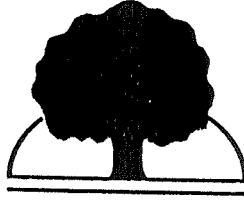
NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

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

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

ADJOINING PROPERTY OWNER(S) OF RECORD NOTIFICATION

TO: To Whom it May Concern
FROM: Kim Landers - Administrative Assistant
RE: PROPOSED REZONING
CASE # RZ-96-004
DATE: June 28, 1996

You are hereby informed that the attached Notice for Proposed Rezoning is contiguous to your property.

A public hearing will be held at the Sugar Hill City Hall on Monday, July 15, 1996 at 7:30 p.m. in the Community Center.

If you should have an interest in this petition, please plan to attend this meeting.

Thank you.

Listing of properties in district 11 Sugar Hill GA, Gwinnett Co. adjacent to parcel No. R7292 026 fronting onto Railroad Ave..

parcel id no. : R7292 010
site address : 1417 Sugar Hill Rd.
owner of record: Claborn, Wilma Ruth Clark
address : 5465 E. Main St.
address : Flowery Branch, GA 30542-3214

parcel id no. : R7292 011
site address : 1407 Sugar Hill Rd.
owner of record: Jochum, Jack
address : 1407 Railroad Ave.
address : Buford, GA 30518-3415

parcel id no. : R7292 021
site address : (lot 21) Strickland Ferry Rd.
owner of record: Simmon, Johnny & Agnes
address : 851 View Dr.
address : Alford, FL 32420-7011

parcel id no. : R7292 022
site address : 1443 Strickland Ferry Rd.
owner of record: Johnson, Freddie L.
address : 140-D Park St.
address : Buford, GA. 30518

parcel id no. : R7292 023
ite address : 1433 Strickland Ferry Rd.
owner of record: Pealock, Mrs. Sara Otis
address : P.O.Box 429
address : Dacula, GA. 30211-0429

parcel id no. : R7292 025
site address : (lot 25) Strickland Ferry Rd.
owner of record: Moore, Sara Giles
address : C/O the Stallings Group
address : 3756 LaVista Rd. Ste. 200
address : Tucker, GA. 30084-5641

parcel id no. : R7292 027
site address : 1367 Railroad Ave.
owner of record: Carlyle, Mae
address : C/O Thurmon Carlyle
address : 1169 Sunnyside Rd.
address : Hiawassee, GA. 30546

parcel id no. : R7292 033
site address : 1406 Railroad Ave.
owner of record: Pass, Kenneth
address : P.O.Box 487
address : Buford, GA. 30518-0487

SWAIN STEWART

1305 Hidden Circle Drive - Buford, GA. 30518 - 770/932-1543

June 24, 1996

Mayor Gary Webster
City of Sugar Hill
4988 West Broad St.
Sugar Hill, GA 30518

RE: Rezoning request

Dear Mayor Webster and Council,

We have presently under contract a 7.353 acre site North of Highway 20 and East of Railroad Avenue. We are requesting a change from the current BG zoning to LM.

Our desire is to build mini/incubator warehouses on this site. The incubator units will contain some office/warehouse space. When reviewing Sugar Hill's zoning book this type facility was not specifically mentioned so it was suggested that we request LM zoning. However, if you believe it appropriate, we would be willing to continue with BG zoning with a special exception permit to allow this project.

We propose developing a total of 100,000 square feet in two phases. This is approximately 13,600 square feet of building per acre. The buildings will be 30' to 50' wide by 100' to 250' long and will be one and two stories in height. We propose 8 parking spaces next to the office in Phase I (mini-warehouses) and 100+ parking spaces around the incubator warehouse units in Phase II.

We are also requesting that the buffer between our site and the property zoned MH be reduced to 40'. We have a full stand of pine trees that will well buffer our project from the MH zoned property.

If any additional information is needed please let me know. Thank you for your consideration.

Sincerely yours,

Swain Stewart
Swain Stewart

[illegible][illegible]

COUNTY 100:
 THOMAS MCPHERSON
 LAND LOT 292
 GRINNETT, COUNTY
 2/23/85
 SUGARMILL S/D
 PTN DISTRICT
 GEORGIA
 SCALE: 1"=50'



NORTH METROPOLITAN LAND SURVEYORS
 1400 8th Avenue - 10001
 800 475-4000 or 303 441-7777
 1400 8th Avenue, 10001
 303 441-7777

TO: Planning & Zoning Board Members
FROM: Don McFarland
RE: ADMINISTRATIVE RECOMMENDATION FOR RZ-96-004
DATE: July 2, 1996

LOCATION: Land Lot 292, 7th District
Railroad Avenue & Georgia S.R. 20 (Nelson Brogdon Boulevard)
PRESENT ZONING: BG
PROPOSED ZONING: LM
PROPOSED USE: Personal Storage Warehouses and Warehouse/Office uses.
LOT SIZE: 7.3± acres

ANALYSIS:

The site is adjoining LM zoning to the South. The rear of the site to the East is zoned MH. The site is bounded on the North by the Railroad and the West by Georgia S.R. 20.

The proposed zoning classification would be an extension of the LM classification which adjoins to the South and will have no impact on developed Single-Family Residential communities. The application should be approved with the following conditions:

A. Personal Storage Warehouses.

1. The color scheme of the buildings shall be subdivided and be of earthtone colors.
2. The site shall be enclosed within a fence.
3. The fence adjoining Georgia S.R. 20 shall be of decorative materials.

B. Warehouse/Office

1. Elevations of Buildings facing any adjoining street right-of-way shall be constructed with a facade of brick, stone, or stucco.
2. All overhead doors shall be located to the interior of the site.
3. Any proposed outdoor storage shall be screened with a solid fence.

O R D I N A N C E

RZ-96-004

The Council of the City of Sugar Hill, Georgia hereby ordains:

That "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by amending the official zoning map adopted by that ordinance to classify the area described on Exhibit A which is attached hereto and incorporated herein by reference as Light Manufacturing and Industrial District (LM) on said official zoning map.

BE IT FURTHER ORDAINED THAT the following conditions are hereby included on the property as conditions of zoning:

A. Personal Storage Warehouses.

1. The color scheme of the buildings shall be provided and be of earthtone colors.
2. The site shall be enclosed within a fence.
3. The fence adjoining Georgia S.R. 20 shall be of decorative materials.
4. Lighting shall be contained in a cut-off type illuminaries so as not to reflect all adjoining residential properties.

B. Warehouse/Office

1. Elevations of Buildings facing any adjoining street right-of-way shall be constructed with a facade of brick, stone, or stucco.
2. All overhead doors shall be located to the interior of the site.
3. Any proposed outdoor storage shall be screened with a solid fence.
4. Lighting shall be contained in a cut-off type illuminaries so as not to reflect all adjoining residential properties.
5. All buildings shall be single story with a maximum interior height of 18'.
6. Site shall be built in concept proposed in site plan with offices located in the front and warehouses located in the rear of the building structure.
7. Buffer reduction is not approved.
8. Leave all trees along Border Street with a solid fence located along the rights-of-way to a point where visual clearance is seen along Railroad Avenue.
9. Within 5 years plant a row of shrubs along rear buffer so as to provide continual screen to adjoining residential properties.
10. Construction drawings shall be reviewed by the Planning Commission prior to issuance of a Development Permit for compliance with the intent of this zoning and to insure adequate landscaping is being provided.

RZ-96-004

IT IS SO ORDAINED, this _____ day of _____, 1996.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 292 of the Seventh District of the Sugar Hill Section of Gwinnett County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin set at the point of intersection of the easterly right-of-way line of Railroad Avenue (said point on the easterly right-of-way line of Railroad Avenue being located 100 feet along a line perpendicular to said right-of-way line from the centerline of the Southern Railroad right-of-way) and the southerly right-of-way line of Border Street and running thence along the southerly right-of-way line of Border Street North 77 degrees 10 minutes 27 seconds East a distance of 241.0 feet to an iron pin set on said right-of-way line; running thence along the southerly right-of-way line of Border Street North 77 degrees 20 minutes East a distance of 78.05 feet to a point located on said right-of-way line; running thence along the southerly right-of-way line of Border Street North 80 degrees 10 minutes East a distance of 21.95 feet to an iron pin set on said right-of-way line; thence leaving the southerly right-of-way line of Border Street and running South 4 degrees 50 minutes 44 seconds West a distance of 157.64 feet to an iron pin set; running thence South 85 degrees 39 minutes 43 seconds East a distance of 867.42 feet to an iron pin found; running thence South 59 degrees 30 minutes 00 seconds West a distance of 649.8 feet to an iron pin found; running thence North 63 degrees 57 minutes 5 seconds East a distance of 159.9 feet to a concrete monument; running thence North 83 degrees 6 minutes 43 seconds West a distance of 390.4 feet to an iron pin set; running thence North 17 degrees 42 minutes 27 seconds East a distance of 137.0 feet to an iron pin set; running thence North 66 degrees 57 minutes 55 seconds west a distance of 200.4 feet to an iron pin found on the easterly right-of-way line of Railroad Avenue; running thence along the easterly right-of-way line of Railroad Avenue North 17 degrees 47 minutes 27 seconds East a distance of 160.95 feet to the iron pin set at the Point of Beginning; said tract containing 7.353 acres and being more particularly shown as Tract 1 and Tract 2 combined on that certain survey for Thomas McPherson dated 11/2/84 prepared by All South Surveying Co., Richard E. Nutt, Georgia Registered Land Surveyor No. 1797.

CITY OF SUGAR HILL

Schedule of Review Fees to Become Effective APRIL 1, 1995.

Preliminary Land Subdivision Plat (Concept)	\$ 200.00 or 4.00/lot (whichever is greater)
Construction Plan	\$350.00 or 6.00/lot (whichever is greater)
Final Plat	\$150.00 + 5.00/lot If S.S. as-builts and/or detention pond as- builts are not submitted with final plat there will be an additional fee of \$100.00 per submittal.
Commercial Site Development Plan	\$100.00/acre minimum fee \$400.00
Zoning Application Review	\$225.00 for each proposed use

file = McFarland
**McFarland • Dyer
& Associates, Inc.**

July 24, 1996

Mr. Warren Nevad , City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill , Georgia 30518

RE: ***PLANNING SERVICES PROPOSAL***

Dear Mr. Nevad:

Per our agreement, McFarland - Dyer & Associates, Inc. will perform planning services for the City of Sugar Hill. Our understanding of this agreement is as follows: as Consultants, McFarland - Dyer will be retained by the City to work closely with the City Council, the Planning Commission and the City Staff to provide services as follows:

BASIC PLANNING SERVICES

JMK
SLX(6) Our firm will become the Planners for the City of Sugar Hill. We will be available to handle your basic planning needs, including interpretation and administration of zoning regulations and subdivision regulations. We will also provide limited consultation with property developers and property owners regarding these regulations and codes. We will attend regularly scheduled Planning Commission Meetings, Zoning Board of Appeals meetings and City Council Meetings if needed. These basic services will be performed for a fee of \$400.00 per week. This will be a flat fee and will be invoiced every month. We reserve the right to review this rate at the end of a ~~four~~ (4) month period to make sure that the fee is appropriate for McFarland-Dyer and for the City.

PLAN REVIEW AND SUBMITTALS

The second service that we will perform will be the review of Plans and Submittals to the City for compliance with the City's regulations. This review will be to identify consistency or inconsistency with the City's regulations and Consultation with the developers, engineers, and property owners regarding such submittals if required. These services will be performed for the review fee that is submitted with the plans. (*See attached Exhibit "A"*)

Mr. Warren Nevad , City Manager
City of Sugar Hill
July 24, 1996

Page 2

***PERMIT ADMINISTRATION & INSPECTION FOR
LAND DISTURBANCE PERMITS***

This service will include ongoing inspection of sites which have been issued Land Disturbance Permits. City Staff will be trained and directed where possible, to provide effective compliance with approved construction plans. These services will be performed based on the proposed increase in Plan Review Fees over what the City currently charges. *(See attached Exhibit "A")*

OTHER SERVICES

If, during the review or planning process, it is determined that the services of other consultants (experts) are required in order to protect the interests of the City, then the City will be notified and a selection of the Consultant will be made and approved by the City. The City shall be responsible to pay this Consultant.

If services, other than the services mentioned above are required of McFarland - Dyer; these services will be considered as additional services and will be invoiced per the attached fee schedule. McFarland - Dyer will inform the City of any charges that are not covered under the basic services contract and will prepare a proposal for the City's review and approval before services commence.

The City will be invoiced monthly for services rendered. Reimbursables, such as reproduction, photography, postage, courier expenses, any fees, etc. are considered out-of-pocket expenses and are invoiced at cost plus 15%. This Contract may be canceled by either party with 15 days written notice.

McFarland - Dyer will be glad to provide you with additional information or if you have any questions, please call. Should you find this Contract acceptable, please sign in the space provided below and return an executed copy to our office.

Mr. Warren Nevad , City Manager
City of Sugar Hill
July 24, 1996

Page 3

We look forward to a mutually beneficial working relationship. Thank you.

Sincerely,

McFarland - Dyer & Associates, Inc.



Donald R. McFarland
Principal

Accepted:

Authorized Signature by City of Sugar Hill

DRM/pal
(P960601B)

Title: _____

Date: _____

CITY OF SUGAR HILL

Schedule of Review Fees

Preliminary Land Subdivision Plat <i>(Concept)</i>	\$200.00 or \$5.00/Lot <i>(Whichever is Greater)</i>
Construction Plan	\$350.00 or \$10.00/Lot <i>(Whichever is Greater)</i>
Final Plat	\$150.00 + \$10.00/Lot <i>(If sanitary sewer as-builts and/or detention pond as-builts are not submitted with final plat, there will be an additional fee of \$100.00 per submittal.)</i>
Commercial Site Development Plan	\$100.00/Acre <i>(Minimum Fee \$400.00)</i>
Zoning Application Review	\$225.00 for each Proposed Use

CLERK'S REPORT
AUGUST 1996

We have received the 1996 Tax Digest from Gwinnett County and I have made all changes to Real Property. We will be adding Personal Property as it comes in from Gwinnett County. I expect to have all adjustments made so that the 1996 Taxes can be billed before October 20, 1996 and payable by December 20, 1996. There are some parcels under appeal, but as Gwinnett County settles these the evaluations will be sent to us.

The Clerk's office continues to work with Utility Billing and we are doing fine in that area.

The Clerk's office assisted in getting the letters out concerning the ban on yard trimmings and grass. These letters were sent to all garbage customers in the City of Sugar Hill. By taking the time to sort, we saved \$332.29 by doing bulk mailing. The prison crew also assisted in getting this mailing out.

I have talked with Attorney Thompson and he expects to hear from the courts by the end of August on the answer to the contested election. We received notice on August 5, 1996 that the election has been certified by the State of Georgia Secretary of State Election Division to Governor Miller.

MEMORANDUM 96-40:

TO: Mayor/City Council

FROM: Warren P. Nevad 

RE: **AUGUST 12, 1996 CITY MANAGER REPORT**

DATE: August 7, 1996

1. EMPLOYEES:

We will hold our sexual harassment play for our employees on September 3, 1996 at the Golf Course. A discussion forum will follow the play. We held our annual Red Cross Blood Drive on August 3, 1996. A total of 16 people, including two (2) employees and the Mayor donated blood.

We will hold an employee appreciation outing on September 11, 1996 at the Golf Course. Preliminary plans include a fishing and golf tournament.

2. PLANNING/ZONING:

We will adjust our plan review fees to commensurate with additional development inspection responsibilities imposed to Don McFarland. These fees will be equally charged to the developers. We will hold a public hearing to rezone 27 acres on P.I.B. in order to accommodate a future neighborhood shopping center. This property will be rezoned from Manufacturing to General Business. Additionally, we will abandon Floyd St. (near Hwy 20 and Railroad Ave). This action would facilitate the sale of property at the corner of Hwy. 20 and P.I.B.

Currently, a used car lot is being developed on Hwy. 20 adjacent to Home Spun Restaurant. We will consider a proposal to amend and codify our zoning ordinance and development regulations. Finally, we will adopt new landscape buffer requirements.

3. GAS DEPARTMENT

The Gas Department will construct a 4 inch line on Hilcrest Drive to accommodate proposed residential development. The developers on Hilcrest Avenue have agreed to used gas heat pumps and water heaters for their new homes. We have secured an easement from Rudy Bowen which will allow us to loop a gas line into Deer Valley. Bill Rainey will install the steel gas line under the bridge. The Gas Department has installed over 39 new services this month.

The gas crew has worked extremely hard in meeting our daily demands and improvements.

4. ROADS/DRAINAGE

We have repaved Walnut Circle, Hickory Hills Drive, Hickory Hills Circle and Church Street. We have patched Temple Street, Springhill Drive, Oakgrove Drive and Bailey Avenue.

We only lack landscaping in order to finish the Fox Property. We have implemented drainage improvements to White Oak Drive, Level Creek and Hidden Circle Drive.

We will commence work on Owen Circle and Frontier Drive Creek inlet shortly.

5. GARBAGE:

We have notified all residents of the yard trash ban which becomes in effect on September 1, 1996. As a result, we have order a leaf vacuum collection unit to mulch leaves and grass clippings.

We will hold a workshop on August 10, 1996 at 1:00 P.M. to discuss closure requirements, outstanding commercial billing and recycling.

6. FINANCE:

We are in the process of preparing our 1997 Budget Draft. Capital Improvements desired including a swimming pool, high pressure gas line, road paving and park improvements. We will present the budget with no planned increase in the millage and gas rates. Please call me should you have any suggestions.

7. GOLF COURSE

During July, the Golf Course grossed \$129,000. The driving range was resodded. Sunday liquor sales have increased our weekend revenues.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms

AGENDA
COUNCIL MEETING-MONDAY, SEPTEMBER 9, 1996-7:30 P.M.

CALL TO ORDER AND INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF AUGUST MINUTES:

DEPARTMENT REPORTS:

A:	PLANNING AND ZONING, ZONING APPEALS BOARD:	NEVAD
B:	BUDGET AND FINANCE:	GARBUTT
C:	UTILITIES:	NEVAD
D:	GOLF:	QUEEN
E:	RECREATION:	NEVAD
F:	DRAINAGE:	NEVAD
G:	ECONOMIC DEVELOPMENT:	SCOTT

OLD BUSINESS:

A:	REZONING 27.692 ACRES FROM LM TO BG ON PIB RZ96003: REMOVE FROM TABLE	NEVAD
B:	REPORT ON COMPUTER SYSTEM:	SPRADLIN
C:	ANIMAL NUISANCE POOPER SCOOPER ORDINANCE:	DAVIS
D:	DISCUSSION-AAMCO PAVING PLAN REVISION:	NEVAD

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

A:	YOUTH GOLF COURSE CLINIC:	BAIRD
B:	ECONOMIC DEVELOPMENT:	PUGH
C:	STORMWATER MANAGEMENT ORDINANCE:	NEVAD
D:	DONATION OF CITY MARSHALL EQUIPMENT:	BAILEY
E:	EMPLOYEE TRAINING AND EDUCATION:	BAIRD
F:	UTILITY DEPARTMENT:	NEVAD
G:	SCHEDULING OF '97 BUDGER WORK SESSIONS:	GARBUTT
H:	CITY DEPARTMENTS:	PUGH

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

POSSIBLE LITIGATION:
PERSONNEL:

ADJOURNMENT:

AUGUST 1996

CITY OF SUGAR HILL, GEORGIA

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6 STAFF MEETING 8:30 A.M. CONFERENCE ROOM	7	8	9	10 CALLED MEETING 1:00 P.M. CONFERENCE ROOM
11	12 COUNCIL MEETING 7:30 P.M. COMMUNITY CENTER	13	14	15	16	17
18	19 PLANNING COMMISSION 7:30 P.M. COMMUNITY CENTER	20	21	22	23	24
25	26 P & Z APPEALS 7:30 P.M. COMMUNITY CENTER	27	28	29	30	31

MINUTES
COUNCIL MEETING, MONDAY, SEPTEMBER 9, 1996, 7:30 P.M.

The Mayor and Council of the City of Sugar Hill held their Regular Monthly Meeting on Monday, September 9, 1996 at 7:30 P.M. in the Community Center.

Notice of the meeting was posted, Wednesday, September 4, 1996, on the doors of City Hall and the Community Center and faxed to the local papers.

Those present were: Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Dorland Baird, Tim Pugh, and Charles Spradlin, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Golf Director Wade Queen, City Attorney Lee Thompson, registered guests Nancy Miller, Bill Syrett, Don Novelenski, Adele McSeuargey, Curt Thompson, Charles Wike, and Charlotte Laxton, citizens, guests, and representatives of the news media. Mayor Gary Webster was absent due to a prior commitment.

Mayor Pro Tem Davis called the meeting to order, led in the Pledge to the Flag and Council Member Spradlin gave the Invocation.

Council Member Pugh made a motion to amend the Agenda to include under New Business Item I: Amending the CDBG 1996 Contract and to approve the Agenda as amended, seconded by Council Member Spradlin and unanimously approved by those present and voting. (4-0)

Council Member Bailey made a motion to approve the August Minutes, seconded by Council Member Spradlin with the clarification that the age limit on the Game Room Permits read age twelve 12 and under so that a child age twelve (12) cannot be unchaperoned. The motion was unanimously approved by those present. (4-0)

DEPARTMENT REPORTS:

A: PLANNING AND ZONING-ZONING APPEALS BOARD:

Manager Nevad reported that during August the department issued 24 Single Family Residential permits, fees totaled \$14,728. The Inspections Department did 270 inspection, with a YTD total of 2,369.

On August 19, 1996 the P&Z Board tabled an annexation request on residential property located on Whitehead Road, the Board also discussed construction buffers.

On August 26, 1996 the Appeals Board approved a reduction of 20 feet base of curb to 18 feet for the new Tri-County Medical Complex.

B: BUDGET AND FINANCE:

Finance Director Garbutt reported that the City has received the Southern Bell Franchise Tax in the amount of \$34,952.52. The

City has approximately \$740,000, earning 5.38% interest, in the Georgia Fund I which includes \$341,816.75 in Sanitation Escrow Funds, \$47,500 in Club House Payment Escrow Funds, \$38,095 in Lease Equipment Funds and \$300,000 in funds transferred from the operating account. The account had \$5,912.00 in the fund at the beginning of the year and the interest which has been added makes the total approximately \$740,000.

Staff is working on the 1997 Budget and a Work Session may need to be scheduled.

C: UTILITIES:

Manager Nevad reported the Gas Department set a new record by installing 57 new services including over 4,000 feet of new line. The YTD total of new gas services is 315. Preparations are being made for the Winter by installing a 4 inch line down Hillcrest, and looping Deer Valley. Transco will construct a regulator by-pass to improve the high pressure for the Winter. The City currently has 4,386 gas customers.

D: GOLF:

Director Queen reported another record month, in August, for the Golf Course with a 45.86% revenue increase over the same time last year. The YTD increase is still in excess of 20%. The Golf Association held a Member-Guest Tournament in August which proved to be very successful. The Club Championship will be September 29, 1996.

Council Member Charles Spradlin thanked Director Queen for his patience in dealing with the employee training, at the Clubhouse, on sexual harassment and getting ready for the Gwinnett Municipal Association Meeting which will be at the Clubhouse on September 10, 1996.

E: RECREATION:

Manager Nevad reported that lighting improvements are being looked into at the Park and staff is researching moving the fence back to improve softball play. He expressed appreciation to the West Gwinnett Soccer League for assisting with installation of the new sod at the field. League play will begin next week and everyone is invited to enjoy the field.

F: DRAINAGE:

Manager Nevad reported that work has begun on several major projects which were identified in the drainage study. These include Frontier Drive, Creek Crossing, Spring Hill Plantation. Work will begin shortly on Owen Circle. He wished a speedy recovery to the mother of Donna Zinskie.

G: ECONOMIC DEVELOPMENT:

There was no report given from the EDC Committee. Chairman Scott was not present.

OLD BUSINESS:

A: REZONING 27.692 ACRES FROM LM TO BG ON PIB
RZ96003: REMOVE FROM TABLE: NEVAD

Staff requested a motion to remove this item from the table. Council Member Spradlin made a motion, seconded by Council Member Bailey to remove this from the table, the vote on the motion was unanimous of those present and voting. (4-0) Council Member Spradlin reported that he has reviewed the area to be rezoned and gave a report. Manager Nevad gave a summary of the rezoning from LM to BG. This rezoning has been recommended by the Zoning Committee. After more explanation by Manager Nevad, Council Member Spradlin made a motion to approve the rezoning, seconded by Council Member Pugh and approved unanimously of those present and voting. (4-0)

B: REPORT ON COMPUTER SYSTEM: SPRADLIN

Council Member Spradlin read a Memorandum (see attached) to City Clerk/Finance Director Garbutt concerning the assistance she gave in the decision on the purchase of the new computer system for the City.

City Clerk reported that Council Member Spradlin has worked tirelessly to have a new computer system for the City.

Council Member Spradlin explained the work which has been done to review and purchase the new system and made a motion to accept the proposal from Smith Data Processing for \$22,500 for the procurement of new management software which includes Utility Billing and other modules, seconded by Council Member Bailey. Mr. Brian Hinson of Smith Data Processing explained what his company is offering the City in their proposal. (see attached) The vote on the motion was unanimous of those present and voting. (4-0)

Mayor Pro Tem Davis thanked Council Member Spradlin for his long hours of work on this project.

C: ANIMAL NUISANCE ORDINANCE: DAVIS

Council Member Pugh asked Attorney Thompson to read the Ordinance (see attached) which has been requested by the Council. After explanation by Attorney Thompson and discussion, Council Member Pugh made a motion to approve the Ordinance, seconded by Council Member Baird and approved unanimously of those present and voting. (4-0)

D: DISCUSSION-AAMCO PAVING PLAN REVIEW: NEVAD

Manager Nevad explained the request, from Aamco Paving, for a Development Permit for an office and plant maintenance complex on 4 acres of the original site where the Asphalt Plant is proposed to be constructed on Brogdon Road. Manager Nevad stated that he could make this decision administratively, but he wants the Council and public to be aware of what is transpiring concerning this development. He asked Mr. Wayne Ellerton, representative from

Aamco Paving to explain what they are requesting. Mr. Ellerton presented a Site Plan for construction of an office and shop to be built on a portion of the 16 acres. There was considerable discussion between the Council, Mr. Ellerton, and citizens from Ruby Forest and Sugar Hill. Mr. Ellerton made it plain that this request for a Development Permit has nothing to do with the development of the Asphalt Plant. The application is for 5.3 acres to be used for the Office and Maintenance Barn. Council Members Baird and Spradlin questioned the intentions of Aamco to place office and maintenance buildings on the property and asked what the residents want to see on this property. This was discussed at length. Attorney Thompson stated there will be a hearing on September 13, 1996 by EPD. Attorney Thompson informed the Council that this is an administrative decision to be made by Manager Nevad and no action should be taken by the Council. If this decision is challenged, it would go before the Zoning Appeals Board. Mrs. Nancy Miller from the Concerned Citizens and Friends of Suwanee and Mayor Richard Trice spoke addressing the issues on the Asphalt Plant. Current litigation was discussed by those present. Several residents spoke on this issue. Council Member Spradlin asked that no decision be made until the litigation has been decided. Manager Nevad stated that no permit will be issued until all regulation have been met. Consultant Don McFarland gave the details of what is being done by EPD. Erosion control was discussed and this has been addressed by the developer. Mr. McFarland stated that erosion control will be reviewed by the EPD again. This request for this development is an allowed use under any zoning of LM, HM1 and HM2 on this property. Use of the proposed development was discussed. Pros and Cons were discussed between those present and the Council as to the development of the property for the Asphalt Plant and also the development of an office and maintenance complex. Council Member Pugh made a motion to table this until the October Meeting, after discussion, and on advice of Attorney Thompson stating that this is not a decision for the Council to make, Council Member Pugh withdrew his motion and there was no action taken on this by the Council. Mr. Herb Payne asked to address Council on this issue stating that this property was rezoned specifically for an asphalt plant. This was discussed, with no specific understanding being reached on the fact that this was zoned only for an asphalt plant.

Council Member Spradlin requested that those speaking recognize and respect the Chair when he is speaking.

CITIZEN'S AND GUEST'S COMMENTS:

Mr. Dan Valinski spoke on the nuisance of an asphalt plant and the health and welfare of children in the area. He asked that the Council consider what is right for all concerned.

Mrs. Meg Avery spoke on the fact that the Citizen's and Guest's comments at the meetings should be on Cable TV. She also criticized the Council for the conduct, which she feels should be more professional.

Mr. Bill Alexis thanked the Council and Manager Nevad for the work and repair on the storm drains.

Mr. Dave Edwards requested information on the vacuum for picking up lawn clipping. Manager Nevad stated that the equipment has not arrived. He also asked that the rezoning of Mr. Baron's *Bornen* property off West Price be carefully considered, and not get into another problem with a zoning issue.

Mr. Gary Perkel asked that the Golf Report include dollar figures with the percentage figures.

Mr. Herb Payne requested that the Citizen's and Guest's Comments be placed back on Cable TV.

Mr. Bob Wagner asked that the approval, of Development Permits, on the Brogdon Road property be held off until such time as the issue was settled and he also asked that the Citizen's and Guest's Comments not be placed back on Cable TV.

Mr. Jay Garner asked that the developer of the property on Brogdon Road for an asphalt plant look for an alternative site for the plant.

NEW BUSINESS:

D: DONATION OF CITY MARSHALL EQUIPMENT:

Council Member Bailey requested that this item be moved to the beginning of New Business. He asked that Sergeant Heard of the Cumming Police make his request of the donation of the City Marshall equipment. Council Member Bailey made a motion that the police equipment valued at less than \$500, which was taken off the City Marshall's car, be donated to the Cumming Police Department, seconded by Council Member Spradlin. The vote on the motion was unanimous of those present and voting. (4-0) (see attached letter)

The Council took a recess at this time.

A: YOUTH GOLF COURSE CLINIC:

Council Member Baird made a motion that the youth of Sugar Hill, twelve (12) years and under be given the opportunity to participate in a Golf Clinic on a Saturday in October, the particulars of this to be included on the utility bills. The motion was seconded by Council Member Spradlin and Pugh and after discussion, on the activities at the Golf Course and advertising of the Clinic, the vote on the motion was unanimous of those present and voting. (4-0)

B: ECONOMIC DEVELOPMENT:

Council Member Pugh made a motion that the Economic Development Committee be dissolved, seconded by Council Member Bailey. Council Member Spradlin commented on the involvement of the EDC and he would like this group reorganized in the near future with politics to be kept out of the committee. Council Member Baird stated that Economic Development was not being abandoned but it needs to be reorganized. Council Member Bailey stated that some fruitful things have come out of this committee and the Council

appreciates their involvement and hopes that they will not feel slighted with this move. Council Member Pugh expressed appreciation to the people on the committee and for their time and effort spent in serving. He asked for a more direct approach on the next organization of this committee. The vote on the motion was unanimous of those present. (4-0)

Mrs. Gail Kelley had previously resigned to the Council in writing. (see attached letter)

C: STORMWATER MANAGEMENT ORDINANCE:

Manager Nevad reported that this is a state mandated Ordinance for those municipalities which participate in the Gwinnett County NEPD program. The building inspector would be the person to enforce the Ordinance. It is required under the Clean Water Act. Council Member Pugh made a motion to approve the Ordinance, seconded by Council Member Spradlin. Council Member Spradlin asked that Manager Nevad explain the effect this will have on the City and the development program. Council Member Pugh asked if there would be a monitoring program and Manager Nevad stated the building official would control the program. Attorney Thompson stated that the Ordinance needs some revisions by placing the Enacting Clause on it and also under B in Paragraph 2, he feels the Chapter 2-49 is a typo because there is no Chapter 2-49 in the State Constitution and Clerk Garbutt needs to correct these, and that the City is in no way responsible for any uncontrolled storm water and have a disclaimer placed on the Ordinance that the City is not responsible for flooding and overrun. Council Member Spradlin made a motion to approve the Ordinance with the corrections and amendments so stated by Attorney Thompson, seconded by Council Member Pugh. The amended motion was unanimously approved by those present and voting. (4-0) (see attached Ordinance)

E: EMPLOYEE TRAINING AND EDUCATION:

Council Baird requested that City Manager Nevad implement in-service training and development for all City employees. This will enhance job knowledge and accountability. Instructions and materials may come from in-house, local, county or state governments or other organizations. Checks and balances and safety nets should be included. Manager Nevad reported he would have a final draft next month. Council Member Baird made a motion to table this item, seconded by Council Member Pugh and passed on a vote of 3-1, with Council Member Spradlin voting against tabling the motion.

F: UTILITY DEPOSITS:

Manager Nevad explained that several customers have requested that Gas Deposits be waived. This was discussed. A Policy draft (see attached) has been prepared. Council Member Spradlin made a motion to adopt this policy with the time being lowered from 5 years to the last 3 current years and that 2 letters be changed to letter with the s in parentheses. Clerical responsibilities were discussed. The current policy was discussed with all the Council

participating in the discussion. Letters of Credit and the implementation of them was discussed. Council Member Spradlin asked if liens could be placed on property for utility bills. Attorney Thompson and Clerk Garbutt stated that this was changed by the state and is virtually impossible to implement and enforce since 1995. Vote on the motion failed 3-1 with Council Member Spradlin voting for.

G: SCHEDULING OF '97 BUDGET WORK SESSIONS:

Clerk Garbutt reported that work has begun on the 1997 Budget and if the Council wished to have a work-session, for preliminary input, before the proposed 1997 Budget was presented to Council by October 1, 1996 it needs to be scheduled. Council discussed this, but the consensus was that the Council wait until the draft is ready. Council Member Bailey put this into a motion, seconded by Council Member Spradlin and unanimously passed by those present and voting. (4-0)

H: CITY DEPARTMENTS:

Council Member Pugh stated that in light of the Labor Day Holiday, he feels that the Gas, Golf, Inspections, and Administrative Departments be told how much the Council appreciates the fine service given by the City of Sugar Hill employees and how much they appreciate the hard work done in each department. Those present on the Council echoed the same sentiments.

I: CDBG:

Manager Nevad asked for an amendment to the 1996 CDBG Agreement to include drainage improvements on Pass Court and Walnut Circle. Council Member Spradlin made a motion to authorize the Mayor to sign the agreement, seconded by Council Member Bailey and after discussion on the LARP Program and work on Hessie Lane, this was unanimously approved by those present and voting. (4-0)

CITY CLERK'S REPORT:

Clerk Garbutt reported that the City will host the Gwinnett Municipal Association at the Golf Course on Tuesday, September 10, 1996.

City Court had one (1) case to come up in September Court and Judge Washburn had trouble with the offender. She requested that the City have a Baliff at Court for future protection. Gwinnett County will have a Baliff at the next court which is scheduled to be reheard on September 10, 1996. Council Member Spradlin made a motion to instruct the City Manager to see that a Baliff is there for those who conduct the City Court so that they will be protected. Council Member Bailey seconded the motion and Council Member Spradlin stressed the importance of having those protected who will serve at the Court. The vote was unanimous of those present and voting. (4-0)

Clerk Garbutt has been appointed to serve on the GMA Vision 20/20 Committee. She is the only City Clerk chosen to serve along

with 20 Mayors and Managers from other Georgia Cities. They will meet for two (2) seminars, one of which will be in October. This is totally funded by GMA.

CITY MANAGER'S REPORT:

Manager Nevad reported that the City had the Sexual Harassment Play for training for the employees on September 3, 1996. He expressed appreciation to Council Member Spradlin for his help. The Play facilitated much debate among the employees.

The City is applying for a \$50,000 grant from GEFA to purchase two (2) Natural Gas powered trucks.

He again expressed concern for the mother of Donna Zinskie and the Grandfather of Joe Appling.

COUNCIL REPORTS:

Council Member Bailey thanked Mayor Pro Tem ^{Davis}~~Webster~~ for the job of serving as Chair for the meeting tonight.

Council Member Baird expressed well wishes to Margie Wilson and Ruth Ann Cooper who are out on sick leave and also the others mentions tonight. He also thanked Mayor Pro Tem Davis for the job done tonight. He congratulated Clerk Garbutt on the honor of being chosen to the Vision 20/20 Committee.

Council Member Spradlin thanked Mayor Pro Tem Davis for his service as Chair tonight. He also expressed appreciation for the play "Oleanna" which is presented by the Gainesville Theater Alliance and sends a message which is valuable for a lifetime. He stated that the play is being presented Wednesday, September 11, 1996, free to the public, and it is important that this message gets out to the public and especially those in the work place in society today.

Council Member Pugh reminded everyone to attend the play on Wednesday, September 11, 1996. He also feels it is well preformed and is very important.

EXECUTIVE SESSION:

Council Member Bailey made a motion to go into Executive Session at 10:02 P.M. seconded by Council Member Baird and passed on a vote of 3-1. Council Member Spradlin abstained.

The Executive Session ended at 10:55 P.M. on a motion and second. The vote was unanimous.(4-0)

There was no action taken out of the Executive Session.

ADJOURNMENT:

Council Member Bailey made a motion to adjourn, seconded by Council Member Spradlin and unanimously passed by those present.
(4-0)

MEMORANDUM

TO: Betty Garbutt

CC: Mayor & Council, Personnel File

FROM: Charles A. Spradlin

RE: City Computer System

DATE: September 9, 1996

Dear Betty:

I wanted to take a moment to personally thank you for all of your assistance and for your tireless efforts on the successful procurement of our new computer system. On behalf of all of the citizens of Sugar Hill, Thank You.

Although your position dictates that involvement in such a project is necessary, you've gone well beyond the "call of duty". You should be commended for your role in this project. Without your valued assistance, I am not sure that I would have completed the task. You have set an example that we all can look up to and admire.

THOMPSON & SWEENEY, P.C.
Law Offices

LEE THOMPSON, JR.
CTORIA SWEENEY
EJ D. WILLIAMS
JUL ANDREW
IRGIA C. NORTHRUP

Longleaf Commons
690 Longleaf Drive, Lawrenceville, GA 30246
Telephone: 770/968-1997
Telephone Copier: 770/822-2918

Mailing Address
P.O. Drawer 1250
Lawrenceville, Georgia 30246

September 5, 1996

Mayor and Council
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Re: Animal Destruction Ordinance

Dear Mayor and Council:

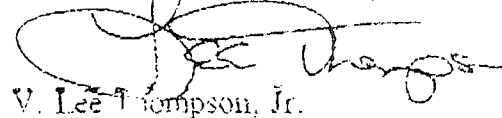
The ordinance you directed me to draft which prohibits destruction of property by animals is attached to this letter.

Several points were raised concerning the proposed ordinance which I was unable to incorporate into the ordinance. Of course, offenders can always be issued warnings when in the judgement of the issuing officer a warning is warranted. In addition, for a person to be found in violation of the ordinance, a witness or some other evidence will be necessary for a conviction. Also, the county's leash law applies within the City limits, so unleashed animals constitute a violation of that ordinance.

Finally, there was some discussion about payment by the person who owns or controls the dog to the property owner. Section 4.13 of the Charter gives the Municipal Court the power to try and punish violations of City Ordinances (criminal trials). However, the Charter only permits the Court to exact punishment for conviction of offenses consisting of money (up to \$1000.00), imprisonment, or labor in a city work gang. Ruling that a party owes another party money is a civil matter, beyond the jurisdiction of the Municipal Court. The fines recommended by the prosecutor could equal the amount of damages of the injured citizen (up to the limit listed in the ordinance), but would be paid to the City, not the injured citizen. If an injured citizen wished, they could file a claim in civil court, but the Sugar Hill Municipal Court does not have the power to order one party to pay another.

Sincerely,

THOMPSON & SWEENEY, P.C.



V. Lee Thompson, Jr.

ORDINANCE

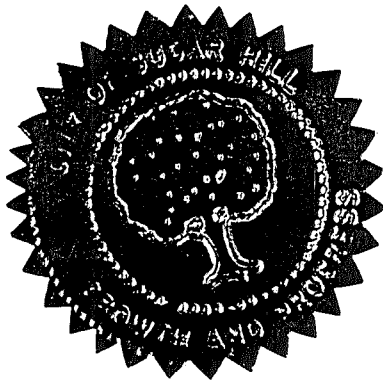
The Council of the City of Sugar Hill hereby ordains that "The Code Sugar Hill, Georgia" is hereby amended by adding section §4-3, to read as follows:

Sec. 4-3: Damage Caused by Animals

- (a) It shall be unlawful for the owner or any person having custody of any dog or other animal to permit, either willfully or by failure to exercise due care or control, any dog or animal to enter upon or damage the property of the city, or to damage the property of another, whether said animal is under leash or restraint or not under such leash or restraint.
- (b) For purposes of this ordinance, the leaving or dropping of fecal matter by any dog or animal upon city property or property of another which is not immediately removed shall be deemed to cause damage thereupon.
- (c) If a dog or animal damages property as provided herein, the owner or other person having custody or control of such dog or animal shall immediately remove such fecal matter or other droppings and dispose of such matter on his or her own property or in some other lawful manner that does not create a danger to the public health.
- (d) For the purposes of this ordinance, the property of the city shall include but not be limited to any and all public streets, sidewalks, parks, buildings, and adjacent lawns thereto. The term "property of another" shall include the driveways and lawns of single-family residential homeowners as well as common halls in any apartment house, tenement house, hotel or other multiple dwelling; any entranceway, stairway, or wall immediately abutting a public sidewalk; and any theater, shop, store, office building, and any other building used in common by the public.
- (e) In the event that any dog or other animal shall cause damage upon any property of another or upon city property, proof of the occurrence and proof of the identity of the owner or other person having custody or control of the dog or animal shall be sufficient to convict the person owning or having custody or control of the animal violating the terms and conditions of this ordinance.
- (f) The penalty for any violation of this ordinance shall be a fine of not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

IT IS SO ORDAINED this _____ Day of _____, 1996.

Council Member



Robert L. Quinn
Council Member

Charles A. Spradlin
Council Member

Michael Bailey
Council Member

Council Member

Attest: Betty B. Gault
City Clerk

Submitted to Mayor: October 14, 1996

Approved by Mayor, this 14 day of October, 1996.

Larry L. White
Mayor



H. FORD GRAVITT
Mayor

Cumming Police Department



EARL SINGLETARY
Chief of Police

September 09, 1996

Mayor & City Council of Sugar Hill
Sugar Hill, Georgia

Dear Mayor & Council Members;

I wish to give you my deepest appreciation for the donation of a light bar, siren, and other equipment by your city. The donation will greatly help in the preparation of a Reserve Unit for this department. In this day of tight budgeting, any department must cut corners and seek other ways of acquiring equipment to perform our assigned duties. Your help is invaluable.

If in the future, myself or my department may be of any service to your city, please feel free to contact me.

Again, thank you very much for the help you have given this department.

Sincerely,


EARL A. SINGLETARY

August 19, 1996

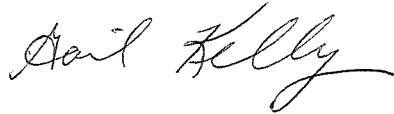
Gary Webster, Mayor
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Dear Mr. Mayor;

After two-and-a-half years on the Economic Development Commission, I feel it is time for new faces and new energy and time for me to resign. It has been an honor to serve the city. Thank you for giving me the opportunity to do so.

I will make arrangements with Lari Webster within the next week to return the manual.

Sincerely yours,

A handwritten signature in cursive script that reads "Gail Kelly". The signature is fluid and elegant, with a long, sweeping underline that extends to the right.

Gail Kelly

ORDINANCE FOR ANNEXATION

THE COUNCIL OF THE CITY OF SUGAR HILL HEREBY ORDAINS:

WHEREAS, Richard F. Butterworth did on July 29, 1996, apply to have lands annexed into the existing corporate limits of The City of Sugar Hill, Georgia; and

WHEREAS, it appears to the governing body of The City of Sugar Hill, Georgia, that the area proposed to be annexed is contiguous to the existing corporate limits of The City of Sugar Hill, that the applicants represent not less than sixty percent (60%) of the owners and resident electors of the land area proposed to be annexed and that said application complies with the laws of the State of Georgia; and

WHEREAS, a public hearing was held on said application for annexation and on the proposed zoning of the area to be annexed on October 14, 1996; and

WHEREAS, prior to said public hearing the City of Sugar Hill, Georgia did prepare a report setting forth its plans to provide services to the area to be annexed as required by the Official Code of Georgia Annotated Section 36-36-25; and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the annexation of the area proposed to be annexed would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Sugar Hill, Georgia and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the proper zoning classification for the area proposed to be annexed is Medium Density Single Family Residential (RS-100).

BE IT, THEREFORE, ordained that the following described lands be and the same hereby are, annexed to the existing corporate limits of the City of Sugar Hill, Georgia, and the same shall hereafter constitute a part of the lands within the corporate limits of the City of Sugar Hill, Georgia, to-wit:

All that tract or parcel of land lying and being in Land Lot 307 of the 7th land district of Gwinnett County, Georgia and being more particularly described as exhibit "A" is attached hereto and made a part of this ordinance and incorporated herein by reference.

A plat described at exhibit "B" of said property is attached hereto and made a part of this ordinance and incorporated herein by reference.

BE IT FURTHER ORDAINED that "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by adding to the official zoning map adopted by the Ordinance the area annexed by this Ordinance and by classifying that area as Medium Density Single Family Residential (RS-100) on said official zoning map.

BE IT FURTHER ORDAINED THAT the following conditions are hereby included on the property as a condition of zoning:

BE IT FURTHER ORDAINED that the Clerk of the City of Sugar Hill certify a copy hereof and file the same with the Secretary of State for the State of Georgia, pursuant to the provisions of Official Code of Georgia, Section 36-36-28(a).

IT IS SO ORDAINED, this _____ day of _____, 199__.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST: _____
City Clerk

Submitted to Mayor: _____

Approved by Mayor, this _____ day of _____, 1996.

Mayor

THOMPSON & SWEENEY, P.C.
Law Offices

V. LEE THOMPSON, JR.
VICTORIA SWEENEY
MELANIE D. WILLIAMS
PAUL E. ANDREW
JORGIA C. NORTHRUP

Longleaf Commons
690 Longleaf Drive, Lawrenceville, GA 30245
Telephone: 770/963-1997
Telephone Copier: 770/822-2913

Mailing Address
P.O. Drawer 1250
Lawrenceville, Georgia 30246

MEMORANDUM

TO: Mayor and City Council
City of Sugar Hill

FROM: V. Lee Thompson, Jr. VLT

DATE: October 10, 1996

RE: Proposed Amendment of Section 1109B of the Zoning Ordinance of
the City of Sugar Hill, Georgia

Attached is a proposed amendment to the HM2 Zoning Classification. This proposed amendment has been prepared at the request of Councilmember Pugh and City Manager Warren Nevad. The purpose of the change in the ordinance is to provide that all uses not listed as a specific inherent use within the HM2 Zoning Classification will require the issuance of a special use permit by the City Council. This would require that the City Council specifically approve the intended use of HM2 property unless the use is one specifically set forth in the zoning ordinance.

If you desire to consider this amendment, the matter should be referred to the Planning Commission for review and a public hearing may be called by the Council. The public hearing must be advertised at least fifteen (15) days in advance. Therefore, if you desire to hold such a public hearing at a regularly scheduled meeting, it could occur no earlier than your November meeting.

As you are all aware, your entire zoning ordinance is currently under review by Mr. McFarland. I have provided a copy of this proposed amendment and a copy of this memo to Mr. McFarland for his review and comment.

VLT/pbd

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the Zoning Ordinance of the City of Sugar Hill, Georgia is hereby amended as follows:

1. Section 1109B.(2) is hereby amended by deleting subparagraph c in its entirety.
2. Section 1109B.(3) is hereby amended by adding the following subparagraph c:
 - c. All other industrial uses that are not public nuisances and are not dangerous to the public health, safety, or general welfare of the inhabitants of the City of Sugar Hill. In determining whether an industrial use meets this criteria, and whether the proposed use is appropriate for the specific site, the Mayor and Council should consider the following criteria:
 1. The proximity of the proposed use to existing residential structures or residentially zoned property;
 2. Whether the proposed use will generate pollutants of the air or water and, if so, the method proposed by the applicant for insuring that the proposed use will comply with all state and federal environmental regulations;
 3. Whether the proposed use will generate excessive traffic, noise, vibration, smoke, dust, gas, fumes, odors, radiation, or create a fire or explosion hazard which may be objectionable due to proximity to surrounding structures, or which will adversely affect the existing use or usability of adjacent or nearby property;
 4. How neighboring properties may be affected by the height of any proposed structure; and
 5. Whether the special use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with surrounding land uses and would not be in conflict with the overall general objectives of the comprehensive land use plan.

Except as otherwise set forth herein, all other provisions of Section 1109B shall remain in full force and effect.

IT IS SO ORDAINED this _____ day of _____, 1996

(Signatures of following page)

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Attest: _____
City Clerk

Submitted to Mayor: _____

Received from and Approved by Mayor, this _____ day of _____, 1996.

Mayor

RESOLUTION

- WHEREAS,** a safe and reliable public wastewater treatment system is necessary to provide for the health and welfare of Gwinnett County citizens; and
- WHEREAS,** increased wastewater treatment capacity is needed to protect the quality of streams and rivers in Gwinnett County; and
- WHEREAS,** advanced reclamation methods are essential to safeguard downstream water users and return clean water to the Chattahoochee River Basin; and
- WHEREAS,** individual wastewater disposal system will proliferate in Gwinnett County without additional public wastewater treatment capacity; and
- WHEREAS,** an advanced water reclamation facility at the junction of I-85 and I-985 and the collection system transporting flows thereto will either directly serve or create treatment capacity in every quadrant of Gwinnett County; and
- WHEREAS,** the proposed North Advanced Water Reclamation Facility will benefit public health, the environment, and the quality of life of Gwinnett County citizens;

NOW, THEREFORE, BE IT RESOLVED

The City of Sugar Hill supports the permitting and construction of the Gwinnett North Advanced Water Reclamation; and

BE IT FURTHER RESOLVED

that this Resolution shall be made a part of the public record, endorsing the draft permit for Gwinnett County's North Advanced Water Reclamation Facility.

This Resolution is dated this _____ day of _____, 1996.

Gary L. Webster, Mayor

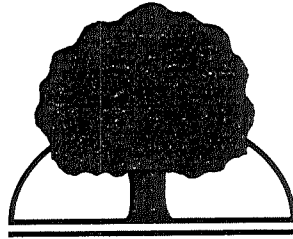
Reuben Davis, Mayor Pro Tem

_____ COUNCIL
Steven Bailey

Dorland Baird

Tim Pugh

Charles Spradlin



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(770) 945-6716

TO: Mayor and Council
FROM: Warren P. Nevad *W. Nevad*
RE: COMMERCIAL PROJECT STATUS LIST FROM 1995 TO PRESENT
DATE: September 4, 1996

Per request of Council Member Tim Pugh, Kim Landers has prepared a Commercial Project Status List for the period beginning January 1995 through the present.

I hope this will be informative for the growth of Commercial Development.

1995-1996 COMME

PROJECT NAME

BELL SOUTH TOWER
JETS & PUMPS INC.
GOLF COURSE CLUBHOUSE
SONNY SMITH TRUCKING
FREDRICK EQUIPMENT BLDG.
GWINNETT GASTROENTEROLOGY
BLOCKBUSTER VIDEO
S.H. UNITED METHODIST CHURCH
N.G. DENTAL CARE
DR. MICHAEL PHELAN
MEMORIES OF A LIFETIME
B.T. BALTIMORE
CITIZENS BANK
SUGAR HILL STATION SHELL ADDI
INCHAEPE TESTING SERVICES
COLONIAL LIGHTING
JOHNSON REALTY
PAPA JOHN'S
FABRIC CARE DRY CLEANERS
VARI BEST HOMES
CAR CARE CENTER
SWAIN STEWART
SHONEY'S
G.A. EXPO INC.
JACKSON SERVICES
AAMCO PAVING
BRICKTON PARTNERS
ONEX DEVELOPMENT
BUFORD PRESBYTARIAN CHURCH
ROBERT S. JORDAN
SUGAR VALLEY JOINT VENTURE
SUGAR VALLEY JOINT VENTURE

* PUBLIC HEARINGS BEING HELD

ADMINISTRATIVE REPORT

PLANNING, ZONING, & BUILDING INSPECTIONS DEPARTMENT

AUGUST 1996

PRINTED 09-04-96

THIS REPORT WAS PRINTED ON SEPTEMBER 4, 1996

CITY OF SUGAR HILL

PERMIT TYPE AND DESCRIPTION	# OF PERMITS	VALUATION	FEE DUE	FEE PAID
AD - ADDITION/GARAGE PERMIT	1	0.00	25.00	25.00
AV - ADMINISTRATIVE VARIANCE	4	0.00	500.00	500.00
CG - CLEARING & GRUBBING PERMIT	1	0.00	12.30	12.30
CM - COMMERCIAL PERMIT	1	0.00	1,925.00	1,925.00
CT - CONSTRUCTION/SALES TRAILERS	4	0.00	400.00	400.00
DK - DECK PERMIT	1	0.00	25.00	25.00
DL - DEMOLITION	1	0.00	50.00	50.00
DP - DEVELOPMENT PERMIT	2	0.00	1,124.80	1,124.80
EC - ENERGY CODE AFFIDAVIT	24	0.00	0.00	0.00
EL - ELECTRICAL AFFIDAVIT	26	0.00	0.00	0.00
FP - FENCE PERMIT	2	0.00	0.00	0.00
ME - HEATING/AIR AFFIDAVIT	26	0.00	0.00	0.00
MH - MOBILE HOME INSTALLER AFFIDAVIT	1	0.00	0.00	0.00
MI - MISCELLANEOUS-COMPLIANCE PERMIT	8	0.00	145.00	145.00
MN - MOBILE HOME INSPECTION NEW	1	0.00	100.00	100.00
PL - PLUMBING AFFIDAVIT	26	0.00	0.00	0.00
RF - REVIEW FEES	3	0.00	2,490.00	2,490.00
SB - STORAGE BUILDING/GARAGE	2	0.00	50.00	50.00
SF - SINGLE FAMILY RESIDENTIAL	24	1,640,241.00	14,728.20	14,728.20
SP - SIGN PERMIT	4	0.00	100.00	100.00
TL - TRADE LICENSE REGISTRATION	3	0.00	30.00	30.00
TM - TAP & METER PAYMENTS	14	0.00	3,580.00	3,580.00
VA - APPEALS VARIANCE	2	0.00	300.00	300.00
TOTALS FOR ALL PERMIT TYPES	181	1,640,241.00	25,685.30	25,685.30

BASE FEE TRANSACTION SUMMARY DURING THE PERIOD 08/01/96 THROUGH 08/31/96

PAGE 1

THIS REPORT WAS PRINTED ON SEPTEMBER 4, 1996

CITY OF SUGAR HILL

TRANS. DATE	#	RESIDENTIAL 1000-0001	COMMERCIAL 1000-0002	MISCELLANEOUS 1000-0003	MOBILE HOMES 1000-0004	DEVELOPMENT 1000-0005	GAS 1000-0006	WATER 1000-0007	SEWER 1000-0008
08/01/96	2	165.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
08/02/96	8	1042.80	500.00	0.00	0.00	12.30	1000.00	0.00	0.00
08/05/96	1	150.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
08/06/96	5	25.00	0.00	0.00	100.00	1124.80	500.00	0.00	0.00
08/08/96	6	890.00	0.00	10.00	0.00	0.00	750.00	0.00	0.00
08/09/96	3	75.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
08/13/96	3	50.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00
08/14/96	3	1062.00	0.00	0.00	0.00	670.00	285.00	0.00	0.00
08/15/96	5	0.00	1925.00	10.00	0.00	0.00	855.00	0.00	0.00
08/16/96	4	575.00	0.00	10.00	0.00	0.00	285.00	0.00	0.00
08/19/96	4	905.00	0.00	0.00	0.00	0.00	285.00	0.00	0.00
08/20/96	4	960.40	0.00	0.00	100.00	0.00	855.00	0.00	0.00
08/21/96	7	1411.80	0.00	0.00	0.00	0.00	1995.00	0.00	0.00
08/22/96	4	998.40	0.00	0.00	0.00	0.00	655.00	0.00	0.00
08/23/96	2	65.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
08/26/96	2	394.80	0.00	0.00	100.00	0.00	285.00	0.00	0.00
08/28/96	3	501.40	0.00	0.00	0.00	0.00	285.00	0.00	0.00
08/29/96	7	2046.60	0.00	0.00	0.00	0.00	1995.00	0.00	0.00
08/30/96	2	25.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00
=====	===	=====	=====	=====	=====	=====	=====	=====	=====
TOTALS	75	11443.20	2425.00	30.00	500.00	1607.10	10030.00	0.00	0.00

Non-Existing Categories	0.00
Current Categories	26235.30
	=====
Grand Total	26235.30

1996 INSPECTION'S DEPARTMENT MONTHLY REPORT

UPDATED 09-04-96

PERMIT TYPES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD TOTAL
AD - ADDITION/GARAGE PERMITS	1	1	0	2	0	2	3	1					10
CM - COMMERCIAL	1	3	3	0	0	1	1	1					10
CT - CONSTRUCTION/SALES TRAILER	0	0	1	0	1	2	0	4					8
DL - DEMOLITION	0	0	0	0	0	0	0	1					1
DP - DEVELOPMENT PERMIT	2	3	2	0	2	3	1	2					15
FP - FENCE	4	1	2	5	2	7	3	2					26
GP - GRADING PERMIT	0	1	1	0	0	0	0	0					2
MI - MISCELLANEOUS/COMPLIANCE	6	9	6	8	7	12	6	8					62
MN - NEW MOBILE HOME	0	5	2	1	0	2	0	1					11
PP - POOL PERMIT	0	0	3	2	0	1	0	0					6
RF - REVIEW FEES	0	0	0	0	0	0	1	3					4
RM - REMODELING PERMITS	2	1	1	3	2	1	2	0					12
SB - STORAGE BUILDING	2	2	1	2	2	2	0	2					13
SF - SINGLE FAMILY	27	18	30	31	34	16	26	24					206
SP - SIGN PERMIT	2	5	2	1	2	3	4	4					23

AV - ADMINISTRATIVE VARIANCE	2	5	7	15	3	2	4	4					42
VA - APPEALS VARIANCE	0	1	0	0	9	0	0	2					12

AX - ANNEXATION APPLICATIONS	0	0	0	0	0	0	1	0					1
RZ - REZONING APPLICATIONS	0	0	1	1	0	2	1	0					5

CERTIFICATES OF OCCUPANCY	10	23	32	19	29	25	27	27					192

GAS TAPS ISSUED	31	45	35	60	50	37	39	35					332

BUILDING INSPECTIONS	215	248	433	352	277	284	280	270					2359

SUBDIVISION LOT AVAILABILITY LIST

Updated 09-04-96

Available Lots	Subdivision	Near What Major Street	Permits		C.O.'s Issued	Lots Not Built On	City	
			Issued	Gas			Gas	Gas
92	Abingdon Place	Whitehead Road	70		50	22	X	X
58	Arbor Clos	Highway 20	42		22	16	X	X
112	Bent Creek	Level Creek Road	110		110	2	X	X
7	Brandon Oaks	Austin Garner Road	6		6	1		
26	Brookside at Parkview	Parkview Mine Drive	26		25	0	X	X
39	Emerald Lakes IV	Cumming Highway	35		27	4	X	X
57	Hillcrest Crossing	Hillcrest Drive				57	X	X
33	Hillcrest Glenn	Hillcrest Drive	10			23	X	X
131	Lakefield Forest	Level Creek Road	128		124	3	X	X
174	Princeton Oaks	Riverside Road	146		123	28	X	X
81	Richland Creek Unit I	Sycamore Road	17		9		X	X
106	Saddle Tree	Suwanee Dam Road	39		25	67	X	X
116	Secret Cove	Old Suwanee Road	116		114	0	X	X
96	Sugar Crossing	Austin Garner Road	89		75	7	X	X
34	Sugar Hill Plantation	Old Cumming Highway	2			32	X	X
178	Sycamore Summit	Sycamore Road/Riverside Road	177		173	1	X	X
14	The Lakes at Riverside	Riverside Road	13		13	1		
51	The Links	Suwanee Dam Road	11		3	40		
101	The Oaks at Lanier	Highway 20	101		98	0	X	X
84	The Springs I	Highway 20	55		42	29	X	X
50	West Price Hill	West Price Road	47		46	3	X	X

THIS REPORT WAS PRINTED ON SEPTEMBER 4, 1996

CITY OF SUGAR HILL

<< STATISTICAL BREAKOUT >>

<----- Inspections -----> <----- Re-Inspections -----> Based On # Activities

# ACTIVITIES	INSPECTIONS (I)	PASSED	CORRECTIONS	RE-INSPECTIONS (R)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
270	179	111	67	91	72	18	81
	% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED
	66	62	37	34	79	20	30

INSPECTOR ID BREAKDOWN

TONY - 62

JOE - 208

TOTAL INSPECTIONS - 270

CITY OF SUGAR HILL

PERIODIC REPORT OF PERMITS ISSUED (GROUPED BY REPORT CODE)

DATE RANGE: 08/01/96 TO 08/31/96

Printed on: SEPTEMBER 4, 1996

	CODE	PRMS	VALUATION	FEEs	DUE	UNITS
NEW RESIDENTIAL HOUSEKEEPING BLDGS:						
* Single Family Houses Detached	101	24	1,640,241.00	14,728.20	0	
* Single Family Houses Attached	102	0	0.00	0.00	0	
* 2 Family Building	103	0	0.00	0.00	0	
* 3 and 4 Family Buildings	104	0	0.00	0.00	0	
* 5 or More Family Buildings	105	0	0.00	0.00	0	
NEW RESIDENTIAL NON-HOUSEKEEPING BL:						
* Hotels, Motels & Tourist Cabins ..	213	0	0.00	0.00	0	
* Other Non-Housekeeping Shelter ...	214	0	0.00	0.00	0	
NEW NON-RESIDENTIAL BUILDINGS:						
* Amusement, Social, & Recreational	318	0	0.00	0.00	0	
* Churches & Other Religious	319	0	0.00	0.00	0	
* Industrial	320	0	0.00	0.00	0	
* Prkng Garages (Blds & Open Decked)	321	0	0.00	0.00	0	
* Service Stations & Repair Garages	322	0	0.00	0.00	0	
* Hospitals & Institutional	323	0	0.00	0.00	0	
* Offices, Banks, & Professional ...	324	0	0.00	0.00	0	
* Public Works & Utilities	325	0	0.00	0.00	0	
* Schools & Other Educational	326	0	0.00	0.00	0	
* Stores & Customer Services	327	0	0.00	0.00	0	
* Other Non-Residential Bldgs	328	1	0.00	1,925.00	0	
* Structures Other than Buildings ...	329	0	0.00	0.00	0	
ADDITIONS, ALTERATIONS, & CONVERSION						
* Residential	434	1	0.00	25.00	0	
* Non-Residential & Non-Housekeeping	437	0	0.00	0.00	0	
* Adds of Resid. Garages (Atch/Detc)	438	0	0.00	0.00	0	
DEMOLITIONS AND RAZING OF BUILDINGS:						
* Single Family Houses (Atch/Detach)	645	0	0.00	0.00	0	
* 2 Family Buildings	646	0	0.00	0.00	0	
* 3 & 4 Family Buildings	647	0	0.00	0.00	0	
* 5 or More Family Buildings	648	0	0.00	0.00	0	
* All Other Buildings and Structures	649	0	0.00	0.00	0	

TOTALS FOR PERMITS SHOWN ABOVE		26	1,640,241.00	16,678.20	0	

Totals of other permits in the period		155	0.00	9,007.10	0	

TOTAL FOR ALL PERMITS IN THE PERIOD		181	1,640,241.00	25,685.30	0	

UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, AUGUST 19, 1996 - 7:30 P.M.

The Planning Commission met on Monday, August 19, 1996 at 7:30 P.M.

Those present were: Vice Chairman Granville Betts, Board Members Larry Newberry, and Rose Payne. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Chairman Jay Asgari, Board Member Bob Parris.

READING AND APPROVAL OF PREVIOUS MINUTES

Mr. Betts made a motion to approve the minutes from the July 15, 1996 meeting with the stipulation that where it reads that Mr. Betts was absent is changed to Mr. Betts was late, and where it states Mr. Betts arrived late be removed entirely, seconded by Member Rose Payne and approved unanimously by those present.

ANNEXATIONS/REZONINGS

AX-96-001 - MAP# 7-307-009 (a portion of)

Sugar Valley Joint Venture is requesting to annex .5 tenths of an acre with a zoning classification of RS-100 off Whitehead Road as an addition to The Oaks at Lanier Subdivision.

RZ-96-005 - MAP# 7-307-009 & 7-306-001

Sugar Valley Joint Venture is requesting to rezone 24± acres off Whitehead Road from AF zoning classification to RS-100 zoning classification for an addition to The Oaks at Lanier Subdivision.

No one was present to speak in behalf of the above Annexation and Rezoning. Mr. Betts opened the floor for citizens comments. The following citizens were present to address the board with their concerns; Keith Bechtold, Bob Hubert, Russ Constantin, Ron Kelley, and Dave Rutherford, and Juliann Marchek. These citizens, all residents of the existing Oaks at Lanier Subdivision had the following concerns;

- Unit IV which is under construction at this time was completely cleared all the way up to the creek, leaving no trees. Residents anticipated some type of buffer to be left in the rear of the lots being developed which would have left trees in between their homes and the new homes to be built. Now these large trees have been completely removed and can't be replaced.
- Some of the first residents which purchased their home when unit I was promised a Junior Olympic size pool and lots set aside for tennis courts by the developer. When the recreational area was developed and the pool was installed it was much smaller than what they were informed of and the lots set aside for the tennis courts are currently being built on. The total subdivision must also be built out 75% in order for the homeowners to take it over, therefore, they have no control over what is being done at their recreational area. The area around the pool for lounging as well as the parking is already too small to accommodate the residents which have already purchased homes in this subdivision.
- If this annexation/rezoning request occurs it will cause another thruway street which would increase the amount of traffic which is already pretty heavy. Residents have already tried to obtain speed breakers through the County but have been informed that they must receive 75% participation from the homeowners in order to make this type of request. With the new unit currently under development and this annexation/rezoning request they are unable to meet the required 75% participation.

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UNOFFICIAL

Discussion was held. Member Rose Payne made a motion to table this annexation/rezoning issue until next months meeting so that the representative for the proposed Annexation/Rezoning can be present to answer questions and concerns of the citizens that currently live in this development, seconded by Member Larry Newberry. Vice Chairman Granville Betts asked if there was any discussion.

Member Rose Payne stated that during this discussion there were two things that were of major concern and she questioned Mr. McFarland on how she should go about addressing these issues.

1. When a development is under Construction, how can the City control the amount of land that is being cleared and eliminate the land from being completely cleared?

Mr. McFarland stated that this could be included as part of the Buffer, Landscape, and Tree Ordinance which is currently under review by the Mayor and Council which should be voted on at the September Council Meeting. Mr. McFarland stated that she could request that the Mayor and Council add a stipulation which would only allow developers to clear in the rights-of-way when a subdivision is under construction, however, this is not what other cities have done. Member Rose Payne stated that the feedback that she was getting from residents is that they want to keep the Country Quality in Sugar Hill.

2. How would the City go about enforcing a 25' Construction Buffer on the homes? Member Rose Payne asked if she would also need to address this before the Mayor and Council?

Mr. McFarland stated that she could wait until next month to address this before the Council or, or they could wait until this issue is addressed in updating the Zoning Ordinance and Development Regulations. Mr. McFarland informed the members of the board that the Mayor and Council approved in August for Mr. McFarland's firm to update the Zoning Ordinance and the Development Regulations. In this process he will be getting with the Planning Commission to discuss where they want to put Construction Buffers and make it a requirement rather than it being a zoning condition. It may be that the Planning Commission request to put a buffer on exterior lot lines adjoining properties that are not part of the development. On interior lot lines, provided the Buffer, Landscape, and Tree Ordinance is adopted, will be taken care of because they will be unable to clear lot lines until they get a building permit. Another issue that the board might want to think about is how to address when a builder comes in and takes out 10 permits and mass clears the lots. Mr. McFarland informed the board that he will begin working on the Zoning Ordinance and Development Regulation updates starting now through the end of the year. More discussion held. Vote unanimous.

ADJOURNMENT:

Member Larry Newberry made a motion to adjourn the meeting, seconded by Member Rose Payne and approved unanimously by those present.

Meeting adjourned 8:45 p.m.

Kimberly B. Sanders

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107-11

**PLANNING AND ZONING BOARD OF APPEALS
MONDAY, AUGUST 26, 1996 - 7:30 P.M.**

The Planning and Zoning Board of Appeals met on Monday, August 26, 1996 at 7:30 p.m.

Those present were: Chairman Ed Phillips, Vice Chairman Rick January, Board Member Clyde Story, Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Those absent were: Board Member Bill Bagley, and Bill Parker.

Mr. Phillips called the meeting to order at 7:30 p.m. and led in the pledge to the flag.

Reading and Approval of Previous Minutes

Chairman Ed Phillips made a motion to approve the July 11, 1996 transcript, seconded by Vice Chairman Rick January and approved unanimously by those present.

Variance Request

96-01647 Seibert & Son, Inc. is requesting for Tri-County Medical Associates Inc. located at 4720 Nelson Brogdon Boulevard to receive a variance to reduce the required parking depth of 20' from the face of curb to 18' from the face of curb. Mr. McFarland briefed to board on this request and informed them that Mr. Jack Rowe who has been working on this project has been sick and that this is probably why he is not present. Discussion held. Vice Chairman Rick January made a motion to approve the reduction of 20' face of curb to 18' face of curb, for the required parking depth, seconded by Member Clyde Story and approved unanimously by those present.

96-01662 Michael B. Barron is requesting to eliminate the 30' street frontage requirement on tax parcel 7-305-237 in order to make this lot a buildable lot. Mr. John Barron is present to speak in behalf of his son's request. Mr. John Barron submits a drawing of the property to the board members which shows the subject property not having any road frontage. Mr. Ballew which is the applicant's father-in-law is the owner of lot 8 where a 20' egress easement has already been dedicated for access to the said property. Mr. Ballew stated that he would be willing to increase that easement to 30' should the board desire for him to do so. Member Clyde Story made a motion to approve the variance request to eliminate the 30' street frontage requirement in order to make this lot a buildable lot, seconded by Vice Chairman Rick January with the stipulation that the easement be properly recorded with Gwinnett County and that it remain a professional easement. Approved unanimously by those present.

Adjournment

Chairman Ed Phillips made a motion to adjourn, seconded by Member Clyde Story and approved unanimously by those present.

Meeting adjourned 8:00 p.m.

Kimberly B. Landers

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FINANCE REPORT
SEPTEMBER 1996

We received the Southern Bell Franchise Tax in the amount of \$34,952.52 which was deposited in General Fund.

Balance at the end of August in the General Fund checking account was \$156,732.36.

We currently have in the Georgia I Fund approximately \$740,000, which is drawing interest of 5.38%. This amount comes from the \$341,816.75 of Sanitation Escrow Funds, \$47,500 of Golf Club House Escrow Funds, \$38,095 from the GMA Equipment Lease Fund, \$300,000 transferred from General Fund, \$5,912.06 in fund at beginning of year and interest received on the funds. I plan to transfer the Southern Bell Franchise Tax into this account this week. When the Southern Bell Franchise Tax is added this will amount to approximately \$775,000 in the fund.

The Golf Course continues to bring needed revenue into the City. They received revenue in excess of \$120,000 in August which was approximately \$35,000 more than received for that period in previous years.

We are working on the 1997 Proposed Budget figures and I will make a request that we schedule two (2) Budget Work Sessions, in September, so that the 1997 Budget will be finalized for presentation to the Council by October 1, 1996 as stated in the City of Sugar Hill Code.

REVENUES/INCOME AND EXPENDITURES/EXPENSES REPORT 1996

AUGUST

DEPARTMENT: BUDGET '96 '95YD: '96YD: PERCENT: NET '96
'96YTD: YTD-BUDGET:

Administration:					
Revenues	\$1,034,470	\$524,118	\$491,104	47.47%	\$543,366
Expenditures	\$850,752	\$412,036	\$537,889	63.23%	\$312,863
Net Income:	\$183,718	\$112,082	(\$46,785)	-25.47%	\$230,503
Inspections:					
Revenues	\$71,800	\$60,466	\$125,737	175.12%	(\$53,937)
Expenditures	\$150,405	\$69,101	\$101,149	67.25%	\$49,256
Net Income:	(\$78,605)	(\$8,635)	\$24,588	-31.28%	(\$103,193)
Street:					
Revenues	\$78,800	\$48,248	\$39,407	50.01%	\$39,393
Expenditures	\$311,003	\$194,543	\$210,803	67.78%	\$100,200
Net Income:	(\$232,203)	(\$146,295)	(\$171,396)	73.81%	(\$60,807)
Sanitation:					
Income	\$378,000	\$170,102	\$234,739	62.10%	\$143,261
Expenses	\$378,000	\$169,490	\$198,383	52.48%	\$179,617
Net Income:	\$0	\$612	\$36,356	ERR	(\$36,356)
Gas:					
Income	\$2,454,500	\$1,387,969	\$2,104,744	85.75%	\$349,756
Expenses	\$2,223,879	\$685,506	\$1,802,064	81.03%	\$421,815
Net Income:	\$230,621	\$702,463	\$302,680	131.25%	(\$72,059)
Water:					
Income	\$0	\$364,004	\$21,125	ERR	(\$21,125)
Expenses	\$0	\$320,577	\$104,291	ERR	(\$104,291)
Net Income:	\$0	\$43,427	(\$83,166)	ERR	\$83,166
Sewer:					
Income	\$0	\$316,889	\$36,782	ERR	(\$36,782)
Expenses	\$0	\$558,276	\$250,282	ERR	(\$250,282)
Net Income:	\$0	(\$241,387)	(\$213,500)	ERR	\$213,500
Golf:					
Income	\$901,000	\$511,520	\$709,394	78.73%	\$191,606
Expenses	\$901,000	\$372,679	\$520,388	57.76%	\$380,612
Net Income:	\$0	\$138,841	\$189,006	ERR	(\$189,006)
Total Income:	\$4,918,570	\$3,383,316	\$3,763,032	76.51%	\$1,155,538
Total Expenditures/ Expenses	\$4,815,039	\$2,782,208	\$3,725,249	77.37%	\$1,089,790
Variances	\$103,531	\$601,108	\$37,783	36.49%	\$65,748

CASH FLOW ANALYSIS REPORT - ACTUAL REVENUES

1996 ACTUAL														
Revenues		JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTALS
I. Non-Seasonal														
A. General		\$41,311.56	\$47,205.97	\$97,915.01	\$36,093.66	\$72,090.63	\$29,414.87	\$24,065.17	\$14,014.02					\$362,110.89
B. Sanitation		\$33,160.68	\$28,101.95	\$28,022.99	\$29,094.47	\$28,709.89	\$28,544.99	\$28,998.87	\$29,952.49					\$234,586.33
C. Gas		\$7,909.31	\$7,767.58	\$14,120.66	\$15,722.63	\$78,180.52	\$11,735.61	\$10,225.78	\$16,486.16					\$162,148.25
D. Water			\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00					\$1,500.00
E. Sewer			\$20,000.00	\$0.00	\$450.00	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	\$0.00	\$20,450.00
I. Sub-totals:		\$82,381.55	\$104,575.50	\$140,058.66	\$81,360.76	\$178,981.04	\$69,695.47	\$63,289.82	\$60,452.67	\$0.00	\$0.00	\$0.00	\$0.00	\$780,795.47
II. Seasonal														
A. General:														
Property Tax		\$25,147.35	\$2,091.99	\$1,725.45	\$4,567.57	\$5,060.98	\$297.15	\$2,070.76	\$327.05					\$41,288.30
Ga. Pwr Fee				\$144,820.59					\$34,952.52					\$144,820.59
So. Bell Fee									\$9,625.07					\$34,952.52
NE Cable Fee			\$10,051.50			\$8,105.73			\$9,625.07					\$27,782.30
Insur Fee									\$0.00					\$0.00
GEFA LOAN														\$0.00
A. Sub-total:		\$25,147.35	\$12,143.49	\$146,546.04	\$4,567.57	\$13,166.71	\$297.15	\$2,070.76	\$44,904.64	\$0.00	\$0.00	\$0.00	\$0.00	\$248,843.71
B. Gas Fund:														
Gas Sales		\$437,981.15	\$400,834.20	\$407,963.77	\$311,316.90	\$155,140.14	\$85,022.60	\$73,176.74	\$71,230.72					\$1,942,666.22
C. Water Fund:														
Water Sales		\$20,369.84	(\$335.73)	(\$106.88)	(\$188.35)	\$0.00	(\$56.21)	(\$57.41)	\$0.00					\$19,625.26
D. Sewer Fund:														
Sewer Sales		\$16,324.30	\$8.00	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00	\$0.00					\$16,332.30
Sewer Taps														\$0.00
E. Sub-total:		\$16,324.30	\$8.00	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,332.30
F. Golf Course:														
Int. on Golf Fund		\$18,139.32	\$45,259.64	\$53,922.66	\$98,528.57	\$122,186.41	\$135,237.47	\$124,586.05	\$111,101.61					\$708,961.73
II. Sub-total:		\$517,961.96	\$457,909.60	\$608,748.68	\$414,708.94	\$290,493.26	\$220,501.01	\$199,776.14	\$227,236.97	\$0.00	\$0.00	\$0.00	\$0.00	\$2,937,336.56
TOTAL REVENUE:		\$600,343.51	\$562,485.10	\$748,807.34	\$496,069.70	\$469,474.30	\$290,196.48	\$263,065.96	\$287,689.64	\$0.00	\$0.00	\$0.00	\$0.00	\$3,718,132.03

CASH FLOW ANALYSIS REPORT - ACTUAL EXPENDITURES/EXPENSES

[illegible]

August 1996
Customer Services

A) Total utility customers:

1) Gas

4186

Total Gas Customers

4186

B) New customers:

1) Gas

86

Total new customers

86

C) Customers moving out of city:

1) Gas

19

Total customers moving

19

D) Meter re-reads:

1) Before Billing

216

2) Per customer's request

5

3) Over-reads

0

4) Total re-reads

221

E) Other:

1) Cut-offs

0

0

Report by:

Customer Service Manager

AUGUST 1996

GAS DEPARTMENT MONTHLY REPORT

SUPT REC	BLDR REQUEST	SUBDIVISION	LOT #	COMPLETED
04/15/96	08/01/96	PRINCETON OAKS	55A	08/01/96
04/25/96	08/02/96	DEER VALLEY	44A	08/02/96
05/06/96	07/10/96	DEER VALLEY	45A	08/02/96
06/10/96	07/25/96	DEER VALLEY	46A	08/02/96
05/31/96	07/25/97	DEER VALLEY	47A	08/02/96
05/06/96	07/25/96	DEER VALLEY	48A	08/02/96
05/23/96	07/25/96	DEER VALLEY	49A	08/02/96
02/23/96	07/25/96	DEER VALLEY	78A	08/02/96
04/25/96	07/23/96	DEER VALLEY	86A	08/02/96
07/23/96	07/23/96	ROSEMOORE LAKE	17C	08/02/96
07/23/96	07/23/96	ROSEMOORE LAKE	38C	08/02/96
07/23/96	07/23/96	ROSEMOORE LAKE	16C	08/02/96
04/03/96	07/22/96	ARBOR CLOS	219B	08/03/96
05/21/96	07/25/96	DEER VALLEY	74A	08/03/96
03/20/96	07/30/96	SUGAR CROSSING	42A	08/03/96
02/23/96	07/25/96	ASCOT	11A	08/03/96
03/07/96	08/05/96	DEER VALLEY	64A	08/03/96
04/25/96	07/25/96	DEER VALLEY	37A	08/03/96
04/25/96	07/25/96	DEER VALLEY	32A	08/06/96
04/25/96	07/10/96	DEER VALLEY	31A	08/06/96
04/25/96	07/10/96	DEER VALLEY	33A	08/06/96
04/15/96	07/16/96	DEER VALLEY	34A	08/06/96
04/25/96	07/10/96	DEER VALLEY	35A	08/06/96
02/23/96	07/25/96	DEER VALLEY	61A	08/06/96
04/25/96	07/25/96	DEER VALLEY	36A	08/06/96
07/16/96	07/16/96	HIGHLANDS	7B	08/07/96
04/15/96	08/08/96	OAKS AT LANIER	26A	08/08/96
07/29/96	08/05/96	937 OLD CUMMING	-----	08/07/96
04/29/96	07/31/96	RICHLAND CREEK	2B	08/06/96
04/25/96	07/31/96	RICHLAND CREEK	10B	08/06/96
07/18/96	08/13/96	ROSEMORE	23C	08/13/96
06/05/96	07/18/96	ROSEMORE	44C	08/13/96
05/13/96	08/05/96	EMERALD LAKES	22D	08/09/96
04/15/96	08/08/96	OAKS AT LANIER	131B	08/13/96
04/03/96	07/12/97	ARBOR CLOS	108A	08/15/96
05/23/96	08/08/96	ARBOR CLOS	110A	08/14/96
04/25/96	07/12/96	ARBOR CLOS	117B	08/15/96
05/13/96	08/13/96	PRINCETON OAKS	156B	08/15/96
03/20/96	08/15/96	ABINGDON	135A	08/16/96
05/23/96	08/16/96	DEER VALLEY	38A	08/16/96
04/25/96	08/16/96	DEER VALLEY	41A	08/16/96
03/20/96	08/13/96	ABINGDON	134A	08/19/96
08/07/96	08/14/96	HIGHLANDS @ BRDGGATE	4B	08/19/96
08/16/96	08/16/96	HIGHLANDS @ BRDG	30A	08/21/96
08/16/96	08/16/96	HIGHLANDS	39B	08/21/96
05/24/96	08/21/96	120 P'TREE IND. BLVD.		08/22/96
05/13/96	08/21/96	DEER VALLEY	43A	08/22/96
08/22/96	08/22/96	1226 HICKORY HILLS DR		08/23/96 move meter only
06/10/96	08/21/96	SADDLE TREE	16A	08/27/96
02/28/96	08/20/96	PRINCETON OAKS	1A	08/29/96
04/25/96	08/20/96	PRINCETON OAKS	145B	08/29/96
04/25/96	08/21/96	PRINCETON OAKS	146B	08/29/96
07/11/96	08/21/96	ARBOR CLOS	122B	08/29/96
07/11/96	08/21/96	DEER VALLEY	3A	08/29/96
06/20/96	08/21/96	DEER VALLEY	9A	08/29/96
07/11/96	08/21/96	DEER VALLEY	15A	08/29/96
05/23/96	08/29/96	DEER VALLEY	77A	08/29/96
07/17/96	08/23/96	ABINGTON PLACE	23A	08/30/96

1996 GAS DEPARTMENT REPORT												
	January	February	March	April	May	June	July	August	September	October	November	December
NEW SERVICES ADDED	32	33	32	32	33	56	40	57				YTD TOTAL
LENGTH IN FEET	2080	3185	2284	2165	2815	4370	3332	4575				315
TYPE OF MATERIAL	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC				24806
SIZE OF PIPE	5/8	5/8	5/8	5/8	5/8 & 3/4	5/8 & 3/4	5/8 & 3/4	5/8 3/4				PLASTIC
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A				5/8 & 3/4
												NA
GAS LEAKS	24	20	11	9	9	12	31	22				138
CORROSION CAUSED	2	0	0	7	0	0	2	2				13
OUTSIDE FORCES	0	0	0	0	0	0	0	0				0
MATERIAL DEFECT	7	3	1	0	0	0	0	4				15
CUT OFF VALVE LEAKS	1	5	1	2	0	0	10	6				25
LOW PRESSURE	3	35	4	0	0	0	0	0				42
METERS REPLACED	12	4	11	6	1	2	0	2				38
REGULATORS REPLACED	11	3	0	0	0	0	0	4				18
REGULATORS RESET	0	1	0	0	0	0	0	4				5
CUSTOMER SIDE	2	4	0	3	0	1	4	2				16
NO LEAKS FOUND	8	7	5	4	1	0	4	0				29
												0
												75
THIRD PARTY CUT LINES	12	13	11	6	6	8	12	7				53
BILLED	11	10	9	4	5	6	5	3				28
PAYMENTS RECEIVED	6	5	8	2	0	2	3	2				117
OUTSTANDING	7	12	13	15	20	24	26	NA				0
												6
KILLED SERVICES	0	0	4	0	0	0	0	2				635
LENGTH IN FEET	0	0	495	0	0	0	0	140				0
TYPE OF MATERIAL	N/A	N/A	PL & STL	0	0	0	0	PL & STL				0
SIZE OF PIPE	N/A	N/A	5/8 & 3/4	0	0	0	0	5/8 7 3/4				0
												8
NEW MAINS PUT INTO SERVICE	0	0	1	2	1	1	0	3				19400
LENGTH IN FEET	0	0	3500	5000	1000	5900	0	4000				PLASTIC
TYPE OF MATERIAL	N/A	N/A	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC				2" & 4"
SIZE OF MAIN	N/A	N/A	2" & 4"	2	2	4	N/A	2IN 4IN				NA
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A								
LOCATES	149	186	263	200	364	322	315	286				2085

DRAINAGE DEPARTMENT

August 1996

DATE	Jobs Performed
1st - 8th	Continued backfill on Fox property at 4442 White Oak Dr. Hauled 8 loads of dirt and leveled.
9th - 18th	Ralph on vacation. Reviewed bids on projects in drainage study. Met with resident at 5030 Gold Mine Dr. to discussed drainage problem. Removed debris from several catch basins in City.
19th -25th	Donna on vacation. Cut ditches and opened drain pipe under driveway at 1310 Hidden Cir. (Ticket attached) Hauled dirt to Butler property on White Oak Dr. Leveled and raked. Seed and hayed also. Poured concrete form for catch basin on Butler property. Laid rock at 1381 Hickory Hills Dr. on Wallace property to help prevent erosion caused by drain pipe installed under Craig Dr. by City. Repaired brakes on pump truck.
26th-30th	Rapaired catch basin on Butler property on White Oak Dr. and placed new lid on same. Rebuilt catch basin on Fox property. Met with Bill Alexis and Gail Tomlin on Old Spring Way to update them as to plans for laying pipe across property and into detention pond.

[illegible]

008855

Complaint ☐Request ☒Memo ☐

TO: City of Sugar Hill

4988 West Broad Street, Sugar Hill, GA 30518

Telephone 945-6716

Attention

Donna Ralph

From

Dewitt Venable

Mailing Address

1310 Hidden Cir.

Building Address

Phone # 945-7207

SUBJECT

Drainage ditch

DATE

6-5-96 DZ

MESSAGE

Fee

GAS TAP

GAS METER

SERIAL #

WATER TAP

WATER METER

SERIAL #

SEWER TAP

BACKFLOW PREVENTOR

NUMBER FEET GAS LINE RUN

TOTAL

HAS REQUESTED THAT DITCHES
ON EACH SIDE OF DRIVEWAY
BE OPENED UP - THIS RE-
QUIRES DIGGING NEW DITCH
LINES - JY

REPLY

Cut ditches on both sides - Blew out pipe under
driveway

DATE COMPLETED:

8-23-96

DATE

SIGNED

Donna Zink

THOMPSON & SWEENEY, P.C.
Law Offices

V. LEE THOMPSON, JR.
V. LEE SWEENEY
KELANIE D. WILLIAMS
PAUL E. ANDREW
JORGIA C. NORTHRUP

Longleaf Commons
690 Longleaf Drive, Lawrenceville, GA 30246
Telephone: 770/968-1997
Telephone Copier: 770/822-2913

Mailing Address
P.O. Drawer 1250
Lawrenceville, Georgia 30246

September 5, 1996

Mayor and Council
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Re: Animal Destruction Ordinance

Dear Mayor and Council:

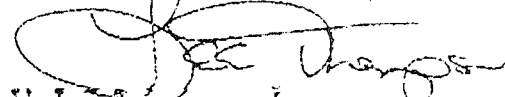
The ordinance you directed me to draft which prohibits destruction of property by animals is attached to this letter.

Several points were raised concerning the proposed ordinance which I was unable to incorporate into the ordinance. Of course, offenders can always be issued warnings when in the judgement of the issuing officer a warning is warranted. In addition, for a person to be found in violation of the ordinance, a witness or some other evidence will be necessary for a conviction. Also, the county's leash law applies within the City limits, so unleashed animals constitute a violation of that ordinance.

Finally, there was some discussion about payment by the person who owns or controls the dog to the property owner. Section 4.13 of the Charter gives the Municipal Court the power to try and punish violations of City Ordinances (criminal trials). However, the Charter only permits the Court to exact punishment for conviction of offenses consisting of money (up to \$1000.00), imprisonment, or labor in a city work gang. Ruling that a party owes another party money is a civil matter, beyond the jurisdiction of the Municipal Court. The fines recommended by the prosecutor could equal the amount of damages of the injured citizen (up to the limit listed in the ordinance), but would be paid to the City, not the injured citizen. If an injured citizen wished, they could file a claim in civil court, but the Sugar Hill Municipal Court does not have the power to order one party to pay another.

Sincerely,

THOMPSON & SWEENEY, P.C.


V. Lee Thompson, Jr.

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that "The Code Sugar Hill, Georgia" is hereby amended by adding section §4-3, to read as follows:

Sec. 4-3: Damage Caused by Animals

(a) It shall be unlawful for the owner or any person having custody of any dog or other animal to permit, either willfully or by failure to exercise due care or control, any dog or animal to enter upon or damage the property of the city, or to damage the property of another, whether said animal is under leash or restraint or not under such leash or restraint.

(b) For purposes of this ordinance, the leaving or dropping of fecal matter by any dog or animal upon city property or property of another which is not immediately removed shall be deemed to cause damage thereupon.

(c) If a dog or animal damages property as provided herein, the owner or other person having custody or control of such dog or animal shall immediately remove such fecal matter or other droppings and dispose of such matter on his or her own property or in some other lawful manner that does not create a danger to the public health.

(d) For the purposes of this ordinance, the property of the city shall include but not be limited to any and all public streets, sidewalks, parks, buildings, and adjacent lawns thereto. The term "property of another" shall include the driveways and lawns of single-family residential homeowners as well as common halls in any apartment house, tenement house, hotel or other multiple dwelling; any entranceway, stairway, or wall immediately abutting a public sidewalk; and any theater, shop, store, office building, and any other building used in common by the public.

(e) In the event that any dog or other animal shall cause damage upon any property of another or upon city property, proof of the occurrence and proof of the identity of the owner or other person having custody or control of the dog or animal shall be sufficient to convict the person owning or having custody or control of the animal violating the terms and conditions of this ordinance.

(f) The penalty for any violation of this ordinance shall be a fine of not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

IT IS SO ORDAINED this _____ Day of _____, 1996.

Council Member

Council Member

Council Member

Council Member

Council Member

Attest: _____
City Clerk

Submitted to Mayor: _____

Approved by Mayor, this _____ day of _____, 1996.

Mayor

THOMPSON & SWEENEY, P.C.
Law Offices

V. LEE THOMPSON, JR.
VICTORIA SWEENEY
MELANIE D. WILLIAMS
PAUL E. ANDREW
JORGIA C. NORTHRUP

Longleaf Commons
690 Longleaf Drive, Lawrenceville, GA 30245
Telephone: 770/963-1997
Telephone Copier: 770/822-2913

Mailing Address
R.O. Drawer 1250
Lawrenceville, Georgia 30245

September 5, 1996

Mayor and Council
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Re: Animal Destruction Ordinance

Dear Mayor and Council:

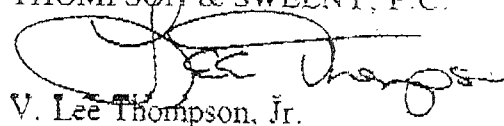
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Sincerely,

THOMPSON & SWEENEY, P.C.


V. Lee Thompson, Jr.

August 19, 1996

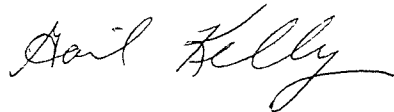
Gary Webster, Mayor
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Dear Mr. Mayor;

After two-and-a-half years on the Economic Development Commission, I feel it is time for new faces and new energy and time for me to resign. It has been an honor to serve the city. Thank you for giving me the opportunity to do so.

I will make arrangements with Lari Webster within the next week to return the manual.

Sincerely yours,

A handwritten signature in cursive script that reads "Gail Kelly". The signature is fluid and elegant, with the first name "Gail" and last name "Kelly" clearly distinguishable.

Gail Kelly

TRAINING AND WELFARE ACTIVITIES

Section 3 - Tuition Assistance Program

This office instruction establishes guidelines and procedures for full time employees with one year service seeking to further enhance their knowledge, skills and abilities to better perform their jobs.

1. General: Financial assistance exists to encourage the expanded education of employees so they can better perform their current or anticipated City duties. Funds are provided immediately ("up-front") following approval by the department head and City Manager to take a credit course. All expenditures must be previously budgeted -- any exception must follow procedures established in the Financial Policies of The City of Sugar Hill. The department head must consider the appropriate combination of these opportunities, to include: time away from the work center, cost, opportunity for all employees within the work center, etc. The resolution of any conflicts rests with the City Manager.

2. DEFINITIONS

A. Tuition Assistance: Funds specifically provided to support college level (or vocational) credit courses to improve employee ability to perform current job, or positions known to be opening. This assistance is for off-duty courses,(courses during work hours must be approved by City Manager), usually in increments of a quarter or semester in length and part of an overall Plan to obtain a degree. Approval is not allowed to qualify for an encumbered position, nor are travel related expenses paid. Tuition Assistance will not be approved in conjunction with other grants, scholarships, or funding beyond the cost of the course. If other sources of funding are obtained after tuition assistance is approved, excess must be refunded immediately. Tuition Assistance may be approved to make up any shortages in other types of assistance for the payment of the course only, and which meets the "limitation" guidelines in paragraph 3.

B. Training/Seminars: Training/Seminars ,covered under Section 2, differ in objective. These funds are to be used for special, short (one to five day) sessions, to sharpen skills in current jobs. Training may be local or out of town, it may occur during office hours, and expenses associated with travel are paid. City vehicles must be used if available.

3. Limitations: Employees may apply if they have successfully completed twelve (12) month's work (full-time) with the City, are in good standing. Funds may not exceed one week's pay for any single tuition course. (NOTE: \$3,000 is maximum annual limit--funds approaching this amount require special approval.)

4. EXPENSES: For Tuition Assistance the employee is responsible for all expenses beyond tuition (e.g., books, meals, travel, testing, certificates, etc.), These courses are longer in duration and enhance the external marketability of employee. Usually, if

overnight, all expenses are covered for Training/Seminars, including per diem. If not overnight, registration usually covers one meal; travel may be separately claimed, as per diem is not authorized.

5. STEPS FOR RECEIVING ASSISTANCE: Employees are encouraged to apply for and attend accredited college or vocational school courses that clearly pertain to the job being performed. Those offered locally will be given priority. All courses and work absences for attendance must be approved prior to receiving any assistance. The Accounts Payable Clerk will insure the following is accomplished:

A. Attendee must submit the Educational/Training Assistance Form with complete data regarding training description and tuition (or registration) fees required (See Attached Form).

B. After approval, the Accounts Payable Clerk makes out a check to the school, college or agency offering the training. Copies of all material are filed.

C. Following registration and payment to the school or agency, the attendee must submit a copy of the receipt for the file.

D. Upon course completion, a copy of the official grade must be provided to and initialed by the department head; then submitted through the City Manager to the Accounts Payable Clerk as proof of passing. Any grade below a "C" will require the total amount of tuition be refunded to the City. Also, if withdrawing from the course, the total fee must be refunded. Usually, after a certain date in each term, less than a full refund is provided; therefore, the student (employee) must make up the difference. Obviously, a commitment to excellence is in the best interest of all involved. NOTE: Should the course be canceled, employees must refund all proceeds immediately to the City.

E. Finally, the employee must remain engaged in the City work force for a least twelve (12) months following course completion, or agree to refund any educational fees paid the City during that period.

WARREN P. NEVAD
City Manager

Atch:
EDUCATION & TRAINING ASSISTANCE FORM

EDUCATIONAL COMMITMENT/TUITION ASSISTANCE FORM

EMPLOYEE _____ Date: ____/____/____
Last First MI

DEPARTMENT _____ DATE OF HIRE; ____ / ____ / ____

SCHOOL: _____ CITY, STATE: _____

(1) COURSE TITLE: _____ TUITION:\$ _____

COURSE DESCRIPTION: _____

DATE OF COURSE: FROM _____ / _____ / _____ TO _____ / _____ / _____

(2) COURSE TITLE: _____ TUITION: \$ _____

COURSE DESCRIPTION: _____

DATE OF COURSE: FROM _____ / _____ / _____ TO _____ / _____ / _____

REGISTRATION DATE: ____/____/____

APPROVAL: _____ DATE: ____/____/____

Department Head

ACCOUNT NUMBER: _____

City Manager

STATEMENT OF AGREEMENT:

I have successfully completed at least one year of full time employment with the City of Sugar Hill, and request tuition assistance for the above named course(s). The course(s) (mark one):

- _____ A. Clearly enhances my ability to perform in my current job.
_____ B. Will allow me to next compete for the position of _____ within the City of Sugar Hill.
_____ C. Is a required class toward a degree in _____.

I agree to the following stipulations to the Tuition Assistance Program:

- A. To return the course fee(s), in full, to the City should I withdraw from the class, or receive an official grade less than the equivalent of "C";
- B. To furnish the City a receipt for registration upon payment to the school or college;
- C. To provide an official grade report upon course completion, or refund the City the total amount of the tuition assistance;
- D. To be responsible for all other expenses other than tuition (i.e. books, travel, etc.) except upon special approval by the City Manager for the following expenses:

- E. To return any portion of course fees beyond cost of course, should I receive additional sources for funding or school grants; and
- F. To remain engaged in the City workforce for at least 12 full months after course completion or refund the City all fees provided me during the 12 months prior to my separation.

Signature of Employee

Date: ____ / ____ / ____

CLERK'S REPORT
SEPTEMBER 1996

We are continuing to adjust tax evaluations as they come in from the County. This is being done on a daily basis so we will have all the adjustments done in a timely manner. We will have the bills out by October 20, 1996 so that the taxes will be due in this year by December 20, 1996.

The City will be hosting the Gwinnett Municipal Association at the Golf Course Club House on September 10, 1996. Social will begin at 6:00 P.M., Bar-B-Que Dinner will be served at 6:30 P.M., and the Dinner Theater performance of "Oleanna" will begin at 7:00 P.M. We hope to have very good attendance from the Cities in Gwinnett County.

City Court heard one (1) case on Tuesday, September 3, 1996 at 5:30 P.M. This is a code violation of outdoor storage. Judge Washburn had some trouble with the person who came to court and she is requesting that the City have a Gwinnett County Deputy at Court to serve as Bailiff. Judge Washburn will be back in Court to rehear this case on September 11, 1996.

"Oleanna" was presented for employee training on Tuesday, September 3, 1996 at 3:00 P.M. The employees seemed very interested and participated in the Forum at the end of the play. This will also be presented for the public at North Gwinnett High School on September 4 and 11, 1996 at 7:00 P.M. This is being presented by the Gainesville Theater Alliance.

I was chosen to serve on the GMA 20/20 Vision Committee. There will be twenty (20) people from Georgia serving. I was the only Clerk chosen and will serve with Mayors, Council Members, and City Managers. There will be two (2) Seminars this year with GMA paying all the expenses. The Seminars will be in October and November.

*Spencer's-
Vlt: 4-0*

MEMORANDUM 96-45:

TO: Mayor/City Council

FROM: Warren P. Nevad 

RE: **SEPTEMBER 9, 1996 CITY MANAGER REPORT**

DATE: September 4, 1996

1. EMPLOYEES:

"Oleanna" was presented to our employees on September 3, 1996. This play about sexual harassment provided an impetus for constructive dialogue among our employees. Our attorney also provided observations and discussed how to avoid perception of sexual harassment. ✓

We will hold an employee appreciation outing on September 11, 1996 at the Golf Course. Preliminary plans include a fishing and golf tournament.

We have prepared a tuition reimbursement policy to encourage our employees to seek formal education and training to enhance their productivity. This proposed policy is modeled after the City of Duluth. We will present this policy at the September 9, 1996 Mayor/Council Meeting for consideration.

We will be installing our new computers this week. The City has a web site address on the internet. This address is http://Route 66.com/Sugar_Hill.html.

2. PLANNING/ZONING:

We will present a proposed rezoning of 27 acres on P.I.B. in order to accommodate a future neighborhood shopping center. This property will be rezoned from Manufacturing to General Business.

Aamco Paving desires to construct an office complex and maintenance facility at the location on Brogdon Rd. We have recommended that they subdivide the 16 acres so that a parcel of land would be suitable for their complex. The remaining property would contain the asphalt plant should E.P.D. issue an air quality permit. During our September 9th Meeting, we will consider the issuance of a development permit only for the office and maintenance complex. Although this can be accomplished administratively, we desire to allow the public to be present when we consider the issuance of a development permit.

During August, we issued two (2) development permits. The department conducted 270 inspections during the month.

3. GAS DEPARTMENT

The Gas Department has installed 57 new services this month. We have installed over 4,000 ft. of service lines. The gas crew has worked extremely hard in meeting our daily demands and improvements.

We are applying for a \$50,000 state grant which would allow the City to purchase two (2) natural gas powered vehicles. We will keep you advised. ✓

We have finished updating our key valve, leak survey, corrosion and distribution maps. All subdivisions currently are depicted on these maps.

4. ROADS/DRAINAGE

We have prepared our 1996 stormwater water annual report. This report ensures that each municipality is implementing the components of its storm water management program. This report was compiled in house. Also, we have prepared a storm water management ordinance pursuant to the State Department of Natural Resources.

We will commence work on the twin pipe creek crossing on Frontier Drive. Also, the Drainage Department has been implementing drainage improvements at Spring Hill Plantation.

5. FINANCE:

We are in the process of preparing our 1997 Budget Draft. Our proposed 1997 Budget draft is due October 1, 1996. Capital Improvements desired including a swimming pool, high pressure gas line, road paving and park improvements. We will present the budget with no planned increase in the millage and gas rates. Please call me should you have any suggestions.

6. GOLF COURSE

During August, the Golf Course grossed \$129,000. Over the Labor Day Weekend, we grossed nearly \$20,000 in revenues.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms

AGENDA
COUNCIL MEETING-MONDAY, OCTOBER 14, 1996-7:30 P.M.

CALL TO ORDER AND INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF SEPTEMBER MINUTES:

ADDRESS TO COUNCIL:

Council Member Charles Spradlin

DEPARTMENT REPORTS:

A:	PLANNING AND ZONING, ZONING APPEALS BOARD:	NEVAD
B:	BUDGET AND FINANCE:	GARBUTT
C:	UTILITIES:	NEVAD
D:	GOLF:	QUEEN
E:	RECREATION:	NEVAD
F:	DRAINAGE:	NEVAD

OLD BUSINESS:

A:	THE OAK'S AT LANIER ON ANNEXATION:	DAVE BECHTOLD
B:	PUBLIC HEARING-ANNEXATION AX-96-001 SUGAR VALLEY JOINT VENTURE	McFARLAND
C:	CONSENT ORDER UPDATE	NEVAD

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

A:	PUBLIC HEARING REZONING RZ-96-005 SUGAR VALLEY JOINT VENTURE:	McFARLAND
B:	PUBLIC HEARING REZONING RZ-96-006 DAVID R. BOWEN:	McFARLAND
C:	ACCEPT ANNEXATION APPLICATION TOM WOOD HIGHWAY 20:	McFARLAND
D:	ACCEPT ANNEXATION APPLICATION STEVEN HENRY HIGHWAY 20:	McFARLAND
E:	ACCEPT ANNEXATION APPLICATION SHERLA HOLLOWAY BUFORD HIGHWAY 23:	McFARLAND
F:	ACCEPT ANNEXATION APPLICATION WILLIAM MALONEY:	McFARLAND
G:	APPEALS BOARD APPOINTMENT RESIGNATION OF BILL BAGLEY:	NEVAD
H:	1996 TAX MILLAGE RATE:	GARBUTT
I:	RETREAT FOR MAYOR AND COUNCIL:	BAILEY
J:	CHECK SIGNING:	DAVIS
K:	SIDEWALK CONSTRUCTION ORDINANCE:	SPRADLIN
M:	AMENDMENT TO HM2 CLASSIFICATION:	THOMPSON
N:	NORTH ADVANCE WATER RECLAMATION FACILITY:	NEVAD
O:	COMPUTER PURCHASE PROGRAM:	SPRADLIN

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

POSSIBLE LITIGATION:

PERSONNEL:

ADJOURNMENT:

AGENDA
COUNCIL MEETING-MONDAY, OCTOBER 14, 1996-7:30 P.M.

Barley
CALL TO ORDER AND INVOCATION:

APPROVAL OF AGENDA: *4-0*

APPROVAL OF SEPTEMBER MINUTES: *4-0*

ADDRESS TO COUNCIL:

Council Member Charles Spradlin *address*

DEPARTMENT REPORTS:

- A: PLANNING AND ZONING, ZONING APPEALS BOARD: NEVAD ✓
B: BUDGET AND FINANCE: GARBUTT ✓
C: UTILITIES: ✓ NEVAD ✓
D: GOLF: ✓ *James Brown* QUEEN ✓
E: RECREATION: NEVAD ✓
F: DRAINAGE: NEVAD ✓

OLD BUSINESS:

- A: THE OAK'S AT LANIER ON ANNEXATION: DAVE BECHTOLD ✓
B: PUBLIC HEARING-ANNEXATION AX-96-001 *presentation by POB* MCFARLAND ✓
SUGAR VALLEY JOINT VENTURE
C: CONSENT ORDER UPDATE *Barley* NEVAD ✓
D: *County Drainage* - *BP D.* *Barley* *Chasen* *4-0*

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

- A: PUBLIC HEARING REZONING RZ-96-005 MCFARLAND ✓
SUGAR VALLEY JOINT VENTURE: *Sheld*
B: PUBLIC HEARING REZONING RZ-96-006 *now* MCFARLAND ✓
DAVID R. BOWEN: *4-0*
C: ACCEPT ANNEXATION APPLICATION TOM WOOD HIGHWAY 20: MCFARLAND ✓
D: ACCEPT ANNEXATION APPLICATION STEVEN HENRY HIGHWAY 20: MCFARLAND ✓

E: ACCEPT ANNEXATION APPLICATION
SHERLA HOLLOWAY BUFORD HIGHWAY 23: MCFARLAND

F: ACCEPT ANNEXATION APPLICATION
WILLIAM MALONEY: MCFARLAND

G: APPEALS BOARD APPOINTMENT
RESIGNATION OF BILL BAGLEY: NEVAD

H: 1996 TAX MILLAGE RATE: GARBUTT

I: RETREAT FOR MAYOR AND COUNCIL: BAILEY

J: CHECK SIGNING: DAVIS

K: SIDEWALK CONSTRUCTION ORDINANCE: SPRADLIN

M: AMENDMENT TO HM2 CLASSIFICATION: THOMPSON

N: NORTH ADVANCE WATER RECLAMATION FACILITY: NEVAD

O: COMPUTER PURCHASE PROGRAM: SPRADLIN

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

POSSIBLE LITIGATION:

PERSONNEL:

ADJOURNMENT:

OCTOBER 1996

CITY OF SUGAR HILL, GEORGIA

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4	5
6	7 VISION 2020 SAPALO ISLAND OCT. 7-9	8 STAFF MEETING 8:30 A.M. GMA KURT'S RESTAURA 6:30 P.M.	9	10	11	12 YOUTH GOLF CLINIC GOLF COURSE 8:00 - 1:00
13 PRE LEGISLATIVE CONFERENCE JEKYLL ISLAND OCT. 14-18	14 COUNCIL MEETING 7:30 P.M. COMMUNITY CENTER	15	16	17	18	19
20	21 P & Z BOARD COMMUNITY CENTER 7:30 P.M.	22	23 CITY MANAGER TRAINING ROME, GA OCT. 23-25	24	25	26
27	28 MAYOR'S CUP GOLF TOURN. GC APPEALS BOARD COMMUNITY CTR. 7:30 P.M.	29	30	31		

CITY OF SUGAR HILL

MINUTES

MONDAY, OCTOBER 14, 1996

The Mayor and Council of the City of Sugar Hill held their regular monthly meeting on Monday, October 14, 1996 at 7:30 P.M. in the Community Center.

Notice of the meeting was posted on the front door of City Hall, the Community Center and faxed to the media.

Those present were: Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Tim Pugh and Charles Spradlin, Council Member Dorland Baird was attending Newly Elected Official's training, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Golf Director Wade Queen, Drainage Supervisor Donna Zinskie, Attorney Lee Thompson, registered guests Bill and Dot Lodwick, Don Rose, Norman and Laurie Morgan, Gary L. Simpson, Harold Williamson, Shirley Gaunt, Gary Mondudell, James Lick, Ron Kelley, Dave Bechtold, Jueane Machek, David Reutherford Carol H. Kent, Joseph Kent, Theresa Cleaver, Augusta Ted, Connie and Quen Lamb, David and Sandy Nestor, Diane and John Ronglian, Robert and Anna Medesdeft, Shannon Otterlounge, Jack Chilliya, Larry Van Camp, other citizens, guests and representatives of the news media.

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Bailey gave the Invocation.

Council Member Spradlin made a motion to approve the Agenda, seconded by Mayor Pro Tem Davis and after amending by adding Item D-County Drainage under Old Business and Item P-State Speed Ordinance under New Business the motion unanimously passed by those present. (4-0)

Council Member Bailey made a motion to approve the September Minutes, seconded by Council Member Pugh, with two corrections of name changes. The Motion was unanimously approved by those present. (4-0)

ADDRESS BY COUNCIL MEMBER SPRADLIN:

Council Member Spradlin asked that the cameras be turned off.

He expressed his view on how important it is to take politics out of City business. He retook his Oath of Office and asked that everyone join him in a promise to discontinue politics in Sugar Hill.. (see attached address)

DEPARTMENT REPORTS:

A: PLANNING AND ZONING:

Manager Nevad reported that the Inspections Department made 288 inspections in September and there were 41 Single Family residential building permits issued. The department has exceeded the budgeted revenues by \$71,000 with three months remaining in the budget year.

He expressed appreciation to Mr. Bill Bagley for serving on the Appeals Board and stated that an appointment would be made later tonight to fill the position.

B: BUDGET AND FINANCE:

Finance Director Garbutt reported that she and Manager Nevad have prepared the proposed 1997 Budget to Council and the Council needs to set a Budget Work Session. Clerk Garbutt was instructed to poll the Council and set a date to meet.

She reported that the City received \$3,602.17 above the budgeted amount for Occupational Taxes and there must be a public hearing held, at the December Meeting, to state what the excess above

budget should be spent on. She suggested that there has been extra expenditures for the Election and that the funds be applied to those expenditures.

Those who will be attending the Pre-Legislative Conference on Jekyll Island October 14-18, 1996 are: Mayor Pro Tem Reuben Davis, Council Members Dorland Baird, and Tim Pugh and Manager Warren Nevad.

C: UTILITIES:

Manager Nevad reported the Gas Department installed 45 new services in September. This brings the YTD total to 359. There was over 3,600 feet of service line installed. Work is continuing on the installation of a 4 inch line down Hillcrest which will loop our system. A backup turbine check meter is being installed at the Transco Plant.

D: GOLF:

Director Queen reported revenues up by 53% over September of 1995. Sam Wilson won the Club Championship Tournament. A Junior Clinic was well attended on October 12. He thanked the community for the support they are giving the Golf Course. Play continues to be very good at the Course. Council Member Spradlin thanked Director Queen for helping the Scouts at the Golf Clinic.

E: RECREATION:

Manager Nevad reported that the sinks at the Lower Pavilion have been repaired. The Fall Soccer League has begun play. The fields will be winterized shortly. Investigations are being done into other security measures.

F: DRAINAGE:

Manager Nevad reported that work has begun on Oakgrove Drive and Pass Court. The Fox Property should be finished very soon. He thanked Donna Zinskie and her crew for their extra work during the rainy weather.

OLD BUSINESS:

A: THE OAKS AT LANIER ON ANNEXATION: DAVE BECHTOLD

Council Member Bailey made a motion to table this item, seconded by Council Member Pugh. Council Member Spradlin stated that he would be glad to work along with the developers and the home owners. He will be glad to serve as a facilitator. The vote on the motion was unanimous of those present. (4-0)

B: PUBLIC HEARING-ANNEXATION AX-96-001 SUGAR VALLEY JOINT VENTURE:

This was tabled along with the above annexation on the Oaks at Lanier.

C: CONSENT ORDER UPDATE:

Manager Nevad gave an updated report and announced that Bill Johnson and Gary Simpson from POH are present to report on this. The eight acre Municipal Landfill was discussed concerning the Closure and Post Closure. The State has approved the Monitoring Wells at the Landfill. POH recommended that the ground water testing be done. After more discussion on the sampling of the wells, Council Member Bailey made a motion to amend the agreement with POH for an additional \$15,500 on Amendment #2. The motion was seconded by Council Member Spradlin and unanimously passed by those present. (4-0)

D: STORM WATER MANAGEMENT ORDINANCE:

Manager Nevad asked Attorney Thompson to explain the amendments made to the Ordinance which was presented to the Council at the September Council Meeting. The Ordinance needed an enacting clause, a citation to the Georgia Constitution was wrong, and in addition Gwinnett County has made some amendments which need to be incorporated. There were some terms which were adjusted to fit what Sugar Hill has. He also drafted an agreement between the City and the County at a price to be

negotiated. After more discussion Council Member Spradlin made a motion to accept the agreement, seconded by Mayor Pro Tem Davis and discussed further. The vote was unanimous of those present. (4-0)

CITIZEN'S AND GUEST'S COMMENTS:

Mrs. Meg Avery commented on some ordinances Council has passed which she does not like and also talked about the address of Council Member Spradlin and how it relates to politics in Sugar Hill. She also commented on Citizen's and Guest's Comments not being on Cable TV.

Mr. Granville Betts expressed appreciation from the West Gwinnett Soccer Club and invited everyone to come out and play or watch those who are playing soccer. Games are played on Saturday and Sunday.

NEW BUSINESS:

A: PUBLIC HEARING REZONING RZ-96-005 SUGAR VALLEY JOINT VENTURE:

This item was tabled under Item A under Old Business.

B: PUBLIC HEARING REZONING RZ-96-006 DAVID R. BOWEN:

Development Director Don McFarland advised Council that Mr. Bowen asked that this application be removed from the Agenda. Council Member Spradlin made a motion to table until this has been received in writing from Mr. Bowen. Council Member Pugh seconded this motion which passed unanimously by those present. (4-0)

C: ACCEPT ANNEXATION APPLICATION TOM WOOD HIGHWAY 20:

Director McFarland stated that Items C, D, and F are all 2 ½ acres each and are essentially one application. They meet the criteria for annexation. He also stated that Item E also relates to these same properties and asked that they all be considered together. Council Member Pugh made a motion to accept these applications, seconded by Council Member Spradlin. There was discussion concerning the Council accepting applications. Attorney Thompson explained this to the Council and Council Member Spradlin asked for a more detailed map of properties in the future. The motion passed on a unanimous vote of those present. (4-0)

D: ACCEPT ANNEXATION APPLICATION STEVEN HENRY HIGHWAY 20:

This was done under Item C.

E: ACCEPT ANNEXATION APPLICATION SHERLA HOLLOWAY BUFORD HIGHWAY 23:

This was done under Item C.

F: ACCEPT ANNEXATION APPLICATION WILLIAM MALONEY:

This was done under Item C.

G: APPEALS BOARD APPOINTMENT, RESIGNATION OF BILL BAGLEY:

Manager Nevad reported that Mr. Bill Bagley resigned and an appointment needs to be made to the Appeals Board. He expressed appreciation to Mr. Bagley for the manner in which he served. Mayor Pro Tem Davis made a motion to appoint Mr. Ed Entrekin to serve the unexpired term. The vote was unanimous of those present. (4-0)

H: 1996 TAX MILLAGE RATE:

Clerk Garbutt asked that the Council approve an Ordinance setting the 1996 Mill Rate at 4 mills so Gwinnett County could be notified. Council Member Pugh made a motion to set the 1996 Mill Rate at 4 mills, seconded by Council Member Spradlin and unanimously passed by those present. (4-0) Council Member Spradlin stated that the City would try to keep the mill rate at 4 mills, but it is a reasonable assumption that the tax mill rate may have to be raised in the future.

I: RETREAT FOR MAYOR AND COUNCIL:

Council Member Bailey made a motion to table this until after the Budget Work Session is held, seconded by Council Member Spradlin and unanimously passed by those present. (4-0)

J: CHECK SIGNING:

Mayor Pro Tem Davis stated that Manager Nevad should be responsible for check signing. Manager Nevad stated that he would direct someone to sign checks in his absence. This was discussed at length with a consensus that the checks would always be signed by at least one elected officials. Manager Nevad stated that he would have a policy available by the next meeting. Manager Nevad, being over finance, will sign or designate someone to sign in his absence. This was discussed at length and the consensus was that an elected official should sign at all times, if possible. Checks over \$100.00 should be signed by an elected official with the manager. The chain of command will be followed until the policy is put in force. This was placed in a form of a motion by Mayor Pro Tem Davis, seconded by Council Member Spradlin and unanimously passed by those present. (4-0)

K: SIDEWALK CONSTRUCTION ORDINANCE:

Council Member Spradlin asked Attorney Thompson if he has reviewed this Ordinance, and Attorney Thompson stated that he has not reviewed this Ordinance. Council Member Spradlin made a motion to start the process of adding requirements to the zoning ordinance to require sidewalks to be placed in all new subdivisions of single family homes. The motion was seconded by Council Member Bailey. Attorney Thompson and Director McFarland stated that this would be in the Development Regulations. Any new subdivision will be required to place three foot sidewalks except at cul-de-sacs. This was discussed at length. Council Member Bailey withdrew his second, Council Member Spradlin withdrew his motion and made another motion to adopt this Ordinance to be added to the Development Regulations, seconded by Council Member Bailey and amended to take effect on January 1, 1997. All motions were withdrawn. Council Member Spradlin made a motion to instruct the attorney to draw up an ordinance to be added to the City of Sugar Hill Development Regulation by the November meeting, seconded by Council Member Bailey. Attorney Thompson stated that if there are any subdivisions which need sidewalks added and have already gone beyond this point, this stipulation can be made a condition of the zoning in the subdivisions. The vote on the motion was unanimous by those present. (4-0)

L: AMENDMENT TO HM2 CLASSIFICATION:

Attorney Thompson stated that he has prepared an amendment (see attached) to the Zoning Ordinance. Council Member Pugh and Manager Nevad asked that this amendment be prepared. There has to be a public hearing and it has to be put on the Agenda at a later meeting after it goes before the Planning Commission. He read the amendments and Council Member Spradlin made a motion to begin the process. The motion was seconded by Council Member Pugh and unanimously passed by those present. (4-0)

M: NORTH ADVANCE WATER RECLAMATION CENTER:

Gwinnett County has requested that the City of Sugar Hill support their North Advance Water Reclamation Facility. Council Member Pugh made a motion to approve this, seconded by Mayor Pro Tem Davis and passed unanimously by those present. (4-0)

O: STATE SPEED LIMIT REGULATIONS:

This was moved above Item N.

Manager Nevad gave the background for requesting that speed limits be set for the streets of Sugar Hill. The state DOT has conducted a survey and their findings have resulted in the attached speed limits. Mayor Pro Tem Davis made a motion to approve this ordinance and Council Member Pugh seconded the motion. There was much discussion on this, with a change being made for Highway 20 from PIB to Hillcrest to 35 MPH and not 25 MPH. Council Member Spradlin amended Mayor Pro Tem Davis's motion and the vote on the amended motion was unanimous. (4-0)

N: COMPUTER PURCHASE PROGRAM:

Council Member Spradlin presented an idea that the City purchase computers for employees and have them paid through payroll deductions so that all employees could have a computer purchased at a very good price and also have the same type computer which they use at the City. He passed out a leaflet that listed the prices of the computers. He made a motion to this effect and Council Member Pugh seconded the motion for discussion. This was discussed at length with several options being discussed, but Attorney Thompson stated that he did not think this could be done. It was decided that if employees wanted to work out with Computer Outlet to purchase the computers, their payments might be done through payroll deductions, but the liability of debt would be on the employee and not the City. This price would also be honored for the citizens of Sugar Hill. Council Member Spradlin asked Attorney Thompson to check into this and he made a motion to table this, with Council Member Pugh seconding the motion which passed unanimously by those present. (4-0)

CITY CLERK'S REPORT:

City Clerk Garbutt reported that the Tax Digest has been sent to TBS for the billing of the 1996 Taxes. She reported that the billing should be \$443,000+ , but it will be determined by the number of adjustments to be made.

She also reported that she and Manager Nevad attended the 4th quarter Board Meeting of the Election Division of the Secretary of State. The Election Division began their investigation on October 4, 1996, and the transcribed depositions, which Mr. Herb Payne requested, have been delivered to the investigators.

CITY MANAGER'S REPORT:

Manager Nevad welcomed back Margie Wilson, who has been out on sick leave.

The overall fiscal objective is to maintain the millage and gas rates for the City. Several critical improvement areas have been identified including the high pressure gas expansion project; drainage improvements at E.E. Robinson Park and vehicle replacement.

Transco will construct a regulator bypass unit to increase our high pressure gas deliveries during peak days. Welker and Associates are handling all bidding and construction management of our backup metering station on Peevy Road.

Pursuant to the State DOT, the City must repair Duncan Drive and Pinedale Circle. These roads were paved under LARP nearly five years ago. In order to be eligible for the next grant cycle, we must repair these roads. The cost will be charged to renewal and replacement.

COUNCIL REPORTS:

Council Member Bailey stated he commended Council Member Spradlin for his comments and he joins him in the oath and he feels that the Council can certainly work together.

Council Member Spradlin asked that this be a new beginning and he appreciates the time Mr. Mike Fogarty gave him and he wants the whole population, of Sugar Hill, to forget the past and start anew and work together.

Mayor Webster joined Council Member Spradlin in his oath and announced that the second Annual Mayor's Cup to benefit the North Gwinnett CoOp Food Bank will be held on October 28, 1996 at the Sugar Hill Golf Course.

Mayor Pro Tem Davis expressed appreciation to Council Member Spradlin for the address, endorsed what he said and would be willing to work with everyone.

Council Member Pugh thanked those who came out and also thanked the workers of the City for their hard work. The employees were given a round of applause.

EXECUTIVE SESSION:

Council Member Pugh made a motion, at 9:00 P.M., to go into Executive Session to discuss possible litigation, and personnel, seconded by Council Member Bailey and passed on a vote of 3-0. Council Member Spradlin abstained. Mayor Webster called a ten minute recess.

The Executive Session ended at 9:33 P.M. on a motion made by Council Member Pugh and seconded by Council Member Bailey. Mayor Pro Tem Davis had to leave early and the vote was unanimous of those present. (3-0)

ADJOURNMENT:

Council Member Pugh made a motion to adjourn at 9:35 P.M., seconded by Council Member Bailey and unanimously passed by those present. (3-0)

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the following sections of the DEVELOPMENT REGULATIONS OF THE CITY OF SUGAR HILL be amended as follows:

1. Section 6.13.1 of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:

"a. Sidewalks shall be provided within all single family subdivisions.

b. Sidewalks shall be provided along the street from which a multi-family development has access.

c. Sidewalks shall be provided along all streets adjoining a non-residential development."

2. Section 6.13.2 (a) of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:

"a. Sidewalks shall be required adjacent to both sides of internal subdivision streets."

These amendments shall become effective January 1, 1997.

IT IS SO ORDAINED this _____ Day of _____, 1996.

Council Member

Council Member

Council Member

Council Member

Council Member

Attest: _____

City Clerk

Submitted to Mayor: _____

Approved by Mayor, this _____ day of _____, 1996.

Mayor

*So my
Chair
and P...
50*

ORDINANCE FOR ANNEXATION

THE COUNCIL OF THE CITY OF SUGAR HILL HEREBY ORDAINS:

WHEREAS, Richard F. Butterworth did on July 29, 1996, apply to have lands annexed into the existing corporate limits of The City of Sugar Hill, Georgia; and

WHEREAS, it appears to the governing body of The City of Sugar Hill, Georgia, that the area proposed to be annexed is contiguous to the existing corporate limits of The City of Sugar Hill, that the applicants represent not less than sixty percent (60%) of the owners and resident electors of the land area proposed to be annexed and that said application complies with the laws of the State of Georgia; and

WHEREAS, a public hearing was held on said application for annexation and on the proposed zoning of the area to be annexed on October 14, 1996; and

WHEREAS, prior to said public hearing the City of Sugar Hill, Georgia did prepare a report setting forth its plans to provide services to the area to be annexed as required by the Official Code of Georgia Annotated Section 36-36-25; and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the annexation of the area proposed to be annexed would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Sugar Hill, Georgia and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the proper zoning classification for the area proposed to be annexed is Medium Density Single Family Residential (RS-100).

BE IT, THEREFORE, ordained that the following described lands be and the same hereby are, annexed to the existing corporate limits of the City of Sugar Hill, Georgia, and the same shall hereafter constitute a part of the lands within the corporate limits of the City of Sugar Hill, Georgia, to-wit:

All that tract or parcel of land lying and being in Land Lot 307 of the 7th land district of Gwinnett County, Georgia and being more particularly described as exhibit "A" is attached hereto and made a part of this ordinance and incorporated herein by reference.

A plat described at exhibit "B" of said property is attached hereto and made a part of this ordinance and incorporated herein by reference.

BE IT FURTHER ORDAINED that "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by adding to the official zoning map adopted by the Ordinance the area annexed by this Ordinance and by classifying that area as Medium Density Single Family Residential (RS-100) on said official zoning map.

BE IT FURTHER ORDAINED THAT the following conditions are hereby included on the property as a condition of zoning:

BE IT FURTHER ORDAINED that the Clerk of the City of Sugar Hill certify a copy hereof and file the same with the Secretary of State for the State of Georgia, pursuant to the provisions of Official Code of Georgia, Section 36-36-28(a).

IT IS SO ORDAINED, this _____ day of _____, 199__.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST: _____
City Clerk

Submitted to Mayor: _____

Approved by Mayor, this _____ day of _____, 1996.

Mayor

ORDINANCE

RZ-96-005

The Council of the City of Sugar Hill, Georgia hereby ordains:

That "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by amending the official zoning map adopted by that ordinance to classify the area described on Exhibit A which is attached hereto and incorporated herein by reference as Medium Density Single-Family Residential District (RS-100) on said official zoning map.

BE IT FURTHER ORDAINED THAT the following conditions are hereby included on the property as a condition of zoning:

IT IS SO ORDAINED, this _____ day of _____, 1996.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST: _____
City Clerk

Submitted to Mayor: _____

Approved by Mayor, this _____ day of _____, 1996.

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the Zoning Ordinance of the City of Sugar Hill, Georgia is hereby amended as follows:

1. Section 1109B.(2) is hereby amended by deleting subparagraph c in its entirety.
2. Section 1109B.(3) is hereby amended by adding the following subparagraph c:
 - c. All other industrial uses that are not public nuisances and are not dangerous to the public health, safety, or general welfare of the inhabitants of the City of Sugar Hill. In determining whether an industrial use meets this criteria, and whether the proposed use is appropriate for the specific site, the Mayor and Council should consider the following criteria:
 1. The proximity of the proposed use to existing residential structures or residentially zoned property;
 2. Whether the proposed use will generate pollutants of the air or water and, if so, the method proposed by the applicant for insuring that the proposed use will comply with all state and federal environmental regulations;
 3. Whether the proposed use will generate excessive traffic, noise, vibration, smoke, dust, gas, fumes, odors, radiation, or create a fire or explosion hazard which may be objectionable due to proximity to surrounding structures, or which will adversely affect the existing use or usability of adjacent or nearby property;
 4. How neighboring properties may be affected by the height of any proposed structure; and
 5. Whether the special use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with surrounding land uses and would not be in conflict with the overall general objectives of the comprehensive land use plan.

Except as otherwise set forth herein, all other provisions of Section 1109B shall remain in full force and effect.

IT IS SO ORDAINED this _____ day of _____, 1996

(Signatures of following page)

Councilmember

Councilmember

Councilmember

Councilmember

Councilmember

Attest: _____
City Clerk

Submitted to Mayor: _____

Received from and Approved by Mayor, this ____ day of _____, 1996.

Mayor

RESOLUTION

- WHEREAS,** a safe and reliable public wastewater treatment system is necessary to provide for the health and welfare of Gwinnett County citizens; and
- WHEREAS,** increased wastewater treatment capacity is needed to protect the quality of streams and rivers in Gwinnett County; and
- WHEREAS,** advanced reclamation methods are essential to safeguard downstream water users and return clean water to the Chattahoochee River Basin; and
- WHEREAS,** individual wastewater disposal system will proliferate in Gwinnett County without additional public wastewater treatment capacity; and
- WHEREAS,** an advanced water reclamation facility at the junction of I-85 and I-985 and the collection system transporting flows thereto will either directly serve or create treatment capacity in every quadrant of Gwinnett County; and
- WHEREAS,** the proposed North Advanced Water Reclamation Facility will benefit public health, the environment, and the quality of life of Gwinnett County citizens;

NOW, THEREFORE, BE IT RESOLVED

The City of Sugar Hill supports the permitting and construction of the Gwinnett North Advanced Water Reclamation; and

BE IT FURTHER RESOLVED

that this Resolution shall be made a part of the public record, endorsing the draft permit for Gwinnett County's North Advanced Water Reclamation Facility.

This Resolution is dated this _____ day of _____, 1996.

Gary L. Webster, Mayor

Reuben Davis, Mayor Pro Tem

_____ COUNCIL
Steven Bailey

Dorland Baird

Tim Pugh

Charles Spradlin

ADMINISTRATIVE REPORT

PLANNING, ZONING, & BUILDING INSPECTIONS DEPARTMENT

SEPTEMBER 1996

PRINTED 10-07-96

THIS REPORT WAS PRINTED ON OCTOBER 7, 1996

CITY OF SUGAR HILL

PERMIT TYPE AND DESCRIPTION	# OF PERMITS	VALUATION	FEES DUE	FEES PAID
W - ADMINISTRATIVE VARIANCE	7	0.00	1,050.00	1,050.00
X - ANNEXATION APPLICATION	3	0.00	1,050.00	1,050.00
Y - CLEARING & GRUBBING PERMIT	2	0.00	0.00	0.00
Z - COMMERCIAL PERMIT	1	0.00	1,165.00	1,165.00
AA - CONSTRUCTION/SALES TRAILERS	2	0.00	200.00	200.00
AB - DEVELOPMENT PERMIT	3	0.00	887.47	887.47
AC - ENERGY CODE AFFIDAVIT	41	0.00	0.00	0.00
AD - ELECTRICAL AFFADAVIT	41	0.00	0.00	0.00
AE - FENCE PERMIT	1	0.00	0.00	0.00
AF - HEATING/AIR AFFADAVIT	39	0.00	0.00	0.00
AG - MOBILE HOME INSTALLER AFFIDAVIT	4	0.00	0.00	0.00
AH - MISCELLANEOUS-COMPLIANCE PERMIT	12	0.00	271.00	271.00
AI - MOBILE HOME INSPECTION NEW	5	0.00	500.00	500.00
AL - PLUMBING AFFADAVIT	40	0.00	0.00	0.00
AF - REVIEW FEES	4	0.00	3,365.00	3,365.00
M - REMODELING PERMIT	1	0.00	192.58	192.58
Z - REZONING APPLICATION	4	0.00	1,400.00	1,400.00
B - STORAGE BUILDING/GARAGE	2	0.00	149.80	149.80
F - SINGLE FAMILY RESIDENTIAL	41	3,105,322.00	27,388.80	27,388.80
P - SIGN PERMIT	3	0.00	550.00	550.00
L - TRADE LICENSE REGISTRATION	12	0.00	120.00	120.00
- TAP & METER PAYMENTS	13	0.00	3,605.00	3,605.00
A - APPEALS VARIANCE	2	0.00	300.00	300.00
TOTALS FOR ALL PERMIT TYPES	283	3,105,322.00	42,194.65	42,194.65

BASE FEE TRANSACTION SUMMARY DURING THE PERIOD 09/01/96 THROUGH 09/30/96

PAGE 1

THIS REPORT WAS PRINTED ON OCTOBER 7, 1996

CITY OF SUGAR HILL

TRANS. DATE	#	RESIDENTIAL 1000-0001	COMMERCIAL 1000-0002	MISCELLANEOUS 1000-0003	MOBILE HOMES 1000-0004	DEVELOPMENT 1000-0005	GAS 1000-0006	WATER 1000-0007	SEWER 1000-0008
09/03/96	4	50.00	0.00	10.00	0.00	320.00	0.00	0.00	0.00
09/04/96	2	0.00	0.00	0.00	100.00	0.00	385.00	0.00	0.00
09/05/96	5	20.00	0.00	10.00	0.00	0.00	855.00	0.00	0.00
09/06/96	5	754.80	0.00	0.00	100.00	0.00	570.00	0.00	0.00
09/09/96	8	1450.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00
09/10/96	2	400.00	0.00	10.00	0.00	0.00	0.00	0.00	0.00
09/11/96	4	586.00	0.00	10.00	0.00	0.00	285.00	0.00	0.00
09/12/96	14	5036.60	0.00	10.00	0.00	0.00	3420.00	0.00	0.00
09/13/96	15	4019.20	0.00	0.00	100.00	0.00	2850.00	0.00	0.00
09/16/96	2	3.25	0.00	0.00	100.00	0.00	0.00	0.00	0.00
09/17/96	4	656.60	0.00	10.00	0.00	0.00	855.00	0.00	0.00
09/18/96	4	425.00	0.00	10.00	100.00	0.00	370.00	0.00	0.00
09/19/96	8	1819.00	0.00	0.00	0.00	0.00	1140.00	0.00	0.00
09/20/96	3	175.00	0.00	10.00	0.00	0.00	0.00	0.00	0.00
09/23/96	4	867.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00
09/24/96	2	260.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00
09/25/96	5	443.00	880.00	10.00	0.00	0.00	570.00	0.00	0.00
09/26/96	13	3056.40	0.00	0.00	0.00	0.00	3135.00	0.00	0.00
09/27/96	7	1466.00	0.00	20.00	0.00	0.00	1140.00	0.00	0.00
09/30/96	7	2615.00	0.00	0.00	100.00	500.00	0.00	0.00	0.00
=====	===	=====	=====	=====	=====	=====	=====	=====	=====
TOTALS	118	24102.90	880.00	130.00	700.00	820.00	15575.00	0.00	0.00

Non-Existing Categories 0.00

Current Categories 42207.90

Grand Total 42207.90

1996 INSPECTION'S DEPARTMENT MONTHLY REPORT

UPDATED 10-07-96

PERMIT TYPES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD TOTAL
AD - ADDITION/GARAGE PERMITS	1	1	0	2	0	2	3	1	0				10
CM - COMMERCIAL	1	3	3	0	0	1	1	1	1				11
CT - CONSTRUCTION/SALES TRAILER	0	0	1	0	1	2	0	4	2				10
DL - DEMOLITION	0	0	0	0	0	0	0	1	0				1
DP - DEVELOPMENT PERMIT	2	3	2	0	2	3	1	2	3				18
FP - FENCE	4	1	2	5	2	7	3	2	1				27
GP - GRADING PERMIT	0	1	1	0	0	0	0	0	0				2
MI - MISCELLANEOUS/COMPLIANCE	6	9	6	8	7	12	6	8	12				74
MN - NEW MOBILE HOME	0	5	2	1	0	2	0	1	5				16
PP - POOL PERMIT	0	0	3	2	0	1	0	0	0				6
RF - REVIEW FEES	0	0	0	0	0	0	1	3	4				8
RM - REMODELING PERMITS	2	1	1	3	2	1	2	0	1				13
SB - STORAGE BUILDING	2	2	1	2	2	2	0	2	2				15
SF - SINGLE FAMILY	27	18	30	31	34	16	26	24	41				247
SP - SIGN PERMIT	2	5	2	1	2	3	4	4	3				26

AV - ADMINISTRATIVE VARIANCE	2	5	7	15	3	2	4	4	7				49
VA - APPEALS VARIANCE	0	1	0	0	9	0	0	2	2				14

AX - ANNEXATION APPLICATIONS	0	0	0	0	0	0	1	0	3				4
RZ - REZONING APPLICATIONS	0	0	1	1	0	2	1	0	4				9

CERTIFICATES OF OCCUPANCY	10	23	32	19	29	25	27	27	22				214

GAS TAPS ISSUED	31	45	35	60	50	37	39	35	55				387

BUILDING INSPECTIONS	215	248	433	352	277	284	280	270	288				2647

SUBDIVISION LOT AVAILABILITY LIST
Updated 10-07-96

Available Lots	Subdivision	Near What Major Street	Permits		C.O.'s		Lots Not		City
			Issued		Issued		Built	On	
92	Abingdon Place	Whitehead Road	74		55		18		X
58	Arbor Clos	Highway 20	47		27		11		X
112	Bent Creek	Level Creek Road	110		110		2		X
7	Brandon Oaks	Austin Garner Road	6		6		1		
26	Brookside at Parkview	Parkview Mine Drive	26		25		0		X
39	Emerald Lakes IV	Cumming Highway	35		28		4		X
57	Hillcrest Crossing	Hillcrest Drive					57		X
33	Hillcrest Glenn	Hillcrest Drive	17				16		X
131	Lakefield Forest	Level Creek Road	128		124		3		X
174	Princeton Oaks	Riverside Road	146		128		28		X
81	Richland Creek Unit I	Sycamore Road	21		9				X
106	Saddle Tree	Suwanee Dam Road	40		26		66		X
116	Secret Cove	Old Suwanee Road	116		114		0		X
96	Sugar Crossing	Austin Garner Road	90		78		6		X
34	Sugar Hill Plantation	Old Cumming Highway	2				32		X
178	Sycamore Summit	Sycamore Road/Riverside Road	177		174		1		X
14	The Lakes at Riverside	Riverside Road	13		13		1		
51	The Links	Suwanee Dam Road	12		3		39		
114	The Oaks at Lanier	Highway 20	114		98		0		X
84	The Springs I	Highway 20	58		42		26		X
50	West Price Hill	West Price Road	47		46		3		X

1995-1996 COMMERCIAL PROJECTS LIST

UPDATED 10-04-96

PROJECT NAME	ADDRESS	ANNEXED	REZONED	CHANGE FROM TO	DEVELOPMENT PERMIT	BUILDING PERMIT	CERTIFICATE OF OCCUPANCY
BELL SOUTH TOWER	6190 SUWANEE DAM ROAD				01-27-95	05-26-95	
JETS & PUMPS INC.	675 NORTH PRICE ROAD				02-07-95	08-31-95	
GOLF COURSE CLUBHOUSE	6094 SUWANEE DAM ROAD				04-04-95	03-02-96	
SONNY SMITH TRUCKING	663 BUFORD HIGHWAY				08-15-95	TEMP CO 02-16-96	
FREDRICK EQUIPMENT BLDG.	N.G. CENTER BLDG 4 SUITE D				08-25-95	03-02-96	
GWINNETT GASTROENTEROLOGY	4700 HIGHWAY 20				09-05-95 RM	01-29-96	
BLOCKBUSTER VIDEO	1496 BUFORD HIGHWAY				09-18-95	01-29-96	
S.H. UNITED METHODIST CHURCH GY	4600 HIGHWAY 20				09-27-95	TEMP CO 03-27-96	
N.G. DENTAL CARE	7-274-004 A PORTION OF		12-11-95	HM-1 BG			
DR. MICHAEL PHELAN	4901 ALTON TUCKER BLVD.				12-08-95 RM	04-12-96	
MEMORIES OF A LIFETIME	4530 NELSON BROGDON BLVD.				01-02-96		
B. T. BALTIMORE	4450 HIGHWAY 20 SUITE		01-08-96	HM-1 BG	01-05-96 RM	01-26-96	
CITIZENS BANK	7-253-008						
SUGAR HILL STATION SHELL ADDITION	4450 HIGHWAY 20 SUITE				01-19-96 RM	08-14-96	
INCHCAPE TESTING SERVICES	1498 BUFORD HIGHWAY				02-06-96	01-29-96	
COLONIAL LIGHTING	1180 BUFORD HIGHWAY				01-11-96	03-29-96	
JOHNSON REALTY	120 PEACHTREE INDUSTRIAL BLVD.		12-11-95	HM-1 BG	02-07-96	07-03-96	
PAPA JOHN'S	4450 HIGHWAY 20 SUITE				03-18-96	04-12-96	
FABRIC CARE DRY CLEANERS	1498 BUFORD HIGHWAY SUITE B				04-09-96 RM	07-03-96	
MAIL BOXES ETC.	1498 BUFORD HIGHWAY SUITE A				04-30-96 RM	06-28-96	
VARI BEST HOMES	1498 BUFORD HIGHWAY SUITE C				10-04-96		
CAR CARE AMERICA	5610 HIGHWAY 20		05-13-96	RS-150 OI			
SWAIN STEWART	07-253-013 A PORTION OF		06-10-96	HM-1 BG	09-24-96	09-25-96	
SHONEY'S	7-292-025 HIGHWAY 20				APPLICATION WITHDREW 5-28-96		
G.A. EXPO INC.	4500 HIGHWAY 20				06-06-96 RM	08-14-96	
JACKSON SERVICES	350 BUFORD HIGHWAY				07-11-96		
AAMCO PAVING	4614 PINECREST DRIVE				07-18-96	08-15-96	
BRICKTON PARTNERS	355 BROGDON ROAD		10-09-95	HM-1 HM-2	05-14-96 RECIENDED 7-11-96		
ONEX DEVELOPMENT	4705 HIGHWAY 20				06-12-96		
BUFORD PRESBYTARIAN CHURCH	5000 HIGHWAY 20				06-20-96		
ROBERT S. JORDAN	1242 BUFORD HIGHWAY				08-06-96		
SUGAR VALLEY JOINT VENTURE	7-274-002A						
SUGAR VALLEY JOINT VENTURE	7-307-009 A PORTION OF	*			LM		
THOMAS D. WOOD	7-307-009 & 7-307-001				AF		
STEVEN HENRY	7-321-066 HIGHWAY 20	*			R-100	BG	
WILLIAM MALONEY	7-321-052 HIGHWAY 20	*			R-100	BG	
CHARLES HOLLOWAY	7-321-031 HIGHWAY 20	*			R-75	BG	
JAMES BURGRAAF	679 BUFORD HIGHWAY 23	*			M-1	LM	
	7-258-005 BUFORD HIGHWAY 23		*		HSB	HM-1	

* PUBLIC HEARINGS BEING HELD

THIS REPORT WAS PRINTED ON OCTOBER 7, 1996

CITY OF SUGAR HILL

<< STATISTICAL BREAKOUT >>

<----- Inspections -----> <----- Re-Inspections -----> Based On # Activities

ACTIVITIES	INSPECTIONS (I)	PASSED	CORRECTIONS	RE-INSPECTIONS (R)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
288	215	135	78	73	58	15	53
	% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED
	75	63	36	25	79	21	31

INSPECTOR ID BREAKDOWN

TONY - 131
JOE - 157

TOTAL INSPECTIONS - 288

CITY OF SUGAR HILL

PERIODIC REPORT OF PERMITS ISSUED (GROUPED BY REPORT CODE)

DATE RANGE: 09/01/96 TO 09/30/96

Printed on: OCTOBER 7, 1996

	CODE	PRMS	VALUATION	FEE\$	DUE UNITS
NEW RESIDENTIAL HOUSEKEEPING BLDGS:					
* Single Family Houses Detached	101	41	3,105,322.00	27,366.56	0
* Single Family Houses Attached	102	0	0.00	0.00	0
* 2 Family Buildings	103	0	0.00	0.00	0
* 3 and 4 Family Buildings	104	0	0.00	0.00	0
* 5 or More Family Buildings	105	0	0.00	0.00	0
NEW RESIDENTIAL NON-HOUSEKEEPING BL:					
* Hotels, Motels & Tourist Cabins ..	213	0	0.00	0.00	0
* Other Non-Housekeeping Shelter ...	214	0	0.00	0.00	0
NEW NON-RESIDENTIAL BUILDINGS:					
* Amusement, Social, & Recreational	318	0	0.00	0.00	0
* Churches & Other Religious	319	0	0.00	0.00	0
* Industrial	320	0	0.00	0.00	0
* Prknq Garages (Blds & Open Decked)	321	0	0.00	0.00	0
* Service Stations & Repair Garages	322	0	0.00	0.00	0
* Hospitals & Institutional	323	0	0.00	0.00	0
* Offices, Banks, & Professional ...	324	0	0.00	0.00	0
* Public Works & Utilities	325	0	0.00	0.00	0
* Schools & Other Educational	326	0	0.00	0.00	0
* Stores & Customer Services	327	0	0.00	0.00	0
* Other Non-Residential Bldgs	328	1	0.00	1,165.00	0
* Structures Other than Buildings ...	329	0	0.00	0.00	0
ADDITIONS, ALTERATIONS, & CONVERSION					
* Residential	434	1	0.00	192.58	0
* Non-Residential & Non-Housekeeping	437	0	0.00	0.00	0
* Adds of Resid. Garages (Atch/Detc)	438	0	0.00	0.00	0
DEMOLITIONS AND RAZING OF BUILDINGS:					
* Single Family Houses (Atch/Detach)	645	0	0.00	0.00	0
* 2 Family Buildings	646	0	0.00	0.00	0
* 3 & 4 Family Buildings	647	0	0.00	0.00	0
* 5 or More Family Buildings	648	0	0.00	0.00	0
* All Other Buildings and Structures	649	0	0.00	0.00	0

TOTALS FOR PERMITS SHOWN ABOVE	43		3,105,322.00	28,746.56	0

Totals of other permits in the period	240		0.00	13,448.27	0

TOTAL FOR ALL PERMITS IN THE PERIOD	283		3,105,322.00	42,194.83	0

**FINANCE REPORT
OCTOBER 1996**

Manager Nevad and I have prepared, by October 1, 1996, the 1997 Proposed Budget and you have all the document in your possession. If you have any question, please do not hesitate to contact Manager Nevad or me.

We will need to schedule a Budget Work Session, at your convenience, to discuss your desires for the 1997 year. We should prepare to approve the 1997 Budget at the December 1996 Meeting.

We have received more revenue than budgeted for Occupational Tax Licenses. Amount budgeted was \$52,000 and we have received to date the amount of \$55,602.17. We will need to hold a Public Hearing at the December Meeting to discuss what these revenues will be spent on. This action is mandated in the new law on Occupational Taxes. I will discuss this with Manager Nevad. We have had some additional expenses relating to the Election, so this might be the appropriate place to designate the revenues to be spent which were received over the budgeted amount. If you have any other ideas for the revenue, please let me know.

Those who will be attending the 1996 Pre Legislative Conference on Jekyll Island are: Mayor Pro Tem Reuben Davis, Council Members Dorland Baird and Tim Pugh, and Manager Warren Nevad. You will receive your packets next Friday, October 11, 1996. If you have any question, please contact me on Thursday or Friday of next week. Reservations have been made for Davis and Baird at the Comfort Inn Suites and for Pugh and Nevad at the Holiday Inn. GMA is anticipating some very productive action to come out of this conference.

*Thanks address
was great.*

September 1996
Customer Services

A) Total utility customers:

1) Gas

4197

Total Gas Customers

4197

B) New customers:

1) Gas

81

Total new customers

81

C) Customers moving out of city:

1) Gas

23

Total customers moving

23

D) Meter re-reads:

1) Before Billing

201

2) Per customer's request

2

3) Over-reads

0

4) Total re-reads

203

E) Other:

1) Cut-offs

6

Late Notices Mailed

200

Report by:

Customer Service Manager

SEPTEMBER 1996 **GAS DEPARTMENT MONTHLY REPORT**

SUPT BLDR

<u>REC</u>	<u>REQUEST</u>	<u>SUBDIVISION</u>	<u>LOT#</u>	<u>COMPLETED</u>
07/17/96	08/23/96	ABINGDON PLACE	24A	09/04/96
07/17/96	08/23/96	ABINGDON PLACE	25A	09/04/96
02/23/96	08/27/96	ASCOT	18A	09/04/96
04/25/96	08/27/96	ASCOT	28A	09/04/96
06/17/96	09/04/96	ASCOT	30A	09/04/96
06/17/96	08/27/96	ASCOT	31A	09/04/96
07/11/96	08/27/96	THE SPRINGS	19A	09/04/96
02/13/96	08/21/96	SADDLE TREE	6A	09/06/96
06/20/96	09/04/96	DEER VALLEY	10A	09/09/96
05/06/96	08/28/96	PRINCETON OAKS	39A	09/09/96
02/28/96	08/28/96	PRINCETON OAKS	138B	09/09/96
02/28/96	09/06/96	PRINCETON OAKS	139B	09/09/96
05/21/96	08/28/96	PRINCETON OAKS	151B	09/09/96
07/17/96	09/04/96	ABINGDON PLACE	11A	09/09/96
07/17/96	09/04/96	ABINGDON PLACE	13A	09/09/96
07/17/96	09/04/96	ABINGDON PLACE	89A	09/09/96
07/11/96	09/04/96	DEER VALLEY	4A	09/10/96
07/29/96	09/04/96	DEER VALLEY	14A	09/10/96
07/17/96	09/04/96	ABINGDON PLACE	91A	09/11/96
07/17/96	09/04/96	ABINGDON PLACE	17A	09/12/96
07/17/96	09/04/96	ABINGDON PLACE	90A	09/12/96
07/11/96	09/04/96	ABINGDON PLACE	109A	09/12/96
09/05/96	09/09/96	ROSEMOORE LAKE	40A	09/12/96
02/13/96	08/21/96	SADDLE TREE	7A	09/12/96
05/21/96	09/05/96	FRONTIER FOREST	6C	09/13/96
09/04/96	09/04/96	100 RAMEY ROAD		09/17/96
07/23/96	09/09/96	SUGAR CROSSING	56A	09/18/96
09/05/96	09/09/96	ROSEMOORE LAKE	41A	09/18/96
06/10/96	09/04/96	DEER VALLEY	76A	09/19/96
07/11/96	09/09/96	THE SPRINGS	17B	09/18/96
04/25/95	08/27/96	ARBOR CLOS	116B	09/20/96
05/06/96	09/04/96	DEER VALLEY	42A	09/20/96
06/26/96	09/17/96	SADDLE TREE	52A	09/22/96
05/06/96	09/17/96	ABINGDON PLAC	13A	09/23/96
07/11/96	09/04/96	ABINGDON PLACE	108A	09/23/96
09/20/96	09/23/96	DEER VALLEY	27B	09/23/96
02/13/96	09/17/96	SUGAR RIDGE		09/23/96
06/26/96	09/16/96	SADDLE TREE	54A	09/24/96
08/22/96	09/04/96	ABINGDON PLACE	14A	09/24/96
07/11/96	09/18/96	ARBOR CLOS	218A	09/24/96
02/23/96	09/04/96	DEER VALLEY	66A	09/24/96
08/05/96	09/17/96	SPRINGS	8B	09/24/96
08/05/96	09/25/96	DEER VALLEY	13A	09/25/96
06/26/96	09/24/96	SADDLE TREE	53A	09/26/96
08/19/96	08/22/96	HIGHLANDS	8B	09/30/96

1996 GAS DEPARTMENT REPORT											
	January	February	March	April	May	June	July	August	September		
NEW SERVICES ADDED	32	33	32	32	33	56	39	57	36		
LENGTH IN FEET	2080	3185	2284	2165	2815	4370	3332	4575			
TYPE OF MATERIAL	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC		
SIZE OF PIPE	5/8	5/8	5/8	5/8	5/8 & 3/4	5/8 & 3/4	5/8 & 3/4	5/8 3/4	5/8		
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
GAS LEAKS	24	20	11	9	9	12	31	22			
CORROSION CAUSED	2	0	0	7	0	0	2	2			
OUTSIDE FORCES	0	0	0	0	0	0	0	0			
MATERIAL DEFECT	7	3	1	0	0	0	0	4			
CUT OFF VALVE LEAKS	1	5	1	2	0	0	10	6			
LOW PRESSURE	3	35	4	0	0	0	0	0			
METERS REPLACED	12	4	11	6	1	2	0	2			
REGULATORS REPLACED	11	3	0	0	0	0	0	4			
REGULATORS RESET	0	1	0	0	0	0	0	4			
CUSTOMER SIDE	2	4	0	3	0	1	4	2			
NO LEAKS FOUND	8	7	5	4	1	0	4	0			
THIRD PARTY CUT LINES	12	13	11	6	6	8	12	7	1		
BILLED	11	10	9	4	5	6	5	3			
PAYMENTS RECEIVED	6	5	8	2	0	2	3	2			
OUTSTANDING	7	12	13	15	20	24	26	27	2		
KILLED SERVICES	0	0	4	0	0	0	0	2			
LENGTH IN FEET	0	0	495	0	0	0	0	140	20		
TYPE OF MATERIAL	N/A	N/A	PL & STL	0	0	0	0	PL & STL	PL & STL		
SIZE OF PIPE	N/A	N/A	5/8 & 3/4	0	0	0	0	5/8 & 3/4	5/8 & 3		
NEW MAINS PUT INTO SERVICE	0	0	1	2	1	1	0	3	4		
LENGTH IN FEET	0	0	3500	5000	1000	5900	0	4000	6680		
TYPE OF MATERIAL	N/A	N/A	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC		
SIZE OF MAIN	N/A	N/A	2" & 4"	2	2	4		2IN 4IN	2IN & 4IN		
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A		N/A	N/A	N/A		
LOCATES	149	186	263	200	364	322	315	286	416		

DRAINAGE DEPARTMENT

September 1996

DATE	WORK PERFORMED
1st & 2nd	Week-end & Holiday
3rd & 4th	Repaired 42" pipe under Frontier Way. - Oleanna play.
5th & 6th	Continued installing 30" pipe on Old Spring Way. - Ran ticket for 1310 Hidden Cir. (Copy attached).
7th & 8th	Week-end
9th - 13th	Donna Out (Illness in family) -- Ralph Out (Sick) Fred (Street Department)
14th & 15th	Week-end
16th - 20th	Continued working at detention pond on Old Spring Way. Ran ticket for 1420 Hessie Lane. (Copy attached).
21st & 22nd	Week-end
23rd - 25th	Continued work on Old Spring Way.
26th	Hauled three loads of dirt to White Oak Drive. Hauled three loads of dirt to Oak Grove Drive. Worked with Kurt Weggner from Gwinnett County helping to locate manholes.
28th & 29th	Week-end. On the 28th we were called to Oak Grove Dr. by resident Gary Pirkle. Due to heavy rains, we had to move dirt in order to keep Mr. Pirkle's home from flooding.
30th	Began preparation for laying pipe on Oak Grove. Ordered pipe and supplies. Spoke with property owners. Started removal of existing catch basin and broken piping.

008855

Complaint ☐Request ☒Memo ☐

From

DeWitt Venable

TO: City of Sugar Hill

4988 West Broad Street, Sugar Hill, GA 30518

Telephone 945-6716

Attention

Donna/Ralph

Mailing Address

1310 Hidden Cir.

Building Address

Phone #

945-7207

SUBJECT:

Drainage ditch

DATE:

6-5-96 DZ

	Fee	MESSAGE
GAS TAP		
GAS METER	SERIAL #	
WATER TAP		
WATER METER	SERIAL #	
SEWER TAP		
BACKFLOW PREVENTOR		
NUMBER FEET GAS LINE RUN		
TOTAL		

REPLY

Cut ditches on both sides - Blew out pipe under driveway

DATE COMPLETED:

9-63-96

DATE

SIGNED

Donna Zinskie

007738

Complaint ☐Request ☒Memo ☐

From

Mr. King

TO: City of Sugar Hill

4988 West Broad Street, Sugar Hill, GA 30518

Telephone 945-6716

Attention

Ralph

Mailing Address

1430 HESSIE LN.

Building Address

SAME

Phone #

932-3956

SUBJECT:

Storm-water drainage

DATE:

9-17-96

	Fee	MESSAGE
GAS TAP		
GAS METER	SERIAL #	
WATER TAP		
WATER METER	SERIAL #	
SEWER TAP		
BACKFLOW PREVENTOR		
NUMBER FEET GAS LINE RUN		
TOTAL		

REPLY

Pipes were blown out - Resident was told by City that street was to be curbed - City mgr. agreed - We are waiting for allocation of funds.

DATE COMPLETED:

9-17-96

DATE

SIGNED

Donna Zinskie

AX-96-001

**SUGAR VALLEY JOINT
VENTURE**

UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, AUGUST 19, 1996 - 7:30 P.M.

The Planning Commission met on Monday, August 19, 1996 at 7:30 P.M.

Those present were: Vice Chairman Granville Betts, Board Members Larry Newberry, and Rose Payne. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Chairman Jay Asgari, Board Member Bob Parris.

READING AND APPROVAL OF PREVIOUS MINUTES

Mr. Betts made a motion to approve the minutes from the July 15, 1996 meeting with the stipulation that where it reads that Mr. Betts was absent is changed to Mr. Betts was late, and where it states Mr. Betts arrived late be removed entirely, seconded by Member Rose Payne and approved unanimously by those present.

ANNEXATIONS/REZONINGS

AX-96-001 - MAP# 7-307-009 (a portion of)

Sugar Valley Joint Venture is requesting to annex .5 tenths of an acre with a zoning classification of RS-100 off Whitehead Road as an addition to The Oaks at Lanier Subdivision.

RZ-96-005 - MAP# 7-307-009 & 7-306-001

Sugar Valley Joint Venture is requesting to rezone 24± acres off Whitehead Road from AF zoning classification to RS-100 zoning classification for an addition to The Oaks at Lanier Subdivision.

No one was present to speak in behalf of the above Annexation and Rezoning. Mr. Betts opened the floor for citizens comments. The following citizens were present to address the board with their concerns; Keith Bechtold, Bob Hubert, Russ Constantin, Ron Kelley, and Dave Rutherford, and Juliann Marchek. These citizens, all residents of the existing Oaks at Lanier Subdivision had the following concerns;

- Unit IV which is under construction at this time was completely cleared all the way up to the creek, leaving no trees. Residents anticipated some type of buffer to be left in the rear of the lots being developed which would have left trees in between their homes and the new homes to be built. Now these large trees have been completely removed and can't be replaced.
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- If this annexation/rezoning request occurs it will cause another thruway street which would increase the amount of traffic which is already pretty heavy. Residents have already tried to obtain speed breakers through the County but have been informed that they must receive 75% participation from the homeowners in order to make this type of request. With the new unit currently under development and this annexation/rezoning request they are unable to meet the required 75% participation.

UNOFFICIAL

Discussion was held. Member Rose Payne made a motion to table this annexation/rezoning issue until next months meeting so that the representative for the proposed Annexation/Rezoning can be present to answer questions and concerns of the citizens that currently live in this development, seconded by Member Larry Newberry. Vice Chairman Granville Betts asked if there was any discussion.

Member Rose Payne stated that during this discussion there were two things that were of major concern and she questioned Mr. McFarland on how she should go about addressing these issues.

1. When a development is under Construction, how can the City control the amount of land that is being cleared and eliminate the land from being completely cleared?

Mr. McFarland stated that this could be included as part of the Buffer, Landscape, and Tree Ordinance which is currently under review by the Mayor and Council which should be voted on at the September Council Meeting. Mr. McFarland stated that she could request that the Mayor and Council add a stipulation which would only allow developers to clear in the rights-of-way when a subdivision is under construction, however, this is not what other cities have done. Member Rose Payne stated that the feedback that she was getting from residents is that they want to keep the Country Quality in Sugar Hill.

2. How would the City go about enforcing a 25' Construction Buffer on the homes? Member Rose Payne asked if she would also need to address this before the Mayor and Council?

Mr. McFarland stated that she could wait until next month to address this before the Council or, or they could wait until this issue is addressed in updating the Zoning Ordinance and Development Regulations. Mr. McFarland informed the members of the board that the Mayor and Council approved in August for Mr. McFarland's firm to update the Zoning Ordinance and the Development Regulations. In this process he will be getting with the Planning Commission to discuss where they want to put Construction Buffers and make it a requirement rather than it being a zoning condition. It may be that the Planning Commission request to put a buffer on exterior lot lines adjoining properties that are not part of the development. On interior lot lines, provided the Buffer, Landscape, and Tree Ordinance is adopted, will be taken care of because they will be unable to clear lot lines until they get a building permit. Another issue that the board might want to think about is how to address when a builder comes in and takes out 10 permits and mass clears the lots. Mr. McFarland informed the board that he will begin working on the Zoning Ordinance and Development Regulation updates starting now through the end of the year. More discussion held. Vote unanimous.

ADJOURNMENT:

Member Larry Newberry made a motion to adjourn the meeting, seconded by Member Rose Payne and approved unanimously by those present.

Meeting adjourned 8:45 p.m.

Kimberly B. Landers

UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, SEPTEMBER 16, 1996 - 7:30 P.M.

The Planning Commission met on Monday, September 16, 1996 at 7:30 P.M.

Those present were: Vice Chairman Granville Betts, Board Members Bob Parris and Rose Payne. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Chairman Jay Asgari, Board Member Larry Newberry.

ANNEXATIONS/REZONINGS

AX-96-001 - MAP# 7-307-009 (a portion of)

Sugar Valley Joint Venture is requesting to annex .5 tenths of an acre with a zoning classification of RS-100 off Whitehead Road as an addition to The Oaks at Lanier Subdivision.

RZ-96-005 - MAP# 7-307-009 & 7-306-001

Sugar Valley Joint Venture is requesting to rezone 24± acres off Whitehead Road from AF zoning classification to RS-100 zoning classification for an addition to The Oaks at Lanier Subdivision.

No one was present to speak at the August 19, 1996 meeting, therefore this had been tabled. Developer Ted Elliot briefed the board on what his intent is for the above annexation/rezoning requests. The following citizens were present to address their concerns; Dave Bechtold, Ron Kelley, Dave Rutherford, Vanessa Pinkston, Christine Ryan, George Crimmins, Bob Colderhead, Eddie Sayer, Andy Fletcher, Russ Ward, David Roy, Ruth Beckner, Lee Batts, John Hasley, and Pat Kiplinger. Based on their statements their concerns were as follows:

- Unit IV which is under construction at this time was completely cleared all the way up to the creek, leaving no trees. Residents anticipated some type of buffer to be left in the rear of the lots being developed which would have left trees in between their homes and the new homes to be built. Now these large trees have been completely removed and can't be replaced.
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A detailed discussion was held on the above.

Member Bob Parris made a motion to recommend that the Mayor and Council approve AX-96-001 and RZ-96-005 Annexation/Rezoning request with the stipulations at follows;

- This development cannot be added as an addition to The Oaks at Lanier Subdivision, it must be free standing.
- All single level homes shall have a minimum of 1,600 square feet and all two level homes shall have a minimum of 1,800 square feet.

Seconded by Member Rose Payne, and approved unanimously by those present.

RZ-96-006 MAP # 7-275-006

David R. Bowen is requesting to rezone 15.221 acres off West Price Road from RS-100 to LM.

City Consultant Don McFarland informs the members of the board on his discussion with David R. Bowen earlier in the afternoon. Mr. Bowen informed Mr. McFarland that his attorney's recommended that he not be present for this hearing. Mr. McFarland recommended that this issue be tabled until a representative could be present to discuss this issue. Former Council Member Jim Stanley was present and informed the Board Members that he was on the Council when this was adopted and that he felt like Mr. Bowen full intention was to rezone the entire piece of property to RS-100. The following other residents were present to speak on their concerns; Lorenzo Cobb, Carol Gant, Dave Edwards, Jay Fonts, Teresa Becker, George Martindell, Doyle Henderson, Mark Brown, Bob David, and Mike Nettekoven. These concerns were as follows;

- If it were an error it should have been taken care of at the time of the zoning change, and he shouldn't have waited six years, therefore it should be denied.
- Concerned citizens have taken time out of their schedule to be at this hearing and Mr. Bowen should have done the same. It is not a compatible Land Use, therefore, it should not be tabled, it should be denied tonight and not take up any more time from the citizens that have made arrangements, and taken time out of their schedules to be present for this hearing.
- The Business is grandfathered which would allow him to continue the current operation, but if the zoning occurs it would allow several different types of manufacturing businesses to be placed in this zoning classification which is not a compatible land use for this area.
- This would be spot zoning since the surrounding area is Residential.

More discussion was held. Mr. McFarland stated that he did not submit a written recommendation for this rezoning request, but his recommendation would be for denial based upon the standards required for the review of the zoning application.

Member Bob Parris made a motion to recommend that the Mayor and Council deny this rezoning request, seconded by Member Rose Payne, and approved unanimously by those present.

READING AND APPROVAL OF PREVIOUS MINUTES

Member Rose Payne made a motion to approve the minutes from the August 19, 1996 meeting, seconded by Member Bob Parris, and approved unanimously by those present.

UNOFFICIAL

Boardmembers Comments

Citizens Comments

Adjournment

Vice Chairman Granville Betts made a motion to adjourn, seconded by Member Bob Parris, and approved unanimously by those present.

Meeting adjourned at 9:30 p.m.

CITY OF SUGAR HILL
ITEM COUNT FOR FEE CALCULATION

PAGE :

PERMIT : 9601644

TYPE: AX - ANNEXATION APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 OM

ADDRESS: 7-307-009 A PORTION OF THIS PARCEL

OWNER NAME: RICHARD F. BUTTERWORTH

CONTRACTOR: SUGAR VALLEY JOINT VENTURE

FEE DUE FROM: SUGAR VALLEY JOINT VENTURE

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ANNEXATION APPLICATION RC# 113	7.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check-2447

P A I D
JUL 30 1996

CITY OF SUGAR HILL

City of Sugar Hill
Annexation Application

Annexation Fee \$50.00

File Number AX-96-001

This annexation petition is made pursuant to the provision of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference # 7-307-009 ^{A Portion} of # OF ACRES .5

It is requested that a zoning classification of (RS-100)
Medium Density Single Family be assigned to the property upon annexation. The property is currently zoned (AF)
Agricultural - Forest in Gwinnett County.

Is this property vacant? yes ✓ no.

(If no, it is ~~not~~ necessary for elector to sign.)

LANDOWNER:

ELECTOR (Registered Voter):

RICHARD F BUTTERWORTH
Name

Name

882 WHITEHEAD RD
Address

Address

SUGAR HILL GA 30518
City, State & Zip

City, State & Zip

770 945-8111 RETIRED
Home Phone Work Phone

Home Phone Work Phone

Richard F Butterworth 7/30/96
Signature Date

Signature Date

Mayor & Council Annex. App. Acceptance Meeting: August 12, 1996

Planning & Zoning Public Hearing: August 19, 1996

Mayor & Council Public Hearing: September 9, 1996

Deadline for submitting application in order to follow this time schedule is 7-29-96.

FOR OFFICE USE ONLY

Amount Paid \$ _____ Date Paid _____

REQUEST FOR ANNEXATION
SUGAR VALLEY JOINT VENTURE

JULY 23, 1996

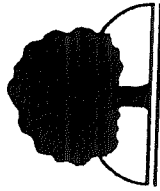
In order to create a unified development Sugar Valley Joint Venture requests the property described in the attached legal description to be annexed. The property to be annexed is approximately .5 acres but is important in the expansion of the existing Oaks at Lanier development. As shown on the rezoning exhibit for Sugar Valley Joint Venture dated July 16, 1996, lots 13 and 47 lie within this area to be annexed. The proposed annexation is vital to our development because it will allow one contiguous development and insure the feasibility of the project. Annexation will eliminate any future conflict between the City of Sugar Hill and Gwinnett County regarding taxes or services.

CHENNING CALVIN C ETAL
5346 NELSON BROGDON BOULEVARD
BUFORD, GA. 30518

AKINS CLEON D ETAL
974 WHITEHEAD ROAD
BUFORD, GA. 30518-4544

MUNDAY HOLLIS
862 WHITEHEAD ROAD
BUFORD, GA. 30518

SCALES TRUMAN MCARTBUR
3478 SAHANTRA DRIVE
BUFORD, GA. 30519-4508



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(770) 945-4716

ADJOINING PROPERTY OWNER(S) OF RECORD NOTIFICATION

TO: To Whom it May Concern
FROM: Kim Landers - Administrative Assistant ~~LD~~
RE: PROPOSED REZONING/ANNEXATION
CASE # AX-96-001 & RZ-96-005
DATE: August 1, 1996

You are hereby informed that the attached Notice for
Proposed Annexation/Rezoning is contiguous to your property.

Public hearings will be held at the Sugar Hill City Hall on
Monday, August 19, 1996 for the Planning Commission and Monday,
September 9, 1996 for the Mayor and Council at 7:30 p.m. in the
Community Center.

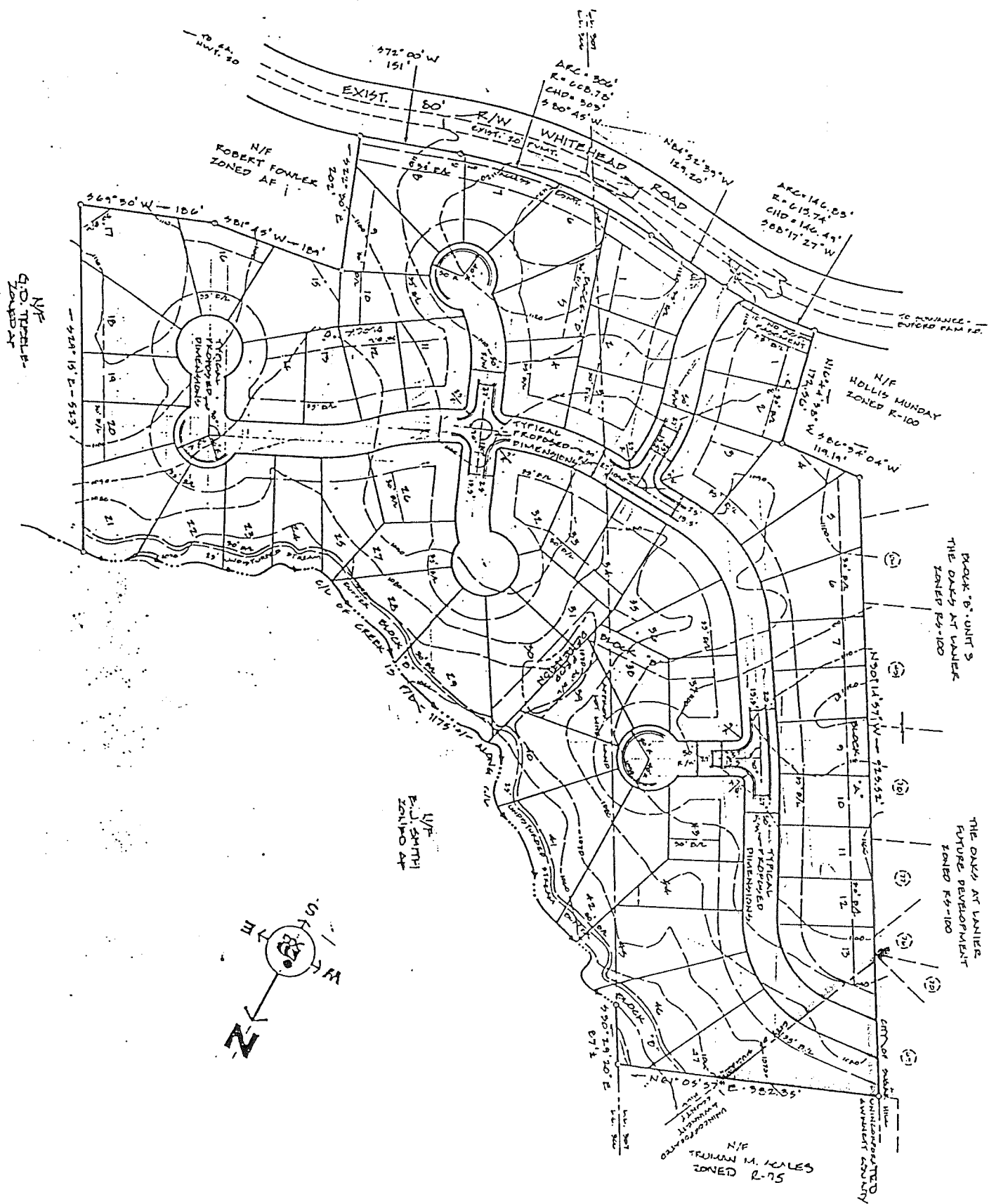
If you should have an interest in this petition, please plan
to attend these meetings.

Thank you.

LAND DESCRIPTION
ANNEXATION EXHIBIT FOR THE OAKS AT LANIER

All that tract or parcel of land lying and being in Land Lot 307 of the 7th District of Gwinnett County, Georgia, containing 22,500 square feet and being more particularly described as follows:

Beginning at a point at the intersection of the northerly margin of the 80 foot right-of-way of Whitehead Road and the Land Lot Line common to Land Lots 306 and 307; thence continuing along the margin of the right-of-way of Whitehead Road the following courses and distance: 100 feet along the arc of a curve to the right having a radius of 608.78 feet and a chord bearing and distance of North 89°35' West, 99.89 feet to a point; thence North 84°52'39" West, 129.20 feet to a point; thence 146.83 feet along the arc of a curve to the left having a radius of 615.74 feet and a chord bearing and distance of South 88°17'27" West, 146.49 feet to a point; thence departing said right-of-way, North 16°44'38" West, 172.56 feet to a point; thence South 86°34'04" West, 119.19 feet to a point; thence North 30°14'57" West, 725.52 feet to a point being the TRUE POINT OF BEGINNING; thence North 30°14'57" West, 200 feet to a point; thence North 61°05'57" East, 225 feet to a point; thence South 20°00' West, 280 feet to the TRUE POINT OF BEGINNING.



ORDINANCE FOR ANNEXATION

THE COUNCIL OF THE CITY OF SUGAR HILL HEREBY ORDAINS:

WHEREAS, Richard F. Butterworth did on July 29, 1996, apply to have lands annexed into the existing corporate limits of The City of Sugar Hill, Georgia; and

WHEREAS, it appears to the governing body of The City of Sugar Hill, Georgia, that the area proposed to be annexed is contiguous to the existing corporate limits of The City of Sugar Hill, that the applicants represent not less than sixty percent (60%) of the owners and resident electors of the land area proposed to be annexed and that said application complies with the laws of the State of Georgia; and

WHEREAS, a public hearing was held on said application for annexation and on the proposed zoning of the area to be annexed on October 14, 1996; and

WHEREAS, prior to said public hearing the City of Sugar Hill, Georgia did prepare a report setting forth its plans to provide services to the area to be annexed as required by the Official Code of Georgia Annotated Section 36-36-25; and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the annexation of the area proposed to be annexed would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Sugar Hill, Georgia and

WHEREAS, the governing body of the City of Sugar Hill, Georgia has determined that the proper zoning classification for the area proposed to be annexed is Medium Density Single Family Residential (RS-100).

BE IT, THEREFORE, ordained that the following described lands be and the same hereby are, annexed to the existing corporate limits of the City of Sugar Hill, Georgia, and the same shall hereafter constitute a part of the lands within the corporate limits of the City of Sugar Hill, Georgia, to-wit:

All that tract or parcel of land lying and being in Land Lot 307 of the 7th land district of Gwinnett County, Georgia and being more particularly described as exhibit "A" is attached hereto and made a part of this ordinance and incorporated herein by reference.

A plat described at exhibit "B" of said property is attached hereto and made a part of this ordinance and incorporated herein by reference.

BE IT FURTHER ORDAINED that "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by adding to the official zoning map adopted by the Ordinance the area annexed by this Ordinance and by classifying that area as Medium Density Single Family Residential (RS-100) on said official zoning map.

BE IT FURTHER ORDAINED THAT the following conditions are hereby included on the property as a condition of zoning:

BE IT FURTHER ORDAINED that the Clerk of the City of Sugar Hill certify a copy hereof and file the same with the Secretary of State for the State of Georgia, pursuant to the provisions of Official Code of Georgia, Section 36-36-28(a).

IT IS SO ORDAINED, this _____ day of _____, 199__.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST: _____
City Clerk

Submitted to Mayor: _____

Approved by Mayor, this _____ day of _____, 1996.

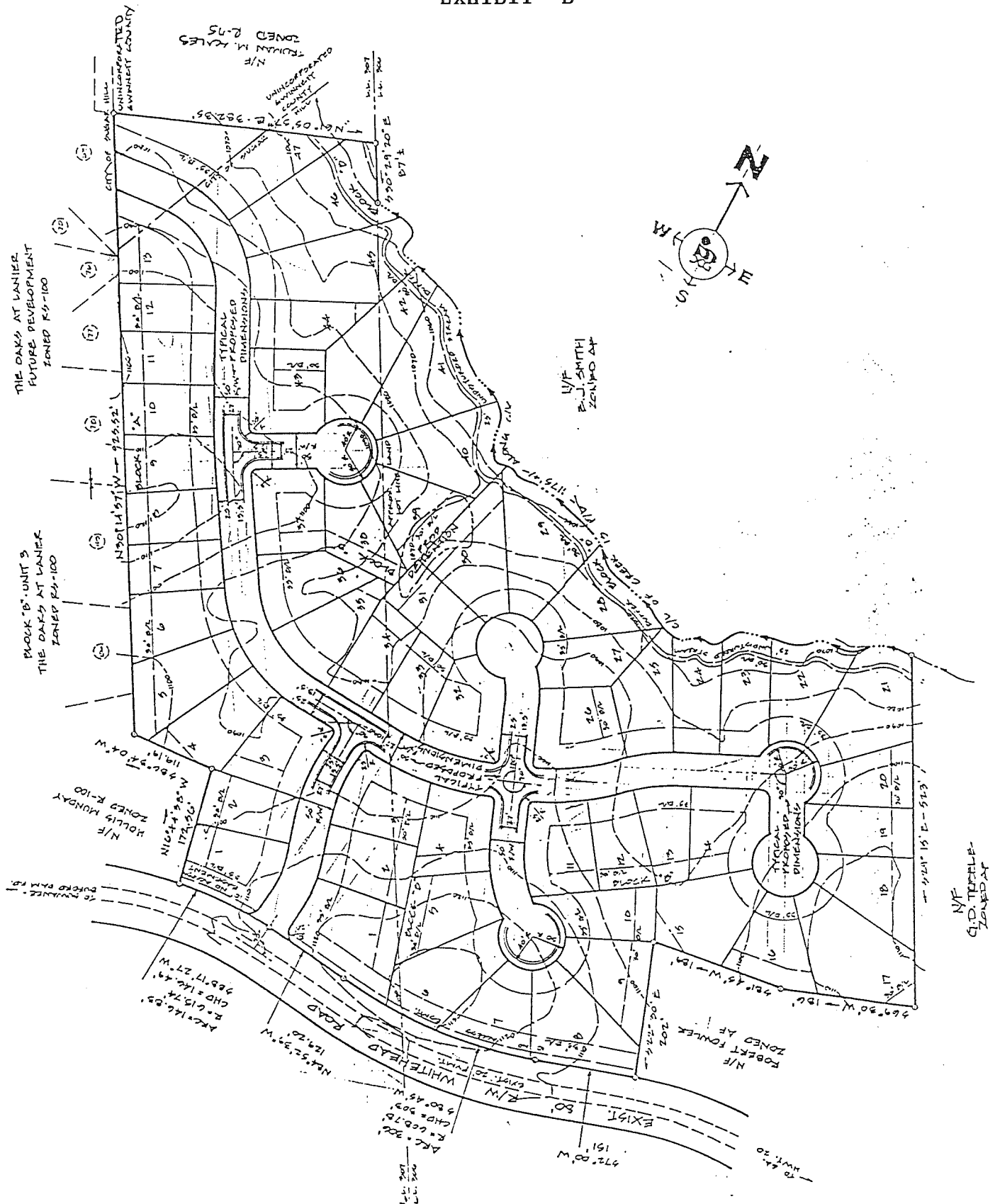
Mayor

Exhibit "A"

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EXHIBIT "B"



PLANNING COMMISSION RECOMMENDATION:

The Planning Commission did approve the request for annexation (Case # AS-96-001) on September 16, 1996 with the following conditions:

- This development cannot be added as an addition to The Oaks at Lanier Subdivision, it must be free standing.
- All single level homes shall have a minimum of 1,600 square feet and all two level homes shall have a minimum of 1,800 square feet.

McFarland ♦ Dyer & Associates, Inc.

Memorandum

To: City of Sugar Hill Planning Commission
Mayor and City Council of Sugar Hill

From: Don McFarland, McFarland - Dyer & Associates, Inc.

Date: August 6, 1996

Subject: Report and Recommendation RZ-96-005

Case Number: RZ-96-005

Proposed Zoning: RS-100 Medium Density Single-Family Residential

Existing Zoning: A-F Agricultural - Forest

Applicant: Sugar Vally Joint Venture

Location: LL 306, 307 - 7th District, Whitehead Rd.

Size: 24 acres

Proposed Use: 60 lot Single-Family Subdivision

Analysis:

The proposed request is to expand The Oaks at Lanier Subdivision by adding 24 acres or 60 lots to the existing development. A small parcel of land is being annexed into the City to allow the connection of this proposed expansion to the existing The Oaks at Lanier Subdivision. The density proposed is approximately 2.5 units per acre.

Zoning within the area consists of Agricultural - Forest to the north and east; RS-100 in the existing The Oaks at Lanier Subdivision; and R-75 within the unincorporated area of Gwinnett County to the north. Landuse within the area consists of developing single-family subdivisions within the City Limits as well as in the unincorporated portions of Gwinnett County.

All utilities currently serve the site and will be expanded to serve this new unit of the subdivision.

Recommendation

The proposed use is consistent with the Comprehensive Plan of the City of Sugar Hill and compatible with the existing and developing landuses within the area. There would be no anticipated adverse impacts on surrounding properties, if the proposed use is implemented on the site. The application is recommended to be approved with the same conditions as the original The Oaks at Lanier Subdivision rezoning approved in June 1992.

McFarland ♦ Dyer & Associates, Inc.

Approval as RS-100 Medium Density Single-Family Residential District with the following conditions:

- 1. All single level homes shall have a minimum of 1,600 square feet and all two level homes shall have a minimum of 1,800 square feet.**
- 2. The Subdivision shall have underground utilities.**

RZ-96-005

**SUGAR VALLEY JOINT
VENTURE**

UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, AUGUST 19, 1996 - 7:30 P.M.

The Planning Commission met on Monday, August 19, 1996 at 7:30 P.M.

Those present were: Vice Chairman Granville Betts, Board Members Larry Newberry, and Rose Payne. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Chairman Jay Asgari, Board Member Bob Parris.

READING AND APPROVAL OF PREVIOUS MINUTES

Mr. Betts made a motion to approve the minutes from the July 15, 1996 meeting with the stipulation that where it reads that Mr. Betts was absent is changed to Mr. Betts was late, and where it states Mr. Betts arrived late be removed entirely, seconded by Member Rose Payne and approved unanimously by those present.

ANNEXATIONS/REZONINGS

AX-96-001 - MAP# 7-307-009 (a portion of)

Sugar Valley Joint Venture is requesting to annex .5 tenths of an acre with a zoning classification of RS-100 off Whitehead Road as an addition to The Oaks at Lanier Subdivision.

RZ-96-005 - MAP# 7-307-009 & 7-306-001

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No one was present to speak in behalf of the above Annexation and Rezoning. Mr. Betts opened the floor for citizens comments. The following citizens were present to address the board with their concerns; Keith Bechtold, Bob Hubert, Russ Constantin, Ron Kelley, and Dave Rutherford, and Juliann Marchek. These citizens, all residents of the existing Oaks at Lanier Subdivision had the following concerns;

- Unit IV which is under construction at this time was completely cleared all the way up to the creek, leaving no trees. Residents anticipated some type of buffer to be left in the rear of the lots being developed which would have left trees in between their homes and the new homes to be built. Now these large trees have been completely removed and can't be replaced.
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- If this annexation/rezoning request occurs it will cause another thruway street which would increase the amount of traffic which is already pretty heavy. Residents have already tried to obtain speed breakers through the County but have been informed that they must receive 75% participation from the homeowners in order to make this type of request. With the new unit currently under development and this annexation/rezoning request they are unable to meet the required 75% participation.

UNOFFICIAL

Discussion was held. Member Rose Payne made a motion to table this annexation/rezoning issue until next months meeting so that the representative for the proposed Annexation/Rezoning can be present to answer questions and concerns of the citizens that currently live in this development, seconded by Member Larry Newberry. Vice Chairman Granville Betts asked if there was any discussion.

Member Rose Payne stated that during this discussion there were two things that were of major concern and she questioned Mr. McFarland on how she should go about addressing these issues.

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ADJOURNMENT:

Member Larry Newberry made a motion to adjourn the meeting, seconded by Member Rose Payne and approved unanimously by those present.

Meeting adjourned 8:45 p.m.

Kimberly B. Landers

UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, SEPTEMBER 16, 1996 - 7:30 P.M.

The Planning Commission met on Monday, September 16, 1996 at 7:30 P.M.

Those present were: Vice Chairman Granville Betts, Board Members Bob Parris and Rose Payne. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Chairman Jay Asgari, Board Member Larry Newberry.

ANNEXATIONS/REZONINGS

AX-96-001 - MAP# 7-307-009 (a portion of)

Sugar Valley Joint Venture is requesting to annex .5 tenths of an acre with a zoning classification of RS-100 off Whitehead Road as an addition to The Oaks at Lanier Subdivision.

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A detailed discussion was held on the above.

Member Bob Parris made a motion to recommend that the Mayor and Council approve AX-96-001 and RZ-96-005 Annexation/Rezoning request with the stipulations at follows;

- This development cannot be added as an addition to The Oaks at Lanier Subdivision, it must be free standing.
- All single level homes shall have a minimum of 1,600 square feet and all two level homes shall have a minimum of 1,800 square feet.

Seconded by Member Rose Payne, and approved unanimously by those present.

RZ-96-006 MAP # 7-275-006

David R. Bowen is requesting to rezone 15.221 acres off West Price Road from RS-100 to LM.

City Consultant Don McFarland informs the members of the board on his discussion with David R. Bowen earlier in the afternoon. Mr. Bowen informed Mr. McFarland that his attorney's recommended that he not be present for this hearing. Mr. McFarland recommended that this issue be tabled until a representative could be present to discuss this issue. Former Council Member Jim Stanley was present and informed the Board Members that he was on the Council when this was adopted and that he felt like Mr. Bowen full intention was to rezone the entire piece of property to RS-100. The following other residents were present to speak on their concerns; Lorenzo Cobb, Carol Gant, Dave Edwards, Jay Fonts, Teresa Becker, George Martindell, Doyle Henderson, Mark Brown, Bob David, and Mike Nettekoven. These concerns were as follows;

- If it were an error it should have been taken care of at the time of the zoning change, and he shouldn't have waited six years, therefore it should be denied.
- Concerned citizens have taken time out of their schedule to be at this hearing and Mr. Bowen should have done the same. It is not a compatible Land Use, therefore, it should not be tabled, it should be denied tonight and not take up any more time from the citizens that have made arrangements, and taken time out of their schedules to be present for this hearing.
- The Business is grandfathered which would allow him to continue the current operation, but if the zoning occurs it would allow several different types of manufacturing businesses to be placed in this zoning classification which is not a compatible land use for this area.
- This would be spot zoning since the surrounding area is Residential.

More discussion was held. Mr. McFarland stated that he did not submit a written recommendation for this rezoning request, but his recommendation would be for denial based upon the standards required for the review of the zoning application.

Member Bob Parris made a motion to recommend that the Mayor and Council deny this rezoning request, seconded by Member Rose Payne, and approved unanimously by those present.

READING AND APPROVAL OF PREVIOUS MINUTES

Member Rose Payne made a motion to approve the minutes from the August 19, 1996 meeting, seconded by Member Bob Parris, and approved unanimously by those present.

UNOFFICIAL

Boardmembers Comments

Citizens Comments

Adjournment

Vice Chairman Granville Betts made a motion to adjourn, seconded by Member Bob Parris, and approved unanimously by those present.

Meeting adjourned at 9:30 p.m.

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9601645

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 OM

ADDRESS: 7-307-009 A PORTION OF THIS PARCEL

OWNER NAME: RICHARD F. BUTTERWORTH

CONTRACTOR: SUGAR VALLEY JOINT VENTURE

FEE DUE FROM: SUGAR VALLEY JOINT VENTURE

CODE CNT

DESCRIPTION OF ITEMS SELECTED

QUANTITY

AMOUNT

ALL REZONINGS

RC#113

1.00

350.00

SUBTOTAL OF ITEM AMOUNTS

350.00

Check - 145

P A I D
JUL 30 1996

CITY OF SUGAR HILL

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Sugar Valley Joint Venture</u>	NAME: <u>Sugar Valley Joint Venture</u>
ADDRESS: <u>Five Dunwoody Park, Suite 121</u>	ADDRESS: <u>Five Dunwoody Park, Suite 121</u>
CITY: <u>Dunwoody</u>	CITY: <u>Dunwoody</u>
STATE: <u>GA</u> ZIP: <u>30328</u>	STATE: <u>GA</u> ZIP: <u>30328</u>
PHONE: <u>770/391-0230</u>	PHONE: <u>770/391-0230</u>
CONTACT PERSON: <u>Bill Evans</u>	
PHONE: <u>770/391-0230</u> FAX: <u>770/391-0079</u>	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<u> </u> OWNER'S AGENT	<u> </u> PROPERTY OWNER <u> X </u> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>AF</u>	REQUESTED ZONING DISTRICT: <u>RS-100</u>
	(307) 7-307-9
LAND DISTRICT(S): <u>7th</u>	LAND LOT(S): <u>(306)</u> ACREAGE: <u>24+</u> TAX ID#: <u>7-306-1</u>
ADDRESS OF PROPERTY: <u>Whitehead Road</u>	
PROPOSED DEVELOPMENT: <u>Residential Subdivision</u>	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

- Proposal is a Development of Regional Impact
 Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>60</u>	NO. OF BUILDING/LOTS <u> </u>
DWELLING UNIT SIZE (sq. ft.) <u>1,000 SF Min.</u>	TOTAL GROSS SQUARE FEET <u> </u>
GROSS DENSITY <u>2.5 units/acre</u>	DENSITY <u> </u>
NET DENSITY <u> -- </u>	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING 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 Mayor and Council.

Edw T Elliott 1 / 1 /
Signature of Applicant Date

Edwin T. Elliott, Partner
Typed or Print Name and Title

Susanrah Hendrix Belieu 7/26/96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Gwinnett County, Georgia
My Commission Expires March 4, 2000

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

REZONING 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 Mayor and Council.

Richard F Butterworth 7/24/96
Signature of Owner Date

Richard Butterworth
Typed or Print Name and Title

Deborah E. Andrew 7/25/96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Fulton County, Georgia
My Commission Expires Feb. 10, 1998

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

EXHIBIT "B"

REZONING APPLICANT'S RESPONSE

SUGAR VALLEY JOINT VENTURE

- A) WHETHER A PROPOSED REZONING (OR SPECIAL EXCEPTION) WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

This property is intended to be an extension of a property currently zoned RS-100. The property surrounding our tract is predominantly zoned residential.

- B) WHETHER A PROPOSED REZONING (OR SPECIAL EXCEPTION) WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

RS-100 proposed zoning will not adversely affect the usability of adjacent property because most of the land surrounding this tract is currently zoned RS-100.

- C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING (OR SPECIAL EXCEPTION) HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The size and location of the property prohibit it from having a viable economic use as currently zoned.

- D) WHETHER THE PROPOSED REZONING (OR SPECIAL EXCEPTION) WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

The proposed zoning and size of our tract will allow approximately 60 homes to be constructed. The existing streets, transportation facilities, utilities and schools will not be adversely affected by the proposed development. The proposed development is merely a small addition to the existing neighborhood.

EXHIBIT "B"

REZONING APPLICANT'S RESPONSE

SUGAR VALLEY JOINT VENTURE

(Continued)

- E) 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 REZONING:

The property surrounding this tract is emerging as medium-density residential subdivisions. Our development will blend well with these existing land uses.

The owner believes that this is a reasonable request and that action contradictory to the rezoning of the property will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article p, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

REZONING CHECKLIST

The following is a checklist of information required for submission of a Rezoning or Special Exception application. The Planning and Development Department reserves the right not to accept any uncompleted applications.

_____ Application completed with all information needed attached and rezoning fee paid.

Other information required to be submitted with the application:

- ☒ Legal Description
- ☒ Boundary Survey
- ☒ Site Plan (this is optional)
- ☒ Letter of Intent (is requested)
- ☒ Applicant Certification
- ☒ Conflict of Interest/Campaign Contributions
- ☒ Adjoining Property Owner(s) of record List
- ☒ Development of Regional Impact
- ☒ Within 2,000 feet from the Chattahoochee River

Completed Date: 7/23/96

MAKE SURE THIS CHECKLIST IS RETURNED WITH THE REZONING APPLICATION.

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____ ACCEPTED BY _____

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the Zoning Ordinance of the City of Sugar Hill, Georgia is hereby amended as follows:

1. Section 1109B.(2) is hereby amended by deleting subparagraph c in its entirety.
2. Section 1109B.(3) is hereby amended by adding the following subparagraph c:
 - c. All other industrial uses that are not public nuisances and are not dangerous to the public health, safety, or general welfare of the inhabitants of the City of Sugar Hill. In determining whether an industrial use meets this criteria, and whether the proposed use is appropriate for the specific site, the Mayor and Council should consider the following criteria:
 1. The proximity of the proposed use to existing residential structures or residentially zoned property;
 2. Whether the proposed use will generate pollutants of the air or water and, if so, the method proposed by the applicant for insuring that the proposed use will comply with all state and federal environmental regulations;
 3. Whether the proposed use will generate excessive traffic, noise, vibration, smoke, dust, gas, fumes, odors, radiation, or create a fire or explosion hazard which may be objectionable due to proximity to surrounding structures, or which will adversely affect the existing use or usability of adjacent or nearby property;
 4. How neighboring properties may be affected by the height of any proposed structure; and
 5. Whether the special use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with surrounding land uses and would not be in conflict with the overall general objectives of the comprehensive land use plan.

Except as otherwise set forth herein, all other provisions of Section 1109B shall remain in full force and effect.

IT IS SO ORDAINED this _____ day of _____, 1996

(Signatures of following page)

Councilmember

Councilmember

Councilmember

Councilmember

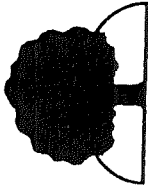
Councilmember

Attest: _____
City Clerk

Submitted to Mayor: _____

Received from and Approved by Mayor, this ____ day of _____, 1996.

Mayor



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(770) 945-8716

ADJOINING PROPERTY OWNER(S) OF RECORD NOTIFICATION

TO: To Whom it May Concern
FROM: Kim Landers - Administrative Assistant *KL*
RE: PROPOSED REZONING/ANNEXATION
CASE # AX-96-001 & RZ-96-005
DATE: August 1, 1996

You are hereby informed that the attached Notice for Proposed Annexation/Rezoning is contiguous to your property.

Public hearings will be held at the Sugar Hill City Hall on Monday, August 19, 1996 for the Planning Commission and Monday, September 9, 1996 for the Mayor and Council at 7:30 p.m. in the Community Center.

If you should have an interest in this petition, please plan to attend these meetings.

Thank you.

CHEWNING CALVIN C ETAL
5346 NELSON BROGDON BOULEVARD
BUFORD, GA. 30518

AKINS CLEON D ETAL
974 WHITEHEAD ROAD
BUFORD, GA. 30518-4544

MUNDAY ROLLIS
862 WHITEHEAD ROAD
BUFORD, GA. 30518

SCALES TRUMAN MCARTHUR
3478 SAMANTHA DRIVE
BUFORD, GA. 30519-4508

EXHIBIT "A"
LETTER OF INTENT
SUGAR VALLEY JOINT VENTURE

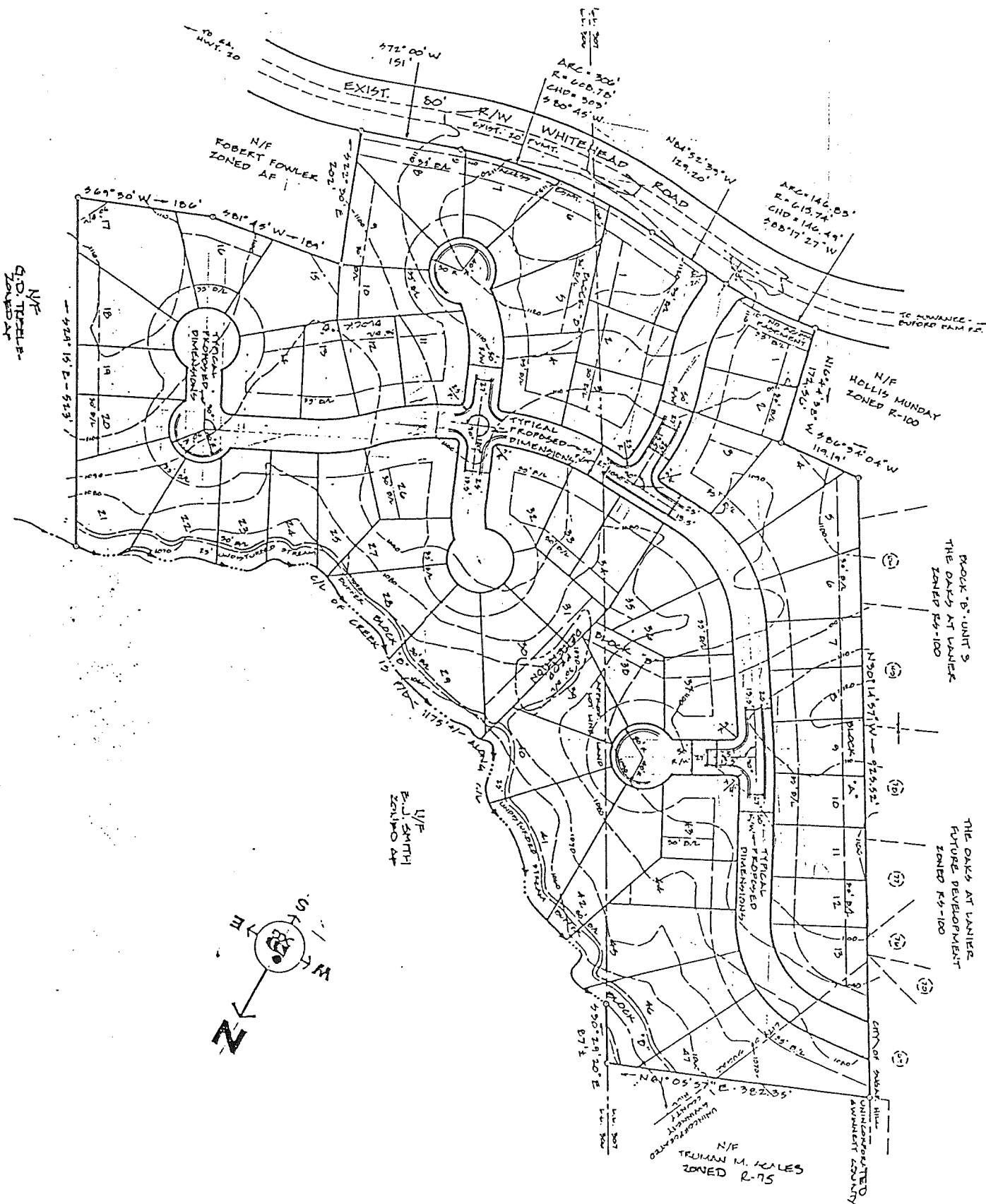
The applicant, Sugar Valley Joint Venture, is requesting approval to rezone a 24-acre tract from Agricultural-Forest District to Medium Density Single-Family Residential District. The property lies on the north side of Whitehead Road, just inside the City Limits. The property is adjacent to The Oaks at Lanier subdivision. The proposed development will serve as expansion of the existing Oaks at Lanier community and the same high-quality integrity will be maintained. The proposed development will contain approximately 60 lots on 24 acres for a density of 2.5 units per acre.

The proposed development will add to the overall cohesiveness of this area by upgrading this tract to the standards of its surroundings. The development will complement the surrounding area and maintain the neighborhood character already established by the applicant.

LAND DESCRIPTION
THE OAKS AT LANIER

All that tract or parcel of land lying and being in Land Lot 306 and 307 of the 7th District of Gwinnett County, City of Sugar Hill, Georgia, and being more particularly described as follows:

Beginning at a point at the intersection of the northerly margin of the 80 foot right-of-way of Whitehead Road and the Land Lot Line common to Land Lots 306 and 307 being the TRUE POINT OF BEGINNING; thence continuing along the margin of the right-of-way of Whitehead Road the following courses and distance: 100 feet along the arc of a curve to the right having a radius of 608.78 feet and a chord bearing and distance of North 89°35' West, 99.89 feet to a point; thence North 84°52'39" West, 129.20 feet to a point; thence 146.83 feet along the arc of a curve to the left having a radius of 615.74 feet and a chord bearing and distance of South 88°17'27" West, 146.49 feet to a point; thence departing said right-of-way, North 16°44'38" West, 172.56 feet to a point; thence South 86°34'04" West, 119.19 feet to a point; thence North 30°14'57" West, 925.52 feet to a point; thence North 61°05'57" East, 382.35 feet to a point; thence South 30°29'20" East, 87 feet, more or less to a point in the centerline of a creek; thence 1175 feet, more or less, along the centerline of said creek in a southeasterly direction to a point; thence departing said creek, South 29°15' East, 523 feet to a point; thence South 69°30' West, 186 feet to a point; thence South 81°45' West, 189 feet to a point; thence South 22°30' East, 202 feet to a point on the northern margin of the right-of-way of said Whitehead Road; thence continuing along the margin of the right-of-way of Whitehead Road the following courses and distance: South 72°00' West, 151 feet to a point; thence 206 feet along the arc of a curve to the right having a radius of 608.78 feet and chord bearing and distance of South 81°42' West, 205 feet the TRUE POINT OF BEGINNING.



McFarland ♦ Dyer & Associates, Inc.

Memorandum

To: City of Sugar Hill Planning Commission
Mayor and City Council of Sugar Hill

From: Don McFarland, McFarland - Dyer & Associates, Inc.

Date: August 6, 1996

Subject: Report and Recommendation RZ-96-005

Case Number: RZ-96-005

Proposed Zoning: RS-100 Medium Density Single-Family Residential

Existing Zoning: A-F Agricultural - Forest

Applicant: Sugar Vally Joint Venture

Location: LL 306, 307 - 7th District, Whitehead Rd.

Size: 24 acres

Proposed Use: 60 lot Single-Family Subdivision

Analysis:

The proposed request is to expand The Oaks at Lanier Subdivision by adding 24 acres or 60 lots to the existing development. A small parcel of land is being annexed into the City to allow the connection of this proposed expansion to the existing The Oaks at Lanier Subdivision. The density proposed is approximately 2.5 units per acre.

Zoning within the area consists of Agricultural - Forest to the north and east; RS-100 in the existing The Oaks at Lanier Subdivision; and R-75 within the unincorporated area of Gwinnett County to the north. Landuse within the area consists of developing single-family subdivisions within the City Limits as well as in the unincorporated portions of Gwinnett County.

All utilities currently serve the site and will be expanded to serve this new unit of the subdivision.

Recommendation

The proposed use is consistent with the Comprehensive Plan of the City of Sugar Hill and compatible with the existing and developing landuses within the area. There would be no anticipated adverse impacts on surrounding properties, if the proposed use is implemented on the site. The application is recommended to be approved with the same conditions as the original The Oaks at Lanier Subdivision rezoning approved in June 1992.

McFarland ♦ Dyer & Associates, Inc.

Approval as RS-100 Medium Density Single-Family Residential District with the following conditions:

- 1. All single level homes shall have a minimum of 1,600 square feet and all two level homes shall have a minimum of 1,800 square feet.**
- 2. The Subdivision shall have underground utilities.**

O R D I N A N C E

RZ-96-005

The Council of the City of Sugar Hill, Georgia hereby ordains:

That "The Zoning Ordinance of the City of Sugar Hill" is hereby amended by amending the official zoning map adopted by that ordinance to classify the area described on Exhibit A which is attached hereto and incorporated herein by reference as Medium Density Single-Family Residential District (RS-100) on said official zoning map.

BE IT FURTHER ORDAINED THAT the following conditions are hereby included on the property as a condition of zoning:

IT IS SO ORDAINED, this _____ day of _____, 1996.

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

ATTEST: _____
City Clerk

Submitted to Mayor: _____

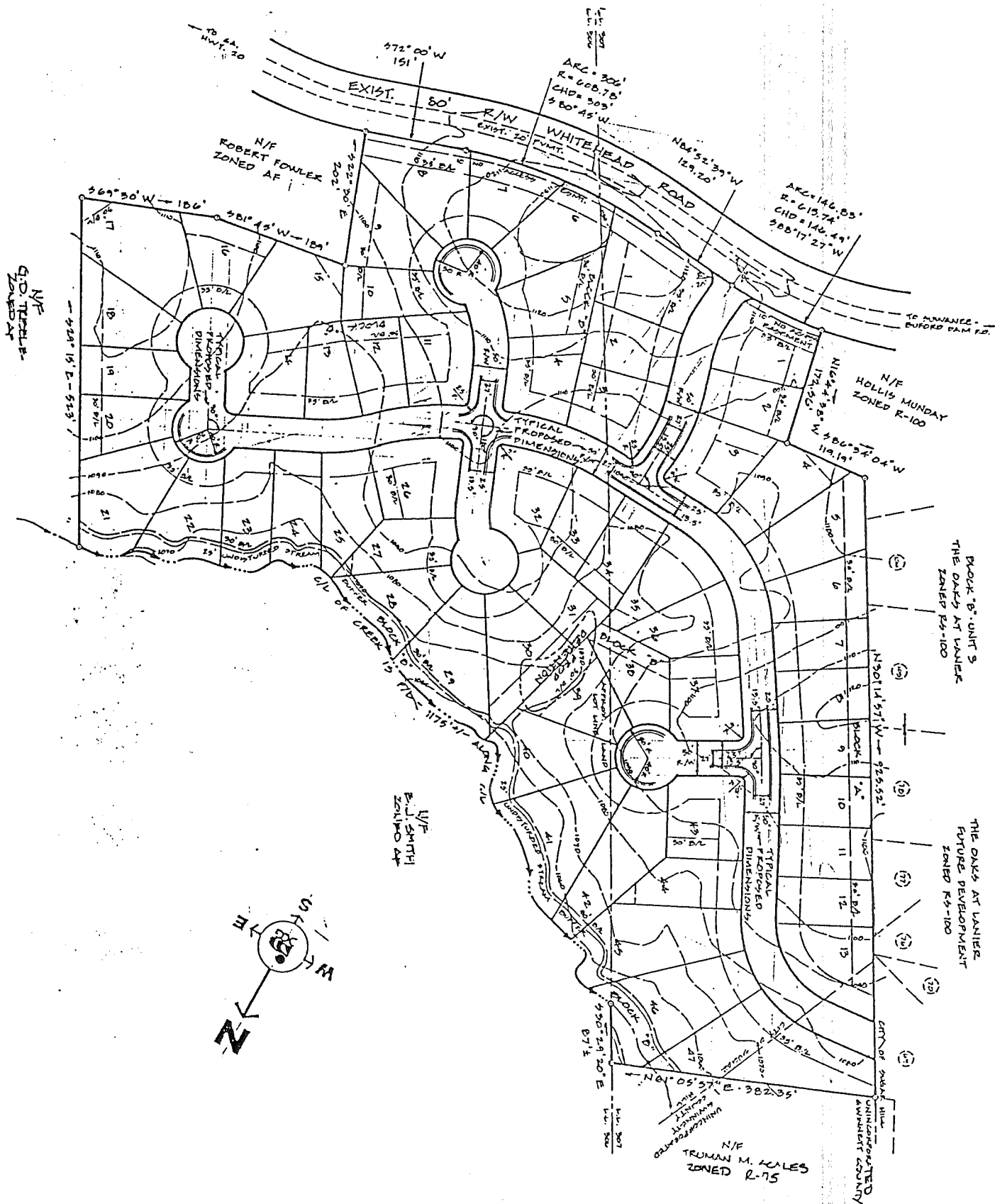
Approved by Mayor, this _____ day of _____, 1996.

RZ-96-005
7-307-009 (a portion of)

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 306 and 307 of the 7th District of Gwinnett County, City of Sugar Hill, Georgia, and being more particularly described as follows:

Beginning at a point at the intersection of the northerly margin of the 80 foot right-of-way of Whitehead Road and the Land Lot Line common to Land Lots 306 and 307 being the TRUE POINT OF BEGINNING; thence continuing along the margin of the right-of-way of Whitehead Road the following courses and distance: 100 feet along the arc of a curve to the right having a radius of 608.78 feet and a chord bearing and distance of North 89 degrees 35 minutes West, 99.89 feet to a point, thence North 84 degrees 52 minutes 39 seconds West, 129.20 feet to a point; thence 146.83 feet along the arc of a curve to the left having a radius of 615.74 feet and a chord bearing and distance of South 88 degrees 17 minutes 27 seconds West, 146.49 feet to a point; thence departing said right-of-way, North 16 degrees 44 minutes 38 seconds West, 172.56 feet to a point; thence South 86 degrees 34 minutes 04 seconds West, 119.19 feet to a point; thence North 30 degrees 14 minutes 57 seconds West, 925.52 feet to a point; thence North 61 degrees 05 minutes 57 seconds East, 382.35 feet to a point; thence South 30 degrees 29 minutes 20 seconds East 87 feet, more or less to a point in the centerline of a creek; thence 1175 feet, more or less, along the centerline of said creek in a southeasterly direction to a point; thence departing said creek, South 29 degrees 15 minutes East, 523 feet to a point; thence South 69 degrees 30 minutes West, 186 feet to a point; thence South 81 degrees 45 minutes West, 189 feet to a point; thence South 22 degrees 30 minutes East, 202 feet to a point on the northern margin of the right-of-way of said Whitehead Road; thence continuing along the margin of the right-of-way of Whitehead Road the following courses and distance: south 72 degrees 00 minutes West, 151 feet to a point; thence 206 feet along the arc of a curve to the right having a radius of 608.78 feet and chord bearing and distance South 81 degrees 42 minutes West, 205 feet the TRUE POINT OF BEGINNING.



PLANNING COMMISSION RECOMMENDATION:

The Planning Commission did approve the request for annexation (Case # AS-96-001) on September 16, 1996 with the following conditions:

- This development cannot be added as an addition to The Oaks at Lanier Subdivision, it must be free standing.
- All single level homes shall have a minimum of 1,600 square feet and all two level homes shall have a minimum of 1,800 square feet.

RZ-96-006

DAVID R. BOWEN

UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, AUGUST 19, 1996 - 7:30 P.M.

The Planning Commission met on Monday, August 19, 1996 at 7:30 P.M.

Those present were: Vice Chairman Granville Betts, Board Members Larry Newberry, and Rose Payne. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Chairman Jay Asgari, Board Member Bob Parris.

READING AND APPROVAL OF PREVIOUS MINUTES

Mr. Betts made a motion to approve the minutes from the July 15, 1996 meeting with the stipulation that where it reads that Mr. Betts was absent is changed to Mr. Betts was late, and where it states Mr. Betts arrived late be removed entirely, seconded by Member Rose Payne and approved unanimously by those present.

ANNEXATIONS/REZONINGS

AX-96-001 - MAP# 7-307-009 (a portion of)

Sugar Valley Joint Venture is requesting to annex .5 tenths of an acre with a zoning classification of RS-100 off Whitehead Road as an addition to The Oaks at Lanier Subdivision.

RZ-96-005 - MAP# 7-307-009 & 7-306-001

Sugar Valley Joint Venture is requesting to rezone 24± acres off Whitehead Road from AF zoning classification to RS-100 zoning classification for an addition to The Oaks at Lanier Subdivision.

No one was present to speak in behalf of the above Annexation and Rezoning. Mr. Betts opened the floor for citizens comments. The following citizens were present to address the board with their concerns; Keith Bechtold, Bob Hubert, Russ Constantin, Ron Kelley, and Dave Rutherford, and Juliann Marchek. These citizens, all residents of the existing Oaks at Lanier Subdivision had the following concerns;

- Unit IV which is under construction at this time was completely cleared all the way up to the creek, leaving no trees. Residents anticipated some type of buffer to be left in the rear of the lots being developed which would have left trees in between their homes and the new homes to be built. Now these large trees have been completely removed and can't be replaced.
- Some of the first residents which purchased their home when unit I was promised a Junior Olympic size pool and lots set aside for tennis courts by the developer. When the recreational area was developed and the pool was installed it was much smaller than what they were informed of and the lots set aside for the tennis courts are currently being built on. The total subdivision must also be built out 75% in order for the homeowners to take it over, therefore, they have no control over what is being done at their recreational area. The area around the pool for lounging as well as the parking is already too small to accommodate the residents which have already purchased homes in this subdivision.
- If this annexation/rezoning request occurs it will cause another thruway street which would increase the amount of traffic which is already pretty heavy. Residents have already tried to obtain speed breakers through the County but have been informed that they must receive 75% participation from the homeowners in order to make this type of request. With the new unit currently under development and this annexation/rezoning request they are unable to meet the required 75% participation.

UNOFFICIAL

Discussion was held. Member Rose Payne made a motion to table this annexation/rezoning issue until next months meeting so that the representative for the proposed Annexation/Rezoning can be present to answer questions and concerns of the citizens that currently live in this development, seconded by Member Larry Newberry. Vice Chairman Granville Betts asked if there was any discussion.

Member Rose Payne stated that during this discussion there were two things that were of major concern and she questioned Mr. McFarland on how she should go about addressing these issues.

1. When a development is under Construction, how can the City control the amount of land that is being cleared and eliminate the land from being completely cleared?

Mr. McFarland stated that this could be included as part of the Buffer, Landscape, and Tree Ordinance which is currently under review by the Mayor and Council which should be voted on at the September Council Meeting. Mr. McFarland stated that she could request that the Mayor and Council add a stipulation which would only allow developers to clear in the rights-of-way when a subdivision is under construction, however, this is not what other cities have done. Member Rose Payne stated that the feedback that she was getting from residents is that they want to keep the Country Quality in Sugar Hill.

2. How would the City go about enforcing a 25' Construction Buffer on the homes? Member Rose Payne asked if she would also need to address this before the Mayor and Council?

Mr. McFarland stated that she could wait until next month to address this before the Council or, or they could wait until this issue is addressed in updating the Zoning Ordinance and Development Regulations. Mr. McFarland informed the members of the board that the Mayor and Council approved in August for Mr. McFarland's firm to update the Zoning Ordinance and the Development Regulations. In this process he will be getting with the Planning Commission to discuss where they want to put Construction Buffers and make it a requirement rather than it being a zoning condition. It may be that the Planning Commission request to put a buffer on exterior lot lines adjoining properties that are not part of the development. On interior lot lines, provided the Buffer, Landscape, and Tree Ordinance is adopted, will be taken care of because they will be unable to clear lot lines until they get a building permit. Another issue that the board might want to think about is how to address when a builder comes in and takes out 10 permits and mass clears the lots. Mr. McFarland informed the board that he will begin working on the Zoning Ordinance and Development Regulation updates starting now through the end of the year. More discussion held. Vote unanimous.

ADJOURNMENT:

Member Larry Newberry made a motion to adjourn the meeting, seconded by Member Rose Payne and approved unanimously by those present.

Meeting adjourned 8:45 p.m.

Kimberly B. Landers

UNOFFICIAL

PLANNING COMMISSION MEETING
MONDAY, SEPTEMBER 16, 1996 - 7:30 P.M.

The Planning Commission met on Monday, September 16, 1996 at 7:30 P.M.

Those present were: Vice Chairman Granville Betts, Board Members Bob Parris and Rose Payne. Administrative Assistant Kim Landers, and Acting Planning Director Don McFarland. Absent: Chairman Jay Asgari, Board Member Larry Newberry.

ANNEXATIONS/REZONINGS

AX-96-001 - MAP# 7-307-009 (a portion of)

Sugar Valley Joint Venture is requesting to annex .5 tenths of an acre with a zoning classification of RS-100 off Whitehead Road as an addition to The Oaks at Lanier Subdivision.

RZ-96-005 - MAP# 7-307-009 & 7-306-001

Sugar Valley Joint Venture is requesting to rezone 24± acres off Whitehead Road from AF zoning classification to RS-100 zoning classification for an addition to The Oaks at Lanier Subdivision.

No one was present to speak at the August 19, 1996 meeting, therefore this had been tabled. Developer Ted Elliot briefed the board on what his intent is for the above annexation/rezoning requests. The following citizens were present to address their concerns; Dave Bechtold, Ron Kelley, Dave Rutherford, Vanessa Pinkston, Christine Ryan, George Crimmins, Bob Colderhead, Eddie Sayer, Andy Fletcher, Russ Ward, David Roy, Ruth Beckner, Lee Batts, John Hasley, and Pat Kiplinger. Based on their statements their concerns were as follows:

- Unit IV which is under construction at this time was completely cleared all the way up to the creek, leaving no trees. Residents anticipated some type of buffer to be left in the rear of the lots being developed which would have left trees in between their homes and the new homes to be built. Now these large trees have been completely removed and can't be replaced.
- Some of the first residents which purchased their home when unit I was promised a Junior Olympic size pool and lots set aside for tennis courts by the developer. When the recreational area was developed and the pool was installed it was much smaller than what they were informed of and the lots set aside for the tennis courts are currently being built on. The total subdivision must also be built out 75% in order for the homeowners to take it over, therefore, they have no control over what is being done at their recreational area because the Developer still maintains control. The area around the pool for lounging as well as the parking is already too small to accommodate the residents which have already purchased homes in this subdivision.
- If this annexation/rezoning request occurs it will cause another thruway street which would increase the amount of traffic which is already pretty heavy. Residents have already tried to obtain speed breakers through the County but have been informed that they must receive 75% participation from the homeowners in order to make this type of request. With the new unit currently under development and this annexation/rezoning request they are unable to meet the required 75% participation.

A detailed discussion was held on the above.

Member Bob Parris made a motion to recommend that the Mayor and Council approve AX-96-001 and RZ-96-005 Annexation/Rezoning request with the stipulations at follows;

- This development cannot be added as an addition to The Oaks at Lanier Subdivision, it must be free standing.
- All single level homes shall have a minimum of 1,600 square feet and all two level homes shall have a minimum of 1,800 square feet.

Seconded by Member Rose Payne, and approved unanimously by those present.

RZ-96-006 MAP # 7-275-006

David R. Bowen is requesting to rezone 15.221 acres off West Price Road from RS-100 to LM.

City Consultant Don McFarland informs the members of the board on his discussion with David R. Bowen earlier in the afternoon. Mr. Bowen informed Mr. McFarland that his attorney's recommended that he not be present for this hearing. Mr. McFarland recommended that this issue be tabled until a representative could be present to discuss this issue. Former Council Member Jim Stanley was present and informed the Board Members that he was on the Council when this was adopted and that he felt like Mr. Bowen full intention was to rezone the entire piece of property to RS-100. The following other residents were present to speak on their concerns; Lorenzo Cobb, Carol Gant, Dave Edwards, Jay Fonts, Teresa Becker, George Martindell, Doyle Henderson, Mark Brown, Bob David, and Mike Nettekoven. These concerns were as follows;

- If it were an error it should have been taken care of at the time of the zoning change, and he shouldn't have waited six years, therefore it should be denied.
- Concerned citizens have taken time out of their schedule to be at this hearing and Mr. Bowen should have done the same. It is not a compatible Land Use, therefore, it should not be tabled, it should be denied tonight and not take up any more time from the citizens that have made arrangements, and taken time out of their schedules to be present for this hearing.
- The Business is grandfathered which would allow him to continue the current operation, but if the zoning occurs it would allow several different types of manufacturing businesses to be placed in this zoning classification which is not a compatible land use for this area.
- This would be spot zoning since the surrounding area is Residential.

More discussion was held. Mr. McFarland stated that he did not submit a written recommendation for this rezoning request, but his recommendation would be for denial based upon the standards required for the review of the zoning application.

Member Bob Parris made a motion to recommend that the Mayor and Council deny this rezoning request, seconded by Member Rose Payne, and approved unanimously by those present.

READING AND APPROVAL OF PREVIOUS MINUTES

Member Rose Payne made a motion to approve the minutes from the August 19, 1996 meeting, seconded by Member Bob Parris, and approved unanimously by those present.

UNOFFICIAL

Boardmembers Comments

Citizens Comments

Adjournment

Vice Chairman Granville Betts made a motion to adjourn, seconded by Member Bob Parris, and approved unanimously by those present.

Meeting adjourned at 9:30 p.m.

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>David R Bowen</u>	NAME: <u>David R Bowen</u>
ADDRESS: <u>Po Box 401</u>	ADDRESS: <u>Po Box 401</u>
CITY: <u>Buford</u>	CITY: <u>Buford</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30518</u>
PHONE: _____	PHONE: _____
CONTACT PERSON: <u>Mitch Peavy</u>	
PHONE: <u>(770) 338 - 8000</u> FAX: <u>(770) 822 - 5990</u>	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:

____ OWNER'S AGENT ☒ PROPERTY OWNER ____ CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): RS-100 REQUESTED ZONING DISTRICT: LM

LAND DISTRICT(S): 7 LAND LOT(S): 275 ACREAGE: 15.221 TAX ID#: 7-275-006

ADDRESS OF PROPERTY: 4795 West Price Road Sugar Hill 30518

PROPOSED DEVELOPMENT: _____

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

- ____ Proposal is a Development of Regional Impact
- ____ Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS _____
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET _____
GROSS DENSITY _____	DENSITY _____
NET DENSITY _____	

R2-96-006

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

The proposed rezoning will permit a use that is suitable in view of adjacent and nearby property.

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

The proposed rezoning will not adversely affect adjacent or nearby property.

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

The subject property is currently and has been used for business purposes and therefore has no residential economic use.

D. Whether the proposed rezoning (or Special Exception) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The proposed rezoning will not cause excessive use of existing facilities.

E. 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 rezoning.

The subject property had not intended to be rezoned to RS-100 in 1990, this is to correct the unintentional rezoning of the subject property.

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER RZ-96-006

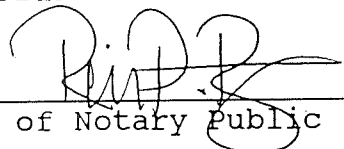
RECEIVED BY Kim Sanders DATE RECEIVED 8/16/96

REZONING 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 Mayor and Council.

 8/13/96
Signature of Applicant Date

DAVID R. BOWEN
Typed or Print Name and Title

 8/13/96
Signature of Notary Public Date NOTARY SEAL

MY COMMISSION EXPIRES
NOVEMBER 29, 1999

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER R2-96-006

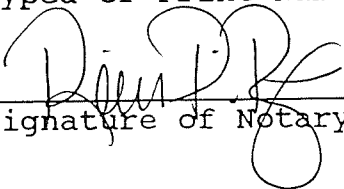
RECEIVED BY Kim Sanders DATE RECEIVED 8-16-96

REZONING 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 Mayor and Council.

 8/13/96
Signature of Owner Date

DAVID R. BOWEN, OWNER
Typed or Print Name and Title

 8/13/96
Signature of Notary Public Date NOTARY SEAL

MY COMMISSION EXPIRES
NOVEMBER 29, 1999

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER R2-96-006
RECEIVED BY Kim Sanders DATE RECEIVED 8/16/96

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, 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] 8/13/96 DAVID BOWEN, OWNER
Signature of Applicant Date Type or Print Name and Title

[Signature] 8/13/96 REINER RIETIG
Signature of Applicant's Date Type or Print Name and Title
Attorney or Representative

[Signature] 8/13/96
Signature of Notary Public MY COMMISSION EXPIRES NOVEMBER 29, 1999 NOTARY SEAL

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 Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

NO (yes/no)

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

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

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER RZ-96-006

RECEIVED BY Kim Sanders DATE RECEIVED 8/16/96

R

REZONING CHECKLIST

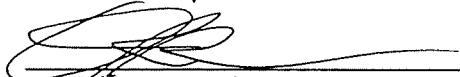
The following is a checklist of information required for submission of a Rezoning or Special Exception application. The Planning and Development Department reserves the right not to accept any uncompleted applications.

☒ Application completed with all information needed attached and rezoning fee paid.

Other information required to be submitted with the application:

- ☒ Legal Description
- ☒ Boundary Survey
- ☒ Site Plan (this is optional)
- ☒ Letter of Intent (is requested)
- ☒ Applicant Certification
- ☒ Conflict of Interest/Campaign Contributions
- ☐ Adjoining Property Owner(s) of record List
- N/A Development of Regional Impact
- N/A Within 2,000 feet from the Chattahoochee River

I, DAVID R. BOWEN have completed all of the above.
(Printed Name)


Applicant Signature

8/13/96
Date

Completed Date: 8/12/96

MAKE SURE THIS CHECKLIST IS RETURNED WITH THE REZONING APPLICATION.

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER BZ-96-006 ACCEPTED BY Kimberly B. Sanders

**DAVID R BOWEN
REZONING
ADJOINING PROPERTY INFORMATION**

7-275-085
MELVYN FOSTER
4790 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-086
HOWARD KERRY
4780 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-087
DAVID L NESTOR
4770 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-088
ROBERT SCHUERMANN
4760 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-089
GEORGE MARTEDELL
4750 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-127
JAMES LABREC
4740 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-128
JOSEPH DAVIS
4730 ALLISON DR
SUGAR HILL, GA 30518

7-275-129
TERESA BECKER
4720 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-130
LORENZO COBB
4710 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-131
JAMES CRONTN
4700 ALLISON DRIVE
SUGAR HILL, GA 30518

2-275-132
LOUIS DELUCA
4690 ALLISON DRIVE
SUGAR HILL, GA 30518

7-275-007A
GAINES PRICE
4753 W PRICE RD
BUFORD, GA 30518

7-275-011
HUBERT JORDAN
4743 W PRICE RD
BUFORD, GA 30518

7-275-013
DOYLE HENDERSON
4723 W PRICE RD
BUFORD, GA 30518

7-275-015 & -017
WILLIAM WHITE
4715 W PRICE RD
BUFORD, GA 30518

7-288-028
DONALD ROBINSON
4855 W PRICE RD
BUFORD, GA 30518

7-288-027
FRANK YOUNG
149 LEVEL CREEK RD
BUFORD, GA 30518

7-288-030
FREIDA HENRY
159 LEVEL CREEK RD
BUFORD, GA 30518

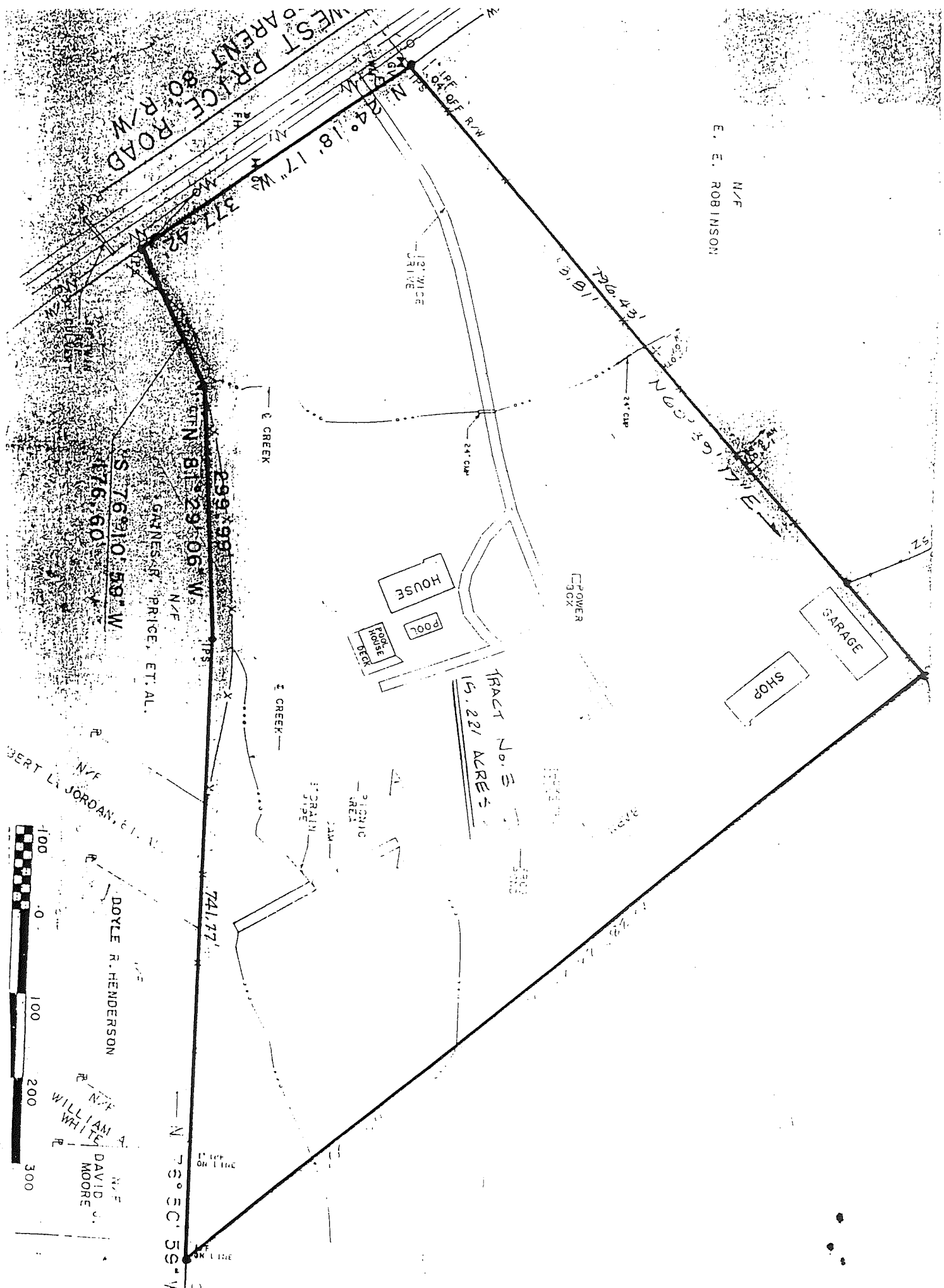
LEGAL DESCRIPTION
DAVID R. BOWEN - TRACT NO. 3

All that tract or parcel of land lying and being in Land Lot 275 of the 7th Land District, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at a point at the intersection of Land Lots 274, 275, 288 & 289; THENCE proceed along the Land Lot Line separating Land Lots 275 & 288 South 60 degrees 39 minutes 17 seconds West a distance of 1428.73 feet to a point, also being known as THE TRUE POINT OF BEGINNING; THENCE leaving said Land Lot Line, proceed South 28 degrees 24 minutes 46 seconds East a distance of 1108.59 feet to an iron pin found; THENCE proceed North 76 degrees 50 minutes 59 seconds West for a distance of 741.77 feet to a point; THENCE proceed North 81 degrees 29 minutes 06 seconds West for a distance of 299.99 feet to a point; THENCE proceed South 76 degrees 10 minutes 59 seconds West for a distance of 176.60 feet to a point, said point lying and being on the easterly right-of-way of West Price Road (Apparent 80' R/W); THENCE proceed in a northerly direction along the easterly right-of-way North 24 degrees 18 minutes 17 seconds West for a distance of 377.42 feet to a point, said point lying and being on the Land Lot Line separating Land Lots 275 & 288; THENCE proceed along the Land Lot Line separating Land Lots 275 & 288 North 60 degrees 39 minutes 17 seconds East a distance of 938.81 feet to a point, said point being THE TRUE POINT OF BEGINNING; as shown as TRACT NO. 3 on a Boundary Survey for David R. Bowen, prepared by Precision Planning, Inc., dated 4/24/89. Together with and subject to covenants, easements, and restrictions of record. Said property contains 15.221 acres more or less.

G:\PLANNING\REZONING\96-138\RUDY_SHLGL

N/F
E. E. ROBINSON

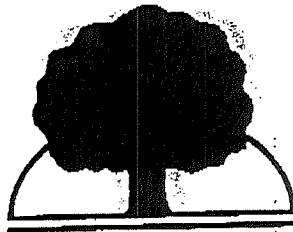


DOYLE R. HENDERSON

WILLIAM WHITE
DAVID MOORE

LETTER OF INTENT

The Applicant is requesting that the subject property, 4795 West Price Road (7-275-006) be rezoned from RS-100 to LM. Light Manufacturing (LM) is the original zoning of the parcel when the City of Sugar Hill annexed it in 1988. Please refer to the attached letter dated 5 August 1996 from Kimberly B. Landers for further details.



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(770) 945-6716

August 5, 1996

CERTIFIED # P 864 089 712

David Bowen
4795 West Price Road
Sugar Hill, Ga. 30518

Dear Mr. Bowen,

This letter is in reference to your recent inquiry about the Zoning Classification of your property located at 4795 West Price Road (A.K.A. 7-275-006). This complete parcel was annexed into the City of Sugar Hill by a Legislative Act of the General Assembly in March of 1988 with a zoning classification of LM (Light Industry District).

On June 8, 1990, you requested that parcel 7-275-006 be rezoned from it's current LM (Light Industry District) zoning classification to RS-100 (Single Family Residential) zoning classification. After discussion with the City attorney, his findings were; this entire parcel was rezoned to a RS-100 zoning classification in July 1990, which included the portion where your business is located. Since your business was actively operating at the time of the rezoning, it would be grandfathered.

Looking through the file, it is obvious that the intent of your rezoning request was to rezone 50.803 acres. Unfortunately, the deed that you submitted was for the entire piece of property including where the business is located. Legal ad's were run for the entire piece of property and the Official Zoning Map has shown this property as being zoned RS-100 since 1990. Therefore, it cannot legally be changed administratively.

Should you desire to rezone the property where your business is located back to the LM zoning classification, the City will at no charge, upon application, proceed with the normal rezoning procedures.

Should you need any additional information, please do not hesitate to contact me at 770-945-6716.

Sincerely,

Kimberly B. Landers
Administrative Assistant
CITY OF SUGAR HILL

PLANNING COMMISSION LEGAL AD FORM

NOTICE OF PROPOSED REZONING

A petition has been filed with the City of Sugar Hill, Georgia to change the zoning district classification of property lying and being in Land Lot(s) 2715 of the 7th district of Gwinnett County, Georgia, in the City of Sugar Hill. Request to change tract of land located on West Price Road from its present zoning of Single-Family Residential to Light Manufacturing and Industrial District zoning classification. The tract is described as follows: 1/4 Sec 100 (date), 1996 at 7:30 p.m. All those having an interest in the petition should be present.

INSERT LEGAL DESCRIPTION

A Public Hearing will be held at the Sugar Hill City Hall on Monday, September 16 (month) 16 (date), 1996 at 7:30 p.m. All those having an interest in the petition should be present.

Administrative Assistant
City of Sugar Hill

INFORMATION SHOULD BE FAXED TO:

TO: Glyn Martin
WITH: Gwinnett Daily Post Tribune
FAX: 339-8082 (or direct # 963-9205)

PLANNING & ZONING PUBLIC HEARING

Friday 1: 8/30/96 Friday 2: 9/1/96 Friday 3: 9/4/96

Cost for running this Ad: \$ _____

Please return this form by fax to 945-2145, along with proofs.

Attention: Kim Landers

If you have any questions, please contact me direct at 945-6716. Thank you.

* This form is to be used when there is a typeset legal description. Otherwise, type the whole thing.

MAYOR & COUNCIL LEGAL AD FORM

NOTICE OF PROPOSED REZONING

A petition has been filed with the City of Sugar Hill, Georgia to change the zoning district classification of property lying and being in Land Lot(s) 2715 of the 7th district of Gwinnett County, Georgia, in the City of Sugar Hill. Request to change tract of land located on West Price Road from its present zoning of Single-Family Residential to Light Manufacturing and Industrial District zoning classification. The tract is described as follows: 1/4 Sec 100 (date), 1996 at 7:30 p.m. All those having an interest in the petition should be present.

INSERT LEGAL DESCRIPTION

A Public Hearing will be held at the Sugar Hill City Hall on Monday, October 14 (month) 14 (date), 1996 at 7:30 p.m. All those having an interest in the petition should be present.

Administrative Assistant
City of Sugar Hill

INFORMATION SHOULD BE FAXED TO:

TO: Glyn Martin
WITH: Gwinnett Daily Post Tribune
FAX: 339-8082 (or direct # 963-9205)

PLANNING & ZONING PUBLIC HEARING

Friday 1: 9/20/96 Friday 2: 9/21/96 Friday 3: 9/22/96

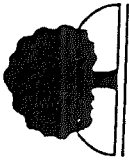
Cost for running this Ad: \$ _____

Please return this form by fax to 945-2145, along with proofs.

Attention: Kim Landers

If you have any questions, please contact me direct at 945-6716. Thank you.

* This form is to be used when there is a typeset legal description. Otherwise, type the whole thing.



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

FAX COVER SHEET

TO: NAME: Glynn Martin
COMPANY: _____

FROM: Kim Landers

RETURN FAX NUMBER: 945-0281

DATE TRANSMITTED: 8/22/96 TIME: _____ A.M. P.M.

NUMBER OF PAGES (including cover sheet) 3 4

MESSAGE:

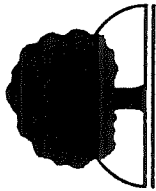
Call me if you have any questions.

TRANSMISSION VERIFICATION REPORT

TIME : 08/22/1996 10:57
NAME : CITY OF SUGAR HILL
FAX : 770-945-2145
TEL : 770-945-6716

DATE, TIME	08/22 10:55
FAX NO. / NAME	3390082
DURATION	00:02:24
PAGE(S)	04
RESULT	OK
MODE	STANDARD

339-8082



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(770) 945-6716

ADJOINING PROPERTY OWNER(S) OF RECORD NOTIFICATION

TO: To Whom it May Concern
FROM: Kim Landers - Administrative Assistant
RE: PROPOSED REZONING
CASE # R2-96-006
DATE: August 22, 1996

You are hereby informed that the attached Notice for Proposed Rezoning is contiguous to your property.

Public Hearings will be held at the Sugar Hill City Hall on Monday, September 16, 1996 and Monday, October 14, 1996 at 7:30 p.m. in the Community Center.

If you should have an interest in this petition, please plan to attend this meeting.

Thank you.

MELVIN FOSTER
4790 ALLISON DRIVE
SUGAR HILL, GA. 30518

HOWARD KERRY
4780 ALLISON DRIVE
SUGAR HILL, GA. 30518

DAYID RESTOR
4770 ALLISON DRIVE
SUGAR HILL, GA. 30518

ROBERT SCHUEHMANN
4760 ALLISON DRIVE
Sugar Hill, Ga 30518

GEORGE MARTINDALE
4750 ALLISON DRIVE
SUGAR HILL, GA. 30518

JAMES LARREC
4740 ALLISON DRIVE
SUGAR HILL, GA. 30518

JOSEPH DAVIS
4730 ALLISON DRIVE
SUGAR HILL, GA. 30518

TERESA BECKER
4720 ALLISON DRIVE
SUGAR HILL, GA. 30518

LORENZO COBB
4710 ALLISON DRIVE
SUGAR HILL, GA. 30518

JAMES CRONIN
4700 ALLISON DRIVE
SUGAR HILL, GA. 30518

LOUIS DRUICA
4690 ALLISON DRIVE
SUGAR HILL, GA. 30518

GAINES PRICE
4753 W. PRICE ROAD
BUDFORD, GA. 30518

HUBERT JORDAN
4743 W. PRICE ROAD
BUDFORD, GA. 30518

DOYLE HENDERSON
4723 W. PRICE ROAD
BUDFORD, GA. 30518

WILLIAM WHITE
4715 W. PRICE ROAD
BUDFORD, GA. 30518

DOVOLD ROBINSON
4855 W. PRICE ROAD
BUDFORD, GA. 30518

FRANK YOUNG
149 LEVEL CREEK ROAD
BUDFORD, GA. 30518

FRIDA RERRY
139 LEVEL CREEK ROAD
BUDFORD, GA. 30518

AX-96-002
ACCEPT ANNEXATION
APPLICATION

TOM WOOD
HIGHWAY 20

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: 7-0321-066 Total Number of Acres to be annexed: 2.5

It is requested that a zoning classification of (BG) General Business be assigned to the property upon annexation. The property is currently zoned () R-200 in Gwinnett County.

Is this property vacant? ☒ yes ☐ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: THOMAS D. WOOD

Address: 2936 CARDINAL LAKE CIR.

City: DuLUTh State: GA. Zip Code: 30136

Phone: 770-476-0607 Home SAME Work

Date: 8-28-96 Signature: Thomas D. Wood

ELECTOR (Registered Voter):

Name: THOMAS D. WOOD

Address: 2936 CARDINAL LAKE CIR.

City: DuLUTh State: GA. Zip Code: 30136

Phone: 770-476-0607 Home SAME Work

Date: 8-28-96 Signature: Thomas D. Wood

Mayor & Council Annexation Application Acceptance Meeting Date: _____

P & Z Public Hearing: _____ Mayor & Council Public Hearing: _____

Deadline for submitting application in order to follow this schedule: _____

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: AX-96-002 ACCEPTED BY: Kim Sanders
DATE: 9-6-96 AMOUNT PAID: 35000 CHECK #: 0771

8-28-96

To: City of Sugar Hill -

I FEEL THAT MY LAND, ZONED R-100 ON GA. HY. 20 IS NOT SUITABLE FOR RESIDENTIAL, BASED ON LAND BEING DEVELOPED AND POPULATION GROWTH IN THE AREA, TRAFFIC ON GA. HY. 20 HAS BECOME EXCESSIVE. SO AT THIS TIME I WOULD LIKE TO HAVE MY PROPERTY RE-ZONED COMMERCIAL.

THOMAS D. WOOD
Thomas D. Wood

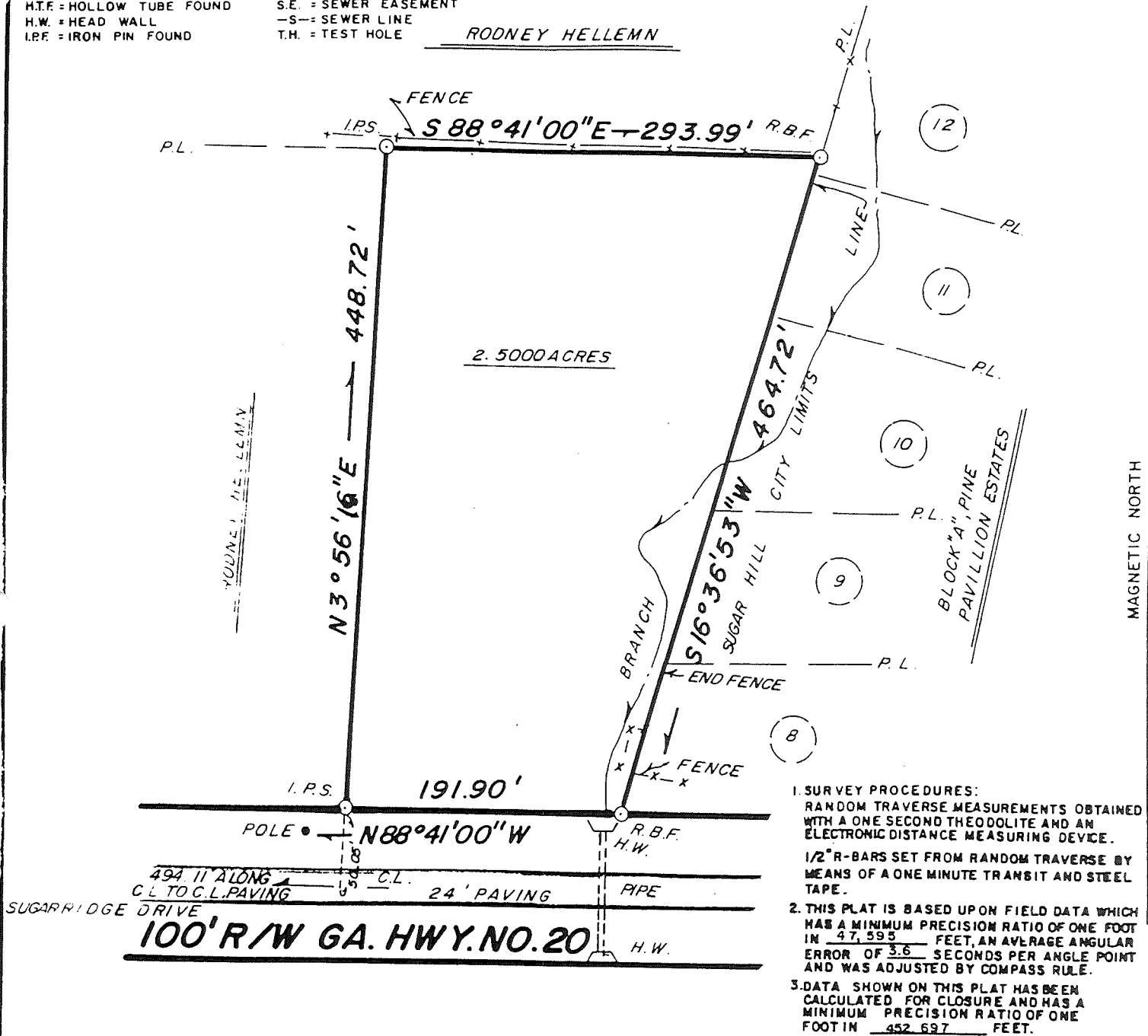
LEGEND:

B.L. = BUILDING LINE
C.B. = CATCH BASIN
C.E. = CONSTRUCTION EASEMENT (TEMPORARY)
C.L. = CENTER LINE
D.E. = DRAINAGE EASEMENT
D.I. = DROP INLET
G.C.F. = GWINNETT COUNTY FLOOD HAZARD AREA (APPROX.)
H.T.F. = HOLLOW TUBE FOUND
H.W. = HEAD WALL
I.P.F. = IRON PIN FOUND

I.P.S. = IRON PIN SET ($\frac{1}{2}$ " R-BAR)
J.B. = JUNCTION BOX
L.L.L. = LAND LOT LINE
M.H. = MANHOLE
P.C. = POINT OF CURVATURE
P.T. = POINT OF TANGENCY
P.L. = PROPERTY LINE
R/W = RIGHT OF WAY
R.B.F. = R-BAR FOUND
S.E. = SEWER EASEMENT
-S- = SEWER LINE
T.H. = TEST HOLE

NOTES:

1. THIS PROPERTY IS LOCATED IN CENSUS TRACT 501
2. THIS PROPERTY IS LOCATED ON SHEET 608 OF THE FIA OFFICIAL FLOOD INSURANCE RATE MAP NUMBER 130322 DATED JUNE 15, 1981, COVERING GWINNETT COUNTY, GEORGIA AND (15 NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.



1. SURVEY PROCEDURES:
RANDOM TRAVERSE MEASUREMENTS OBTAINED WITH A ONE SECOND THEODOLITE AND AN ELECTRONIC DISTANCE MEASURING DEVICE.
 $\frac{1}{2}$ " R-BARS SET FROM RANDOM TRAVERSE BY MEANS OF A ONE MINUTE TRANSIT AND STEEL TAPE.
2. THIS PLAT IS BASED UPON FIELD DATA WHICH HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 47,595 FEET, AN AVERAGE ANGULAR ERROR OF 3.6 SECONDS PER ANGLE POINT AND WAS ADJUSTED BY COMPASS RULE.
3. DATA SHOWN ON THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 452,697 FEET.

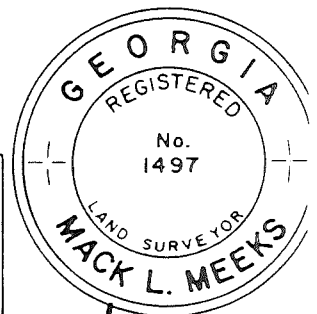
SURVEY FOR: **THOMAS WOOD**

LOT _____ BLOCK _____ LAND LOT 321 of the 7th DISTRICT
JNIT _____ GWINNETT COUNTY, GEORGIA
SUBD. _____ DATE: 6-9-86
SCALE: 1" = 100' 0 50' 100' 200' 2.5000 ACRES

NO. DATE REVISION DESCRIPTION

HANNON, MEES & BAGWELL,
SURVEYORS & ENGINEERS, INC.
238 BUFORD DRIVE
LAWRENCEVILLE, GEORGIA 30245
TELEPHONE: (404) 963-7181

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW
MEMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA



AX-96-003
ACCEPT ANNEXATION
APPLICATION

STEVEN HENRY
HIGHWAY 20

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: 7-0321-052 Total Number of Acres to be annexed: 2.5

It is requested that a zoning classification of (BG) General Business be assigned to the property upon annexation. The property is currently zoned () 12-100 in Gwinnett County.

Is this property vacant? ☒ yes ☐ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: Steven Henry

Address: 5378 SECRETARIAT LN

City: Buford State: GA Zip Code: 30518

Phone: 770-455-1211 WK Home _____ Work _____

Date: 9/6/96 Signature: [Signature]

ELECTOR (Registered Voter):

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Home _____ Work _____

Date: _____ Signature: _____

Mayor & Council Annexation Application Acceptance Meeting Date: _____

P & Z Public Hearing: _____ Mayor & Council Public Hearing: _____

Deadline for submitting application in order to follow this schedule: _____

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: 4X-96-003 ACCEPTED BY: [Signature]
DATE: 9-6-96 AMOUNT PAID: 350.00 CHECK #: 767

City of Sugar Hill

To whom it may concern

I would like for you to ANNEX my
property located on Hwy 20 A joining
Sugar Hill for joining Hwy Commercial
Joining I have owned this property
for 13 yrs and don't feel that the
highest and best use is Residential due to
the heavy traffic along Highway 20

Thank you for your consideration

Steve Hay

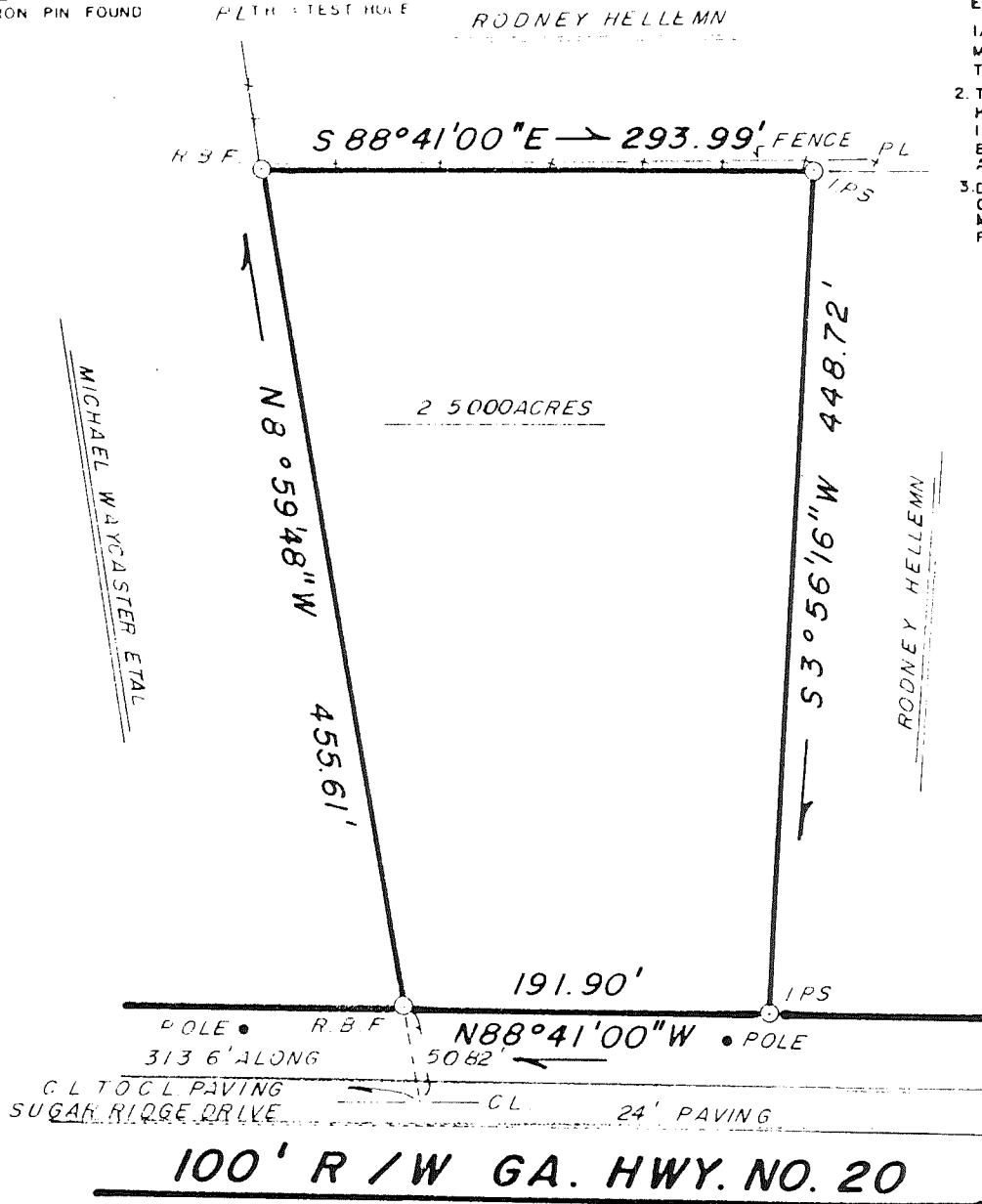
LEGEND

BL = BUILDING LINE
CB = CATCH BASIN
CE = CONSTRUCTION EASEMENT (TEMPORARY)
CL = CENTER LINE
DE = DRAINAGE EASEMENT
DI = DROP INLET
F = GWINNETT COUNTY FLOOD HAZARD AREA (APPROX)
HTF = HOLLOW TUBE FOUND
HW = HEAD WALL
IPF = IRON PIN FOUND
IPF = IRON PIN SET (1" R BAR)
JB = JUNCTION BOX
LL = LAND LOT LINE
MH = MANHOLE
PC = POINT OF CURVATURE
PT = POINT OF TANGENCY
PL = PROPERTY LINE
R/W = RIGHT OF WAY
RBF = R-BAR FOUND
SE = SEWER EASEMENT
S = SEWER LINE
PLTH = TEST HOLE

NOTES:

- THIS PROPERTY IS LOCATED IN CENSUS TRACT 501
- THIS PROPERTY IS LOCATED ON SHEET 608 OF THE FIA OFFICIAL FLOOD INSURANCE RATE MAP NUMBER 130322 DATED JUNE 15, 1981, COVERING GWINNETT COUNTY, GEORGIA AND (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

- SURVEY PROCEDURES:
RANDOM TRAVERSE MEASUREMENTS OBTAINED WITH A ONE SECOND THEODOLITE AND AN ELECTRONIC DISTANCE MEASURING DEVICE.
1/2" R-BARS SET FROM RANDOM TRAVERSE BY MEANS OF A ONE MINUTE TRANSIT AND STEEL TAPE.
- THIS PLAT IS BASED UPON FIELD DATA WHICH HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 47,595 FEET, AN AVERAGE ANGULAR ERROR OF 3.6 SECONDS PER ANGLE POINT AND WAS ADJUSTED BY COMPASS RULE
- DATA SHOWN ON THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 667,930 FEET.



SURVEY FOR: **STEVEN P. HENRY**

BLOCK LAND LOT 321 of the 7th DISTRICT GWINNETT COUNTY, GEORGIA
DATE 6-9-86
SCALE: 1"=100'
GRAPHIC SCALE 0 50' 100' 200' 2.5000 ACRES



NO.	DATE	REVISION DESCRIPTION

HANNON, MEEKS & BAGWELL,
SURVEYORS & ENGINEERS, INC.
238 BUFORD DRIVE
LAWRENCEVILLE, GEORGIA 30045

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTE AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW
Mack L. Meeks
1497

AX-96-004

**ACCEPT ANNEXATION
APPLICATION**

**SHERLA HOLLOWAY
BUFORD HIGHWAY 23**

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: M-256085 Total Number of Acres to be annexed: 1 1/2 ±

It is requested that a zoning classification of () LM3 be assigned to the property upon annexation. The property is currently zoned () M-1 in Gwinnett County.

Is this property vacant? ☒ yes ☐ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: Sherla Holloway
Address: 669 Buford Highway
City: Sugar Hill State: GA Zip Code: 30518
Phone: 6945-1002 Home 945-1002 Work
Date: 9/30/96 Signature: Sherla I Holloway

ELECTOR (Registered Voter):

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Home _____ Work _____
Date: _____ Signature: _____

Mayor & Council Annexation Application Acceptance Meeting Date: _____
P & Z Public Hearing: _____ Mayor & Council Public Hearing: _____
Deadline for submitting application in order to follow this schedule: _____

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: _____ ACCEPTED BY: _____
DATE: _____ AMOUNT PAID: _____ CHECK #: _____

LT 256 - 7th District

Letter of Intent - Sherla Walloway

We intend to use this piece of property for a boat dealership.
to sell new and used boats.

Person having property interest

J. Lee Dodger - owner H.D. Marine, Inc.

Adjoining property owners:

Charles ^{Sherla} Walloway
669 Buford Highway
Sugar Hill, GA 30518

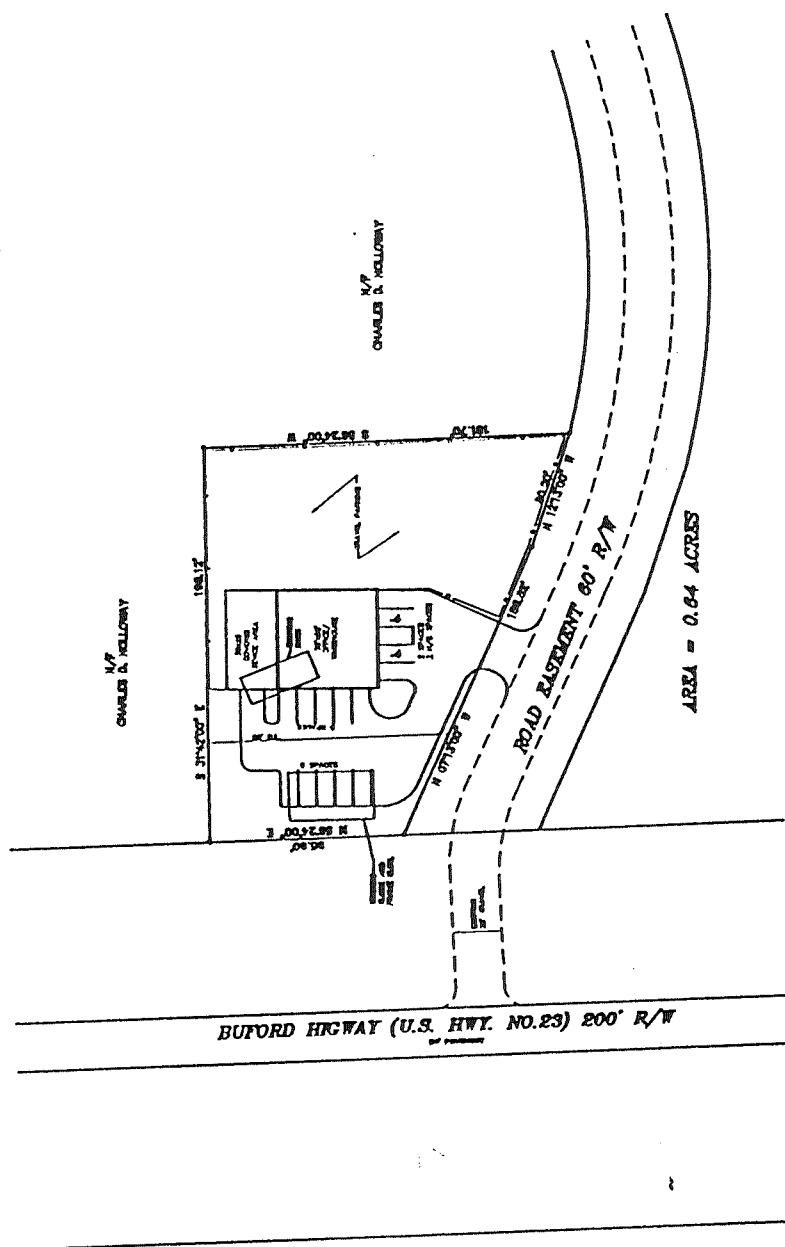
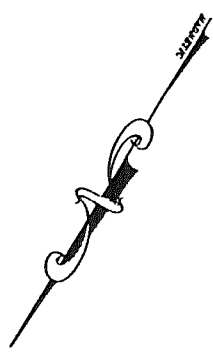
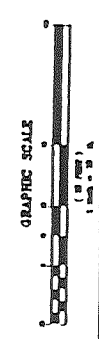


FIG. 1-4-1		HD MARINA	
GRIFFIN LAND SURVEYING, INC.			
1000 N. 10th St. Suite 100 Anchorage, Alaska 99503			
Owner	Project	Location	Scale
HD Marina	Marina	Marina	1" = 100'
Surveyed By	Checked By	Drawn By	Plotted By
J. D. Griffin	J. D. Griffin	J. D. Griffin	J. D. Griffin
Date	Sheet	Of	Total
10/1/80	1	1	1



AX-96-005
ACCEPT ANNEXATION
APPLICATION

WILLIAM MALONEY
HIGHWAY 20

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: 7-321-31 Total Number of Acres to be annexed: 3.24⁺

It is requested that a zoning classification of (R) 75 General Business be assigned to the property upon annexation. The property is currently zoned (R) 75 in Gwinnett County.

Is this property vacant? yes ☒ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: William H. Mahoney
Address: 5422 Hwy 20
City: Sugar Hill State: GA Zip Code: 30518
Phone: 932 3430 Home Work
Date: Sept 25-96 Signature: Wm. H. Mahoney

ELECTOR (Registered Voter):

Name: William H. Mahoney
Address: 5422 Hwy 20
City: Sugar Hill State: GA Zip Code: 30518
Phone: 945-3430 Home Work
Date: 9/25/96 Signature: Wm. H. Mahoney

Mayor & Council Annexation Application Acceptance Meeting Date:
P & Z Public Hearing: Mayor & Council Public Hearing:
Deadline for submitting application in order to follow this schedule:

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: ACCEPTED BY:
DATE: AMOUNT PAID: CHECK #:

7/25/96

City of Sugar Hill

I have property facing Hwy 20 that I would like to have annexed into the City limits of Sugar Hill. And that it be zoned to General Business. There is a lot of traffic on Hwy 20 and I feel that it is no longer ~~commercial~~ residential property and should be Commercial.

Thank you for your help.
William H. Maloney

LEGEND:
 E/W = RIGHT OF WAY
 L.P. = FROM PLAT SET
 C.L. = CENTER LINE
 P.L. = PROPERTY LINE
 B.L. = BUILDING LINE
 T. = TEST HOLES
 T. = TELEPHONE LINE
 P. = POWER LINE
 G. = GAS LINE
 L.L. = LAND LOT LINE

REFERENCES:

- 1.) PLAT FOR G. M. DUVAL, ETAL BY HANNON, MEERS & BASWELL DATED 4-15-74.
- 2.) HOUSE LOCATION FROM PLAT BY S.R. FIELDS DATED 7-5-79 FOR HARRY BLANKENSHIP.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

MEMBER GA ASSN. REG. LAND SURVEYORS

S.R. Fields

SUGAR RIDGE DRIVE

100' R/W

GA.

HWY.

NO.

20

3.231 ACRES

EXISTING HOUSE
 32.2' x 61.8'

640.30'

588°41'00"E

330.60'

JAMES F. & ALICE D. HORNSE

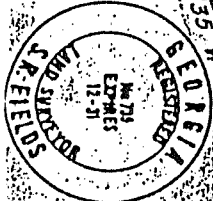
LAND LOT 321

CITY: WILMINGTON, GEORGIA

DATE: 9-23-83

S. R. FIELDS, GWINNETT COUNTY SURVEYOR, REG. NO. 739

LAWRENCEVILLE



G.L. BRANCH IS P.L. 302' ± ALONG G.L. BRANCH

7 TH SCALE: 1

**PLANNING & ZONING
BOARD OF APPEALS
RESIGNATION**

BILL BAGLEY

September 12, 1996

Warren Nevad, City Manager
City of Sugar Hill

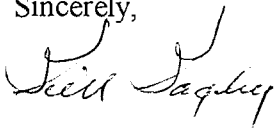
Mr. Nevad,

I would like to thank you for the opportunity, to serve on our City's Board of Zoning Appeals. I was honored to be chosen and was looking forward to serving the citizens of our community. However, due to circumstances beyond my control, I must, for now, resign from my position.

I have been scheduled for major back surgery on October 15th, 1996. Although I do not know exactly how long my recuperation will take, I expect it to be quite lengthy. During this time, I would be unable to fulfill the responsibilities of my position. So, regretfully, I have decided to step down. I feel that this would be in the best interest, of the City and the community.

Although I served for only a short time, I enjoyed being able to participate and perhaps can do so again, in the future. I apologize for my having to resign, after serving only briefly. I would appreciate if you could express my apology and regret, to the Mayor, the City Council and fellow Board members. Again, thank you for the opportunity to serve and Good Luck to the Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Bagley".

Bill Bagley

Development Regulations

Access and Right-of-Way Requirements
Street Improvement and Construction Requirements

6.13 SIDEWALKS

6.13.1 When Required

(Delete)

~~----- a. Sidewalks shall be provided as required by the Zoning Resolution or as a condition of zoning or special use approval and shall meet the design and location standards required herein.~~

~~----- b. Sidewalks provided voluntarily by a builder or developer shall meet the design and location standards required herein. The builder or developer shall secure authorization from the Department prior to installation.~~

(Insert)

a. Sidewalks shall be provided within all single family subdivisions.

b. Sidewalks shall be provided along the street from which a multi-family development has access.

c. Sidewalks shall be provided along all streets adjoining a non-residential development.

6.13.2 Location Standards

(Delete)

~~----- a. Sidewalks shall be required adjacent to one (1) side of internal subdivision streets which shall be the side opposite the water line unless otherwise required (e.g. the Zoning Resolution, condition of zoning approval, etc.).~~

(Insert)

a. Sidewalks shall be required adjacent to both sides of internal subdivision streets.

b. Sidewalks shall also be required adjacent to the perimeter of "eyebrow" turnarounds

c. Sidewalks shall not be required adjacent to the perimeter of cul-de-sac turnarounds unless otherwise required.

6.13.3 Design Standards

Sidewalks shall be constructed in accordance with the Design Standards contained in this Subsection unless a Modification is granted by the Director

a. Sidewalks shall be located 2 feet from the back of curb. Where no curbing exists or proposed road improvements are anticipated, sidewalks shall be placed in a location acceptable to the Department of Transportation.

Development Regulations

Access and Right-of-Way Requirements
Street Improvement and Construction Requirements

- b. All new sidewalks shall match and provide a smooth transition to any existing sidewalks with no steps.
- c. Sidewalks shall be constructed of concrete and shall be a minimum of 3 feet in width and 4 inches thick. Concrete shall be Class "B" (as defined by Georgia DOT) and have a strength of 3,000 PSI at 28 days.
- d. Curb ramps shall be provided at all curb turn and shall be a minimum of 3 feet in width exclusive of flared sides.
- e. Expansion joints shall be provided at all property lines (extended) and driveway crossings. Control joints shall be provided every 10 feet.
- f. Disturbed areas resulting from sidewalk construction shall be backfilled, stabilized, and grassed.

6.13.4 Installation Deadlines

Sidewalks shall be installed prior to the issuance of a Certificate of Occupancy or Final Plat approval in accordance with this Subsection unless a performance bond is posted. The cost of sidewalk installation may be set aside in escrow where proposed road improvements may impact the location of the sidewalk.

- a. Sidewalks required on residential building lots shall be installed prior to issuance of a Certificate of Occupancy for each individual dwelling.
- b. Sidewalks required on common or recreation areas shall be installed prior to Final Plat approval.
- c. Sidewalks required on other projects shall be installed prior to issuance of a Certificate of Occupancy or Certificate of Completion, as appropriate.

THOMPSON & SWEENEY, P.C.
Law Offices

V. LEE THOMPSON, JR.
VICTORIA SWEENEY
MELANIE D. WILLIAMS
PAUL E. ANDREW
JORGIA C. NORTHRUP

Longleaf Commons
690 Longleaf Drive, Lawrenceville, GA 30245
Telephone: 770/963-1997
Telephone Copier: 770/822-2913

Mailing Address
P.O. Drawer 1250
Lawrenceville, Georgia 30246

MEMORANDUM

TO: Mayor and City Council
City of Sugar Hill

FROM: V. Lee Thompson, Jr. VLT

DATE: October 10, 1996

RE: Proposed Amendment of Section 1109B of the Zoning Ordinance of
the City of Sugar Hill, Georgia

Attached is a proposed amendment to the HM2 Zoning Classification. This proposed amendment has been prepared at the request of Councilmember Pugh and City Manager Warren Nevad. The purpose of the change in the ordinance is to provide that all uses not listed as a specific inherent use within the HM2 Zoning Classification will require the issuance of a special use permit by the City Council. This would require that the City Council specifically approve the intended use of HM2 property unless the use is one specifically set forth in the zoning ordinance.

If you desire to consider this amendment, the matter should be referred to the Planning Commission for review and a public hearing may be called by the Council. The public hearing must be advertised at least fifteen (15) days in advance. Therefore, if you desire to hold such a public hearing at a regularly scheduled meeting, it could occur no earlier than your November meeting.

As you are all aware, your entire zoning ordinance is currently under review by Mr. McFarland. I have provided a copy of this proposed amendment and a copy of this memo to Mr. McFarland for his review and comment.

VLT/pbd

RESOLUTION

WHEREAS, a safe and reliable public wastewater treatment system is necessary to provide for the health and welfare of Gwinnett County citizens; and

WHEREAS, increased wastewater treatment capacity is needed to protect the quality of streams and rivers in Gwinnett County; and

WHEREAS, advanced reclamation methods are essential to safeguard downstream water users and return clean water to the Chattahoochee River Basin; and

WHEREAS, individual wastewater disposal system will proliferate in Gwinnett County without additional public wastewater treatment capacity; and

WHEREAS, an advanced water reclamation facility at the junction of I-85 and I-985 and the collection system transporting flows thereto will either directly serve or create treatment capacity in every quadrant of Gwinnett County; and

WHEREAS, the proposed North Advanced Water Reclamation Facility will benefit public health, the environment, and the quality of life of Gwinnett County citizens;

NOW, THEREFORE, BE IT RESOLVED

The City of Sugar Hill supports the permitting and construction of the Gwinnett North Advanced Water Reclamation; and

BE IT FURTHER RESOLVED

that this Resolution shall be made a part of the public record, endorsing the draft permit for Gwinnett County's North Advanced Water Reclamation Facility.

This Resolution is dated this _____ day of _____, 1996.

Gary L. Webster, Mayor

Reuben Davis, Mayor Pro Tem

Steven Bailey

COUNCIL

Dorland Baird

Tim Pugh

Charles Spradlin

CLERK'S REPORT
OCTOBER 1996

The Tax Digest has been sent to TBS for billing of the 1996 Property, Real and Personal, Taxes. These should be in the mail by the end of next week and will be due by December 20, 1996. I do not know what adjustments will have to be made but I do anticipate revenues of \$400,000+ from the 1996 Digest.

Manager Nevad and I attended the Secretary of State Election Board meeting at the Capitol on Wednesday, October 2, 1996 at 10:00 P.M. It was a very informative meeting and the information gained there will help us to more ably assist in the Secretary of State Election Division Investigation of the Absentee Ballot records for the July 9, 1996 Special Election.

The investigation by the Secretary of State Election Division will begin on Friday, October 4, 1996. The depositions which the City is paying for, taken by Mr. Payne, will be delivered to the investigators as soon as they are received from Attorney Lee Thompson. I have asked Attorney Thompson to get these depositions as quickly as possible from the court reporter. I will keep you informed, very promptly, as I hear from the investigators.

MEMORANDUM 96-55

TO: Mayor/City Council

FROM: Warren P. Nevad 

RE: **OCTOBER 14, 1996 CITY MANAGER REPORT**

DATE: October 7, 1996

1. EMPLOYEES:

Our employee appreciation outing on September 11, 1996 was enjoyed by everyone. We are preparing for our transition of programs to our new computer network. Hopefully, the accounting, utility and tax software will be online in November.

We will hold a mandatory safety training meeting next week to address cold weather safety factors relating to job performance. We are revising our training and development procedures and policies. Ideally, we desire mandatory monthly training meetings. Future staff meetings with department heads will entail customer service training.

2. PLANNING/ZONING:

During September, the department issued 41 single family residential permits. This resulted in permit revenues of \$27,388.80. In addition, the department conducted 215 inspections during this extremely busy month.

3. GAS DEPARTMENT:

The Gas Department installed 45 new services this month. We have installed over 3500 ft. of service lines. The gas crew has worked extremely hard in meeting our daily demands and improvements. During September, the following capital improvements were conducted: 1) 4 inch gas line on Hilcrest; 2) 2 inch service line on O'Rourke Rd; and 3) steel line behind Deer Valley. Shortly, Transco will construct a regulator bypass unit to increase our high pressure gas deliveries during peak days. Finally, Welker and Associates is handling all bidding and construction management of our backup metering station on Peevy Rd. This will cost approximately \$40,000 and we have monies budgeted from renewal and replacement.

Jordan Jones and Goulding has agreed on a contingency basis to provide an analysis of the Transco measurement facilities and past billing records over the past 5 years. We previously reported that our natural gas costs were extremely high. This project should verify or dispute Transco's reading during the past winter. We will keep you advised. The construction of the backup meter will aid us in monitoring Transco's daily measurement readings.

4. ROADS/DRAINAGE:

We will commence drainage work at the intersection of Creek Lane and Pass Court this month. During September, we completed the Springhill Plantation project and made improvements on Oakgrove Dr. The twin pipe creek crossing project on Frontier Drive was earlier completed.

Pursuant to the State Department of Transportation, we must repair Duncan Drive and Pinedale Circle. These roads were paved under the Local Assistance Repaving Program (LARP) nearly five (5) years ago. In order to be eligible for our next grant cycle, we must repair these roads. The costs will be charged to renewal and replacement.

5. FINANCE:

We have submitted our proposed 1997 budget draft. Our overall fiscal objective is maintenance of our millage and gas rates. Several critical improvement areas have been identified including the high pressure gas expansion project; drainage improvement at E.E. Robinson Park and vehicle replacement.

6. GOLF COURSE:

During September, the golf course grossed \$105,000. During September 1995, we had grossed \$63,384. During the month, the greens were aerated and top dressed.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms

**CITY OF SUGAR HILL-AGENDA
COUNCIL MEETING-NOVEMBER 11, 1996-7:30 P.M.**

CALL TO ORDER, PLEDGE TO FLAG, INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF OCTOBER MINUTES:

DEPARTMENT REPORTS:

A:	PLANNING AND ZONING, ZONING APPEALS BOARD:	McFARLAND
B:	BUDGET AND FINANCE:	GARBUTT
C:	UTILITIES:	NEVAD
D:	GOLF:	QUEEN
E:	RECREATION:	NEVAD
F:	DRAINAGE:	NEVAD

OLD BUSINESS:

A:	COMPUTER SYSTEM REPORT:	SPRADLIN
B:	SIDEWALK CONSTRUCTION ORDINANCE:	SPRADLIN
C:	CHECK SIGNING POLICY:	DAVIS
D:	IN-SERVICE TRAINING:	BAIRD
E:	COMPUTER PURCHASE PROGRAM:	THOMPSON
F:	WITHDRAWAL OF RZ-96-006-DAVID BOWEN:	McFARLAND
G:	PUBLIC HEARING FOR AX-96-002(THOMAS D. WOOD)	McFARLAND
	PUBLIC HEARING FOR AX-96-003(STEVEN HENRY)	
	PUBLIC HEARING FOR AX-95-005(WILLIAM H. MALONEY)	
H:	PUBLIC HEARING FOR AX-96-004(SHERLA HOLLOWAY)	McFARLAND
I:	PUBLIC HEARING FOR REZONING -RZ-96-007	
	JAMES BURGGRAAF	McFARLAND

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

A:	CITY MANAGER REVIEW:	PUGH
B:	TENNIS CLINIC:	BAIRD
C:	REPORT ON FUTURE COMMUNITIES COMMISSION:	SPRADLIN
D:	ACCEPT APPLICATION AX-96-006-SUGAR VALLEY	
	JOINT VENTURE	McFARLAND

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

PERSONNEL:
POSSIBLE LITIGATION:

ADJOURNMENT:

7:05 TO 4:05
5:45 -

- A: CITY MANAGER REVIEW: Pugh *approve 5 B retro active summary 10:50*
B: TENNIS CLINIC: *at Park - Proposed* BAIRD
C: REPORT ON FUTURE COMMUNITIES COMMISSION: SPRADLIN
D: ACCEPT APPLICATION AX-96-006-SUGAR VALLEY JOINT VENTURE McFARLAND

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

PERSONNEL:

POSSIBLE LITIGATION:

ADJOURNMENT:

Pugh - TV Coverage -

Don't No

Spradlin - apologizing - I have to know

Darland - appreciate - Manager -

Stem - ditto. Mayor - proud of

Pugh 9:25 PM

Darland - 4 -

1 abstain

Rayleen left

figure Executive Session

Out @ 10:40 PM.

Council glad they want to do what people want.

Motion by Bailey

2nd Pugh

Benjeto Vote - 4-0 - 10:45-1:00

*Jim
Charles
Steve
Darland -
Gary -*

10:43-2

Pugh

2nd Bailey

4-0

10 min recess before 5:00

*Nov 23 =
Budget - 30
9:00 10:30
23 =*

26 =

27 =

*Heard Jimmy
Nov. 28-29*

Shipping Fee: \$69.00

un407
- Jerry Cohen

**CITY OF SUGAR HILL-AGENDA
COUNCIL MEETING-NOVEMBER 11, 1996-7:30 P.M.**

Darryl *Charles*
CALL TO ORDER, PLEDGE TO FLAG, INVOCATION:

APPROVAL OF AGENDA:

Charles 2nd *Dorland* 100% 5-0

APPROVAL OF OCTOBER MINUTES:

Charles 2nd *Dorland* 100% 5-0

DEPARTMENT REPORTS:

A: PLANNING AND ZONING, ZONING APPEALS BOARD:

McFARLAND - *Warren*

B: BUDGET AND FINANCE:

GARBUTT ✓

C: UTILITIES:

NEVAD ✓

D: GOLF:

6190 over last year for October

QUEEN ✓

Charles
E.P.D. today

E: RECREATION:

the statement given in the

NEVAD

F: DRAINAGE:

NEVAD

OLD BUSINESS:

A: COMPUTER SYSTEM REPORT: -

nov. 21st

SPRADLIN - *see tape*

B: SIDEWALK CONSTRUCTION ORDINANCE:

SPRADLIN -

C: CHECK SIGNING POLICY:

Warren read -

DAVIS

D: IN-SERVICE TRAINING:

BAIRD

E: COMPUTER PURCHASE PROGRAM:

Remove -

THOMPSON - *see tape*

F: WITHDRAWAL OF RZ-96-006-DAVID BOWEN:

McFARLAND

G: PUBLIC HEARING FOR AX-96-002(THOMAS D. WOOD)

McFARLAND

PUBLIC HEARING FOR AX-96-003(STEVEN HENRY)

Jerry Cohen

PUBLIC HEARING FOR AX-95-005(WILLIAM H. MALONEY)

H: PUBLIC HEARING FOR AX-96-004(SHERLA HOLLOWAY)

McFARLAND

I: PUBLIC HEARING FOR REZONING -RZ-96-007

JAMES BURGGRAAF

McFARLAND

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

Puckett
I should be Council.
Rose Payne: Comprehensive Plan
Meg Avery: Dof Council E.P.D.

Angie Lamb
5:43 PM
Ronny Puckett
5:43 PM
Man
11:54.55
Meg Avery
12:42 PM
10 min

**CITY OF SUGAR HILL
MINUTES
COUNCIL MEETING -MONDAY, NOVEMBER 11,1996-7:30 P.M.**

The Mayor and Council of the City of Sugar Hill met for the Regular Monthly Meeting on Monday, November 11, 1996 at 7:30 P.M. in the Community Center. The notice was posted on the doors of City Hall, the Community Center and faxed to the local media.

Those present were Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Dorland Baird, Tim Pugh and Charles Spradlin, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Golf Director Wade Queen, Drainage Supervisor Donna Zinskie, Development Director Consultant Don McFarland, Attorney Lee Thompson, citizens, guests, and representatives of the news media. There was no one present from the cable television company.

Mayor Webster welcomed those present and gave thanks and praise to the Veterans who have served to assure that we may conduct meeting in a safe protected manner. He asked that all Veterans be given a round of applause. He then led in the Pledge to the Flag. Council Member Charles Spradlin gave the Invocation asking special blessing on all Veterans.

APPROVAL OF THE AGENDA:

Council Member Charles Spradlin made a motion to approve the Agenda, seconded by Council Member Dorland Baird and approved on a unanimous vote. (5-0)

APPROVAL OF THE OCTOBER MINUTES:

Council Member Charles Spradlin made a motion to approve the October Minutes, seconded by Council Member Dorland Baird and unanimously approved. (5-0)

DEPARTMENT REPORTS:

A: PLANNING AND ZONING; ZONING APPEALS BOARD:

Manager Warren Nevad reported the City issued 36 single family building permits during the month of October. There were 366 inspections conducted. A Development Permit has been issued to Aamco Paving for a Maintenance and Office Building Complex. There will be several Public Hearing tonight for three (3) parcels on Highway 20 and two (2) on Buford Highway.

B: BUDGET AND FINANCE:

Finance Director Garbutt reported that the City received the 1996 Premium Tax in the amount of \$160,760.52 which is \$8,000 more than budgeted. There was \$100,000 of that amount transferred to the Georgia I Fund which is now at approximately \$845,000. This amount includes the \$325,000 of Sanitation Escrow Funds. The City has received approximately \$24,000 in 1996 Property Taxes through October 31, 1996. The Golf Course had another record month of over \$100,000 in revenue.

C: UTILITIES:

Manager Nevad reported another record month with 76 new gas services installed with the year-to-date being 430. There was over 5,000 feet of service line installed and work on the Brogdon Road expansion project and the back-up meter at the Transco Station has been started.

Manager Nevad gave a report on Oglethorpe Power Transmission Project. They had a meeting at the Golf Course Club House on October 17, 1996 concerning the sub-station at the corner of Suwanee Dam Road and Highway 20. There is a memo at City Hall if the public wishes to review it and they will hold a second meeting on December 3, 1996. Anyone wishing more information may contact Phyllis Turner at Oglethorpe Power at 770-270-7159.

D: GOLF:

Director Wade Queen reported that October was another record month with revenues up 61% over the same time last year. The performance is due to the good weather which the Golf Course has experienced. There are several tournaments scheduled.

Council Member Spradlin asked Director Queen to comment on the effluent from the Golf Course. Director Queen stated that the Sugar Hill Golf Course has released some treated Waste Water during the wet weather periods when it could not be used on the course. This was released onto Golf Course land which is not permitted. This is a problem with systems of this type. He explained the details of why the discharge was done. He stated that staff is working with Gwinnett County and EPD to work toward a solution to this problem.

Council Member Spradlin read the following:

"If at any time a conflict arises in regard to the needs of Waste Water disposal as opposed to the needs of optimizing Golf Course operations, the Waste Water Disposal needs will have absolute priority. Under worse conditions the golfing operations will be shut down entirely to accommodate the needs of Waste Water disposal."

Director Queen agreed that this is indeed true, but stated that at the time he did not feel the Golf Course could afford to do this. Council Member Spradlin stated that he did not feel the City could afford the weight of the EPD if their recommendations are being violated. He made a motion that this Council strictly enforce a policy that adheres

to this paragraph as filed. Council Member Pugh seconded the motion. Council Member Bailey asked if alternative methods have been looked at for disposal of the Waste Water. Director Queen stated that all avenues are being explored and the operations have been shut down as Council Member Spradlin requested and will continue to be that way until he is told to do differently. This was discussed among the Council. Director Queen stated that they would operate in this way because they have no other choice. The Consent Order should be received within the next few weeks from EPD. The vote on the motion was unanimous. (5-0)

E: RECREATION:

Manager Nevad reported that the bath rooms have been winterized at the upper and lower pavilions.

F: DRAINAGE:

Manager Nevad reported work has been started at South Roberts and Roberts Drive and the Oak Grove Drive project and the Fox Property project have been completed.

OLD BUSINESS:

A: COMPUTER SYSTEM REPORT:

Council Member Spradlin reported that there has been a delay in the soft ware conversion.

There will be a training class for employees and any resident who would like to attend. This will be on Thursday, November 21, 1996 at 6:30 P.M. at City Hall. Council Member Pugh asked if the Golf Course has been connected to the system. Council Member Spradlin stated that this will be done as soon as the soft ware is installed.

B: SIDEWALK CONSTRUCTION ORDINANCE:

Council Member Spradlin stated that Attorney has drawn up an Ordinance, on sidewalks, at the Council's request and he asked Clerk Garbutt to read the Ordinance (see attached) to be added to the City's Development Regulations. Council Member Spradlin made a motion to approve this Ordinance, seconded by Council Member Bailey and passed on a unanimous vote. (5-0)

C: CHECK SIGNING POLICY:

Mayor Pro Tem Davis explained the Policy and asked Manager Nevad to read it. (see attached) The main objective is to be sure that all checks have the Manager's signature on them and place total responsibility on the City Manager for enforcement of the Policy. Mayor Davis made a motion to adopt this policy, seconded by Council Member Spradlin and after discussion passed on a unanimous vote. (5-0)

D: IN-SERVICE TRAINING:

Council Member Baird asked Manager Nevad to read the proposed Policy.(see attached) Council Member Baird made a motion to adopt this policy, seconded by Council Member Pugh. The Policy was discussed for clarification on the time of training , when it is to be held, and is to include all management and that it be mandatory. Mayor Webster asked if the City has a problem with drugs. Manager Nevad stated that drug testing is done by DOT regulations and that there is no problem. The vote on the motion was unanimous. (5-0)

E: COMPUTER PURCHASE PROGRAM:

Attorney Thompson stated that this was discussed last month, in regard to the City purchasing computer for employees. Council Member Spradlin stated that he wanted to remove this from the Agenda and he would present this at a later time when he feels he can present a plan that would be beneficial to the City and the employee.

F: WITHDRAWAL OF RZ-96-006-DAVID BOWEN:

Clerk Garbutt read a letter (see attached) from Mr. Bowen asking that this be removed. Council Member Spradlin made a motion to accept the request of withdrawal, seconded by Council Member Bailey and approved unanimously. (5-0)

G: PUBLIC HEARINGS: **AX-96-002 THOMAS D. WOOD**
 AX-96-003 STEVE HENRY
 AX-96-005 WILLIAM H. MALONEY

Council Member Bailey made a motion to go into a Public Hearing to include the application for annexation from the above referenced properties, the motion was seconded by Council Members Baird and Pugh. The vote on the motion was unanimous. (5-0).

Consultant Don McFarland explained the location of the properties with two (2) located on Highway 20 and one (1) across the street. The request is for annexation and a zoning classification of BG. He reviewed this and explained the classifications of OI and BG. One (1) track has been designated for a car lot with maintenance and the other two (2) have not been identified for proposed use. The Planning Commission heard the request and they have recommended that this property not be annexed due to the opposition which was expressed at the Planning Commission meeting by the citizens living in that area..

Mr. Terry Cohron stated that the use for the parcel closest to the sub-division has not been decided and the other parcel located on Highway 20 has been designated as a car lot. He explained why the property owners wants a favorable decision from the Council.

Mrs. Angie Lamb spoke against the annexation and rezoning of this property as commercial. She brought out all the reasons why the property owners in this sub-division do not want this property to be brought into the city for commercial use. She stated that those present feel that it will be detrimental to the community. She asked that the Council take into consideration the feeling of the residents in this community.

Mr. Ronald Puckett spoke in opposition to the annexation and rezoning. He gave reasons why he does not want this property annexed and rezoned. He asked that the Council take these request of the citizens seriously. He stated he really does not oppose the annexation, but he feels that it should not be zoned commercial. He does not want the nice community destroyed with commercialism.

Mr. Trey Curtis spoke in opposition to this matter. He feels that this will be a environmental and noise concern. His biggest concern was that there has been no site plan for the property. He asked that those in agreement with what has been stated, please raise their hands. Most of those present agreed with him.

Mrs. Meg Avery spoke in opposition to this annexation and rezoning, and she asked that the Council listen to the citizens. She feels this is not the type of commercialism that Sugar Hill needs.

Council Member Bailey made a motion to go back into the Regular Session, seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0)

Council Member Bailey made a motion to deny the application of the applicant, seconded by Mayor Pro Tem Davis.

Council Member Spradlin stated that he opposes this for the same reasons the citizens expressed. He also feels that that this needs to be looked at very closely in the future so that both property owners can be satisfied. Council Member Baird stated that Highway 20 is a thoroughfare and he feels that it will be made into a four lane highway and sooner or later will be commercial, but he agrees with the residents who have spoken tonight.

Mayor Pro Tem Davis stated he read last week that you can tell when your neighborhood is shot when a used car lot goes up there and they have a big yellow sign that reads, We Tote The Note.

Council Member Pugh stated that it is not that the City does not want this property annexed into the City, but if these property owners return in a 90 day period and request a zoning of OI, he asked could the fee be waived. This was discussed with Attorney Thompson giving the options which the Council may have.

Mr. Cohron explained why this was brought before the Zoning Board and he does not wish to destroy anyone's life style they presently have.

Council Member Spradlin asked if this could be zoned by the county. This was discussed. The Council also discussed the withdrawal and what options the property owners have.

The main concern was that there was no site plans for two (2) of the parcels and no planned use. Mrs. Lamb stated that they have been told that Gwinnett County would not rezone the property as requested. After all discussion, the vote on the motion was unanimous. (5-0)

H: PUBLIC HEARING FOR AX-96-004 SHERLA HOLLOWAY

Council Member Bailey made a motion to enter into a Public Hearing to consider application for AX-96-004-Sherla Holloway, seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0)

Consultant Don McFarland stated the proposed use is for a Boat Sale operation and the request has been reviewed and the Zoning Board made a recommendation that it be approved. No one was present to speak for or against this annexation and zoning.

Council Member Spradlin made a motion to go back into Regular Session, seconded by Council Member Pugh. The vote on the motion was unanimous. (5-0)

Council Member Spradlin made a motion to approve the annexation, seconded by Council Member Pugh. Council Member Spradlin asked Mr. McFarland to explain what surrounded the property. After more discussion, the vote on the motion was unanimous. (5-0)

I: PUBLIC HEARING RZ-96-007 JAMES BURGGRAAF:

Council Member Bailey made a motion to go into a Public Hearing to hear RZ-96-007, seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0) Consultant McFarland explained that they were requesting this be made a HMI zoning for mini warehouse or storage facility. The Planning Commission recommended this be approved. Mr. Guy Abernathy, representing the owners of the property, presented pictures and diagrams of what the facility will look like after it is constructed. He gave the location and use of the property as office and ware house facilities.

Council Member Spradlin made a motion to go into Regular Session, seconded by Council Member Baird and unanimously passed. (5-0)

Council Member Spradlin made a motion to approve the request with a stipulation that it is used for a mini storage warehouse, the motion was seconded by Council Members Baird and Pugh. Council Member Bailey asked what was the restriction for and Council Member Spradlin stated that he wanted to be sure that it was used for the purpose it was proposed for. The motion passed on a unanimous vote. (5-0)

CITIZEN'S AND GUEST'S COMMENTS:

Mr. Ronald Puckett thanked the Council for their decision on the rezonings on Highway 20 and stated that they were a good Council and he appreciates them.

Mrs. Rose Payne spoke on the revising of the Comprehensive Plan for the City of Sugar Hill. She appreciates the Council listening to the requests of the citizens. She explained the requirements on the Comprehensive Plan and gave a brief history of the completion of the Comprehensive Plan, and why it is important to the City for the public to be included in preparing the Comprehensive Plan.

Mrs. Meg Avery expressed dismay at the negative article in the paper concerning the discharge of the effluent into the Chattahoochee River, from the Waste Water Plant, at the Golf Course. She discussed the possibility of enormous fines. She asked about the statement read by Council Member Spradlin and made some remarks concerning the shut down of the Golf Course. She expressed her feelings on how the money is spent within the budget.

Mrs. Rose Payne asked why the cameras were not at the meeting and was told that the City did not know why they were not there, maybe for the Veterans Holiday.

Council Member Spradlin asked for a ten (10) minute recess.

NEW BUSINESS:

A: CITY MANAGER REVIEW:

Council Member Pugh stated that he has been very pleased with the performance of the City Manager and he would like to propose that Manager Nevad receive a 5% increase in salary. Council Member Spradlin seconded the motion with a stipulation that it be retroactive to the anniversary date in August. Council Member Baird expressed appreciation to Manager Nevad, Mayor Pro Tem Davis and Council Member Bailey and Mayor Webster also expressed appreciation for Manager Nevad's work. The vote on the motion was unanimous. (5-0)

B: TENNIS CLINIC:

Council Member Baird expressed appreciation for all the help on the Youth Golf Clinic. He would like to see that on an ongoing basis and he wants to have a Tennis Clinic at E.E. Robinson Park in the Spring. There was a consensus on this by the Council. Council Member Spradlin asked that the Recreation Board be included in the plans and this was a proposal by Council Member Baird. Council Member Spradlin thanked Council Member Baird for his work on the Golf Clinic.

C: REPORT ON FUTURE COMMUNITIES COMMISSION:

Council Member Spradlin showed the report from the Future Communities Commission which was appointed by the State Legislature and stated that he hoped that the other members of Council have reviewed this document. He reported that he and Clerk Garbutt have attended two (2) meetings, one (1) in Gainesville, and one (1) at the GMA Building. He feels this is an attempt to get rid of small cities. His one word for the document is "DANGEROUS". He read the recommendations which puts emphasis on combination of services and consolidation. This document has caused much controversy from the cities in Georgia as to how it will affect the smaller cities. This was discussed and Consultant McFarland stated that he sent one of his staff to one (1) of the Town Hall meetings and that there are cities from every area of Georgia which are deeply concerned with the report. GMA has appointed a Task Force which is working hard to convey the feelings of all the GMA cities to the Future Communities Commission. This was discussed with much interest by the Council as to the route this action may take for Georgia cities. The attempt to make this mandatory seems to make it a violation of the sovereignty of the cities. He asked the Council to read this and understand it and stated that he intends to keep on top of this. Clerk Garbutt stated that she thinks this will be discussed at the Gwinnett County Municipal Association on Tuesday night, November

12th at Little Gardens in Lilburn. Council Member Bailey asked that the Council make an effort to meet with the County at the breakfast before the legislature convenes in January.

D: ACCEPT APPLICATION AX-96-006 SUGAR VALLEY JOINT VENTURE:

Consultant McFarland presented an application which has already heard and tabled and the process is having to start again because of the time frame. It is from the Oaks at Lanier and the City must accept the application if it meets legal standards. Council Member Spradlin stated that he would be glad to assist in this in any way to facilitate the meetings between the groups. Council Member Spradlin made a motion to accept this application, seconded by Council Member Pugh and passed by unanimous vote. (5-0)

CITY CLERK'S REPORT:

Clerk Garbutt reported that a Public Hearing will be held before the December Council Meeting at 7:00 P.M. to decide on the use of excess revenue over budgeted amount from Occupational Taxes.

City employees will observe Thanksgiving Holidays on November 28th and 29th.

The GMA Meeting will be at Little Gardens in Lilburn tomorrow night, Tuesday, November 12th. Those wishing to go are Council Members Bailey, Pugh and Spradlin, Manager Nevad and Clerk Garbutt. Mayor Pro Tem Davis will let staff know later if he can attend.

CITY MANAGER'S REPORT:

City Manager Nevad reported that Hessie Lane, Frontier Drive and Pine Tree Circle have been resurfaced recently through the LARP Program and all yard trash is being handled to comply with the ban placed by EPD.

Staff will be working with EPD to enhance the spray irrigation at the Golf Course. He expressed his appreciation for the support given him by the Council.

COUNCIL REPORTS:

Council Member Pugh stated he is very dissatisfied with the North East Gwinnett Cable Vision coverage and total lack of quality. No one has seen the meeting from last month.

Council Member Spradlin apologized for being long winded tonight, and thanked the Council for keeping politics out of the business. He expressed appreciation for the service from Manager Nevad over the past two (2) years.

Council Member Baird expressed appreciation to Manager Nevad. He thanked the people for coming out and expressing their views. He thanked the Council for the way they work.

Council Member Bailey added his blessings to the other comments.

Mayor Webster thanked the Council for doing what the citizens wishes them to do. He stated that is what the Council is here for.

EXECUTIVE SESSION:

Council Member Pugh made a motion, at 9:25 P.M. to enter into Executive Session to discuss possible litigation and personnel with Attorney Thompson. Council Member Baird seconded the motion which passed on a vote of 4-0 with Council Member Spradlin abstaining. Council Member Davis stated he would have to leave due to work commitments. Mayor Webster called for a ten (10) minute recess.

The Executive Session ended at 10:40 P.M. on a motion by Council Member Bailey, seconded by Council Member Pugh and unanimously passed by those present. (4-0)

There was no action taken out of the Executive Session.

A Budget Work Session and Benefit Review Session was scheduled for Saturday, November 23, 1996 at 9:00 A.M. at City Hall.

ADJOURNMENT:

Council Member Pugh made a motion to adjourn at 10:43 P.M., seconded by Council Member Bailey and unanimously passed by those present. (4-0)

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the following sections of the DEVELOPMENT REGULATIONS OF THE CITY OF SUGAR HILL be amended as follows:

1. Section 6.13.1 of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:

"a. Sidewalks shall be provided within all single family subdivisions.

b. Sidewalks shall be provided along the street from which a multi-family development has access.

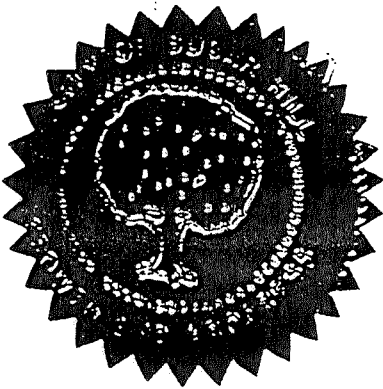
c. Sidewalks shall be provided along all streets adjoining a non-residential development."

2. Section 6.13.2 (a) of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:

"a. Sidewalks shall be required adjacent to both sides of internal subdivision streets."

These amendments shall become effective January 1, 1997.

IT IS SO ORDAINED this 11 Day of November, 1996.



Tim High
Council Member

Steven C. Bailey
Council Member

Steland Baurd
Council Member

Charles A. Spradlin
Council Member

Rabon H. Davis
Council Member

Attest: Burns B. Garland
City Clerk

Submitted to Mayor: November 11, 1996

Approved by Mayor, this 11 day of November, 1996

Larry J. Webb
Mayor

Check Signature Policy

1.1.0 Purpose: To provide a mechanism to facilitate an orderly systematic process for check signatures.

1.2.0 Objective: To place total responsibility upon City Manager for enforcement and implementation of check signature policy.

1.3.0 Guidelines:

1.3.1 All checks require two (2) signatures.

1.3.2 The Mayor and City Manager are responsible for check signatures when both officials are available.

1.3.3 The City Manager's signature is required on all checks except in the absence of the City Manager when a check is required to complete a transaction.

1.3.4 Upon absence, the City Manager shall designate the City Clerk to sign checks with the Mayor. Should the Mayor or City Clerk be absent, the Mayor Pro Tem's signature is required if available. Should the Mayor and City Clerk be absent, one (1) of the following staff members shall sign checks with the Mayor Pro Tem:

- 1) Deputy Clerk;
- 2) City Accountant;
- 3) Personnel Officer.

Upon the City Manager's return, a copy of all checks signed shall be submitted to the City Manager

1.3.5 During the Mayor's absence, the City Manager and City Clerk shall sign checks. If the City Clerk is absent, the City Manager and Mayor Pro Tem if available shall sign checks.

Section 3 - In-service Training of Employees

Each department shall:

- a) Provide an employee with a copy of his/her job description as written by the personnel office.
- b) During each job evaluation, review job description with employee.
- c) Department heads or supervisor shall have at least one day of in-service training per month with employees on the above procedures,
- d) Department heads or supervisor shall have at least one day of safety training per month with employees in order to address specific areas which effect the safety of his/her department. This training will not replace the training required by the safety committee which is given by the City Manager's Administrative Assistant.
- e) The Drug Enforcement Officer shall present training sessions on a regular basis in order for the City to receive a Drug Free Work Place status from G. M. A.
- f) Attendance records will be kept of each training session for job procedures, safety meetings, and substance abuse.
- g) Certificates of attendance will be issued and placed in employee personnel files after each day of in-service training

Address to Council

Delivered October 14, 1996

by Charles A. Spradlin

Cable Cameras?

John F. Kennedy: "An error doesn't become a mistake until you refuse to correct it."

Well Gentlemen, we have made a lot of mistakes.

Elected office is political by nature but that doesn't mean we have to get involved in the political games. We are at a critical point in the development of Sugar Hill. Growth isn't coming, it's here! The past mistakes which have haunted all of us and have destroyed what should otherwise be a Great Place.

Things like...

- Dead animals in mail boxes
- Personal family court papers being mailed to various people
- Tea bags thrown about on driveways
- Letters of assault - sometimes slanderous, being in overaboundous
- Namecalling (i.e. "puppets, birds, squirrels, nuts")
- An elected official (of this board) actually calling an opposing candidate's minister.

Now, these things are all related to a campaign race.

Bad or good, agree or disagree, campaigns are political. They should never cross into unrelated personal affairs, but they are political just the same.

During a heated campaign many political issues come to bear...

But in Sugar Hill the heat never cools.

Not here, not we have things like...

- 400 screaming residents being put on ignore over a landfill issue
- Elected officials having their lives threatened,
(someone actually tried to run my wife over at the local grocery store one day.)
- Countless Ethics charges with no community motive, only vindictive, conspirative attacks
- The general vicious assaults with felony accusations not to help, purely to hurt.
- Undeserved statements like "raped and pillaged" thrown about at will.

- When one official sold railroad ties without council approval, there were people who wanted that official taken from his family and jailed.
- When a controversial issue was brewing some tactics attempted bordered blackmail to sway one's thinking
- Issues like Christmas bonuses and staff raises being brought out late, after executive sessions, to avoid poor public perception.
- Just hiding the business of the city from the public in general.
- Issues being conducted with minimal notice purely to avoid resistance.
- When allegations of sexual impropriety were floating around, one official called the spouse of a supposedly involved party and informed them of the rumors.
- A church was denied a steeple because a few people didn't like how the church conducted business on another issue.
- A Thanksgiving Turkey Drive to help the needy was turned into an accusation nightmare.
- A children's Christmas party was severely tainted by those same politics.
- The applauding of speakers who seem to be politically supportive
- An informative newsletter, a great concept, destroyed by political chaos , not really because it was bad.
- Correspondence being delayed when action needs to be immediate
- Stripping of keys to City Hall
- Residents coming up to the podium threatening to shoot people.
- Allowing the questionable nature of the absentee ballots to remain questionable.
- Challenging in court, elections on technicalities, not wrong doing
- The infamous Sunset Drive episode where political favors seemed obvious.
- The asphalt plant, who will ever forget the asphalt plant?
- We put on a play to improve staff conditions and offer it to all citizens, is it any surprise that only a handful of people showed up?

With all of this ugliness, I actually regret holding this office. The mayor resigned recently, rightfully so, because politics dictate decorum here, not leadership. I considered resigning as well, but for a few good people who gave me hope. The mayor has decided to stay on and so shall I. Who knows what next year will bring, but we have today.

Now, let's talk about today...

Remember, not everything is bad,

- We have a water system sale, a great move handled professionally, not emotionally.
- We have a Great Staff in the city overcoming some big obstacles
- We have a superb Golf Course and a **Great** computer system.
- We have many residents who are interested in this city, and work to make it better.

This is good! And today... today I come to you with a promise..

[Read oath here]

and I Charles A. Spradlin promise that for this day forward, I will conduct the duties of my office professionally, in a business like manner and to never engage in politics outside of campaign season. I promise to work to improve our community and our lives and will always do so honestly and up front.

I also come here today to ask, no to beg, that each of you, not just the Mayor and Council, but each of you, to join me in this promise. We have the power to stop all this insanity, so let's stop it here and now!

PLANNING AND ZONING BOARD OF APPEALS
MONDAY, OCTOBER 28, 1996 - 7:30 P.M.

The Planning and Zoning Board of Appeals met on Monday, October 28, 1996 at 7:30 p.m.

Those present were: Chairman Ed Phillips, Vice Chairman Rick January, Board Member Ed Entrekin, Administrative Assistant Kim Landers, Acting Planning Director Don McFarland and Building Official Tony Bauman. Those absent were: Board Members Bill Parker and Clyde Story.

Chairman Ed Phillips called the meeting to order at 7:30 p.m. and led in the pledge to the flag.

Chairman Ed Phillips read Mr. Bagley's letter of resignation and stated that he appreciated his time for serving as a member on the Appeals Board. Chairman Ed Phillips also welcomed Ed Entrekin as a member of the board along with swearing him in.

Reading and Approval of Previous Minutes

Chairman Ed Phillips made a motion to approve the minutes from the August 26, 1996 meeting with the stipulation that in the last paragraph, before the adjournment section, second line to the last where it reads; "that is remain", be changed to; "that it is to remain", seconded by Vice Chairman Rick January and approved unanimously by those present.

Variance Request

96-02030 Lord Fabrication & Services Inc. is requesting to eliminate the requirement for the paved private driveway. Steven M. Lord was present to speak on behalf of the variance request and informed the board members on his intent for this request. Discussion held. Mr. Lord informed the members of the board that there were approximately 7 trucks per week coming in and out of the site and that the new addition would not cause any increased traffic to this operation. Chairman Rick January made a motion to approve this variance with the stipulation that no loading or unloading materials be conducted from the rear side of the new building addition, seconded with an added amendment by Board Member Ed Entrekin to include that the site be properly graded and maintained to allow proper drainage and minimize dust generation. Approved unanimously by those present.

96-02076 J.W. Bailey is requesting a variance pertaining to Zoning Ordinance Section 612. (Metal Building Regulations) for the front facia of the building. J.W. Bailey was present to inform the board members on his intent for this request. Mr. Bailey informed the board members that when he purchased his permit to construct this building he was not aware, nor informed of the requirement that the exterior of the building which abuts a public street had to be constructed with a minimum of architectural treatment of brick, glass, wood, stucco, stone or mansard. Upon purchasing his permit on May 28, 1996 he also placed an order for the metal building which included an extra expense for a premium baked on paint for all outside panels in order to assure a good appearance to this building. On August 7, 1996 when the Building Official inspected the footing for this building submitted a letter to Mr. Bailey informing him of this ordinance requirement and this is why Mr. Bailey is

requesting this variance. Vice Chairman Rick January made a motion to grant this variance request taking into consideration the construction style of the building, the overhang which faces Nelson Brogdon Boulevard, and the fact that the accessibility to the building is not off Nelson Brogdon Boulevard but is off Stanley Street, seconded by Chairman Ed Phillips and approved unanimously by those present.

96-02137 The Forum Group is requesting a variance to reduce the buffer from 50' to 20'. Guy Abernathy representative for The Forum Group informed the members of the board that this property, 7 acres out of 20, is currently being rezoned to General business for the use of a combination of mini warehouses along with office warehouses and professional services. This property currently zoned HSB (Highway Service Business) and owned by The Forum Group, surrounds the Holbrook property which is zoned RS-150 (Single Family - Residential). Mr. Holbrook has informed Tom Cantaneze with The Forum Group that his intention is to one day sell the property for Commercial, therefore, he does not have a problem with this request for the buffer reduction (letter submitted from Mr. Holbrook). Chairman Ed Phillips made a motion to reduce the buffer to 20' along the eastern edge of the Holbrook property with the stipulation that the existing trees and additional trees proposed be established, seconded by Board Member Ed Entrekin and approved unanimously by those present.

Adjournment

Chairman Ed Phillips made a motion to adjourn, seconded by Board Member Ed Entrekin and approved unanimously by those present.

Meeting adjourned 8:55 p.m.

Kimberly B. Sanders

ADMINISTRATIVE REPORT

PLANNING, ZONING, & BUILDING INSPECTIONS DEPARTMENT

OCTOBER 1996

PRINTED 11-04-96

PERMITS ISSUED DURING THE PERIOD 10/01/96 THROUGH 10/31/96

THIS REPORT WAS PRINTED ON NOVEMBER 4, 1996

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CITY OF SUGAR HILL

PERMIT TYPE AND DESCRIPTION	# OF PERMITS	VALUATION	FEES DUE	FEES PAID
AD - ADDITION/GARAGE PERMIT	2	0.00	2,468.98	2,468.98
AV - ADMINISTRATIVE VARIANCE	8	0.00	1,200.00	1,200.00
AX - ANNEXATION APPLICATION	1	0.00	350.00	350.00
CG - CLEARING & GRUBBING PERMIT	1	0.00	0.00	0.00
CT - CONSTRUCTION/SALES TRAILERS	1	0.00	200.00	200.00
EC - ENERGY CODE AFFIDAVIT	37	0.00	0.00	0.00
EL - ELECTRICAL AFFADAVIT	42	0.00	0.00	0.00
FP - FENCE PERMIT	5	0.00	0.00	0.00
ME - HEATING/AIR AFFADAVIT	38	0.00	0.00	0.00
MH - MOBILE HOME INSTALLER AFFIDAVIT	1	0.00	0.00	0.00
MI - MISCELLANEOUS-COMPLIANCE PERMIT	13	0.00	316.50	316.50
MN - MOBILE HOME INSPECTION NEW	1	0.00	100.00	100.00
PL - PLUMBING AFFADAVIT	40	0.00	0.00	0.00
PP - POOL PERMIT	1	0.00	50.00	50.00
RF - REVIEW FEES	4	0.00	3,280.00	3,280.00
RM - REMODELING PERMIT	2	0.00	306.20	306.20
RZ - REZONING APPLICATION	1	0.00	350.00	350.00
SB - STORAGE BUILDING/GARAGE	1	0.00	25.00	25.00
SF - SINGLE FAMILY RESIDENTIAL	35	3,108,284.00	26,180.40	26,180.40
SP - SIGN PERMIT	1	0.00	25.00	25.00
- TRADE LICENSE REGISTRATION	18	0.00	180.00	180.00
- TAP & METER PAYMENTS	31	0.00	8,835.00	8,835.00
VA - APPEALS VARIANCE	1	0.00	150.00	150.00
TOTALS FOR ALL PERMIT TYPES	287	3,108,284.00	44,015.08	44,015.08

BASE FEE TRANSACTION SUMMARY DURING THE PERIOD 10/01/96 THROUGH 10/31/96

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CITY OF SUGAR HILL

TRANS. DATE	#	RESIDENTIAL 1000-0001	COMMERCIAL 1000-0002	MISCELLANEOUS 1000-0003	MOBILE HOMES 1000-0004	DEVELOPMENT 1000-0005	GAS 1000-0006	WATER 1000-0007	SEWER 1000-0008
10/01/96	3	50.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00
10/03/96	10	1889.00	0.00	20.00	0.00	0.00	855.00	0.00	0.00
10/04/96	2	1200.00	235.00	0.00	0.00	0.00	0.00	0.00	0.00
10/07/96	2	175.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10/08/96	14	1213.00	0.00	0.00	0.00	0.00	2280.00	0.00	0.00
10/09/96	7	2039.40	0.00	10.00	0.00	0.00	1710.00	0.00	0.00
10/10/96	3	545.00	0.00	20.00	0.00	0.00	285.00	0.00	0.00
10/11/96	2	0.00	0.00	0.00	0.00	0.00	570.00	0.00	0.00
10/14/96	5	640.00	0.00	10.00	0.00	0.00	1140.00	0.00	0.00
10/15/96	8	39.00	2417.98	10.00	200.00	0.00	855.00	0.00	0.00
10/16/96	1	0.00	500.00	0.00	0.00	0.00	0.00	0.00	0.00
10/17/96	3	0.00	0.00	10.00	0.00	0.00	570.00	0.00	0.00
10/18/96	1	0.00	0.00	0.00	0.00	0.00	285.00	0.00	0.00
10/21/96	4	0.00	0.00	10.00	100.00	0.00	570.00	0.00	0.00
10/22/96	10	3828.60	0.00	10.00	0.00	0.00	1995.00	0.00	0.00
10/23/96	6	1063.00	0.00	20.00	0.00	0.00	855.00	0.00	0.00
10/24/96	4	360.00	0.00	0.00	0.00	0.00	1140.00	0.00	0.00
10/25/96	8	2257.40	0.00	0.00	0.00	0.00	1710.00	0.00	0.00
10/28/96	5	479.50	0.00	30.00	0.00	0.00	250.00	0.00	0.00
29/96	4	1265.00	25.00	10.00	0.00	0.00	285.00	0.00	0.00
10/30/96	11	2057.00	0.00	0.00	0.00	0.00	1710.00	0.00	0.00
10/31/96	11	2196.20	0.00	20.00	0.00	0.00	1995.00	0.00	0.00
TOTALS		21297.10	3177.98	200.00	300.00	0.00	13060.00	0.00	0.00

Non-Existing Categories 0.00
 Current Categories 44035.08
 =====
 Grand Total 44035.08

THIS REPORT WAS PRINTED ON NOVEMBER 4, 1996

CITY OF SUGAR HILL

<< STATISTICAL BREAKDOWN >>

<----- Inspections ----->				<----- Re-Inspections ----->			Based On # Activities
# ACTIVITIES	INSPECTIONS (1)	PASSED	CORRECTIONS	RE-INSPECTIONS (2)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
366	247	153	91	119	67	31	122
% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED	
	67	62	37	33	73	28	33

INSPECTOR ID BREAKDOWN

TONY - BUILDING OFFICIAL - 169
JOE - ASST. INSPECTOR - 197

TOTAL INSPECTIONS - 366

1995-1996 COMMERCIAL PROJECTS LIST

UPDATED 10-04-96

CHANGE DEVELOPMENT BUILDING CERTIFICATE OF
FROM TO PERMIT OCCUPANCY

PROJECT NAME	ADDRESS	ANNEXED	REZONED	FROM	TO	DEVELOPMENT PERMIT	BUILDING PERMIT	OCCUPANCY
BELL SOUTH TOWER	6190 SUWANEE DAM ROAD					02-07-95	01-27-95	05-26-95
JETS & PUMPS INC.	675 NORTH PRICE ROAD						02-07-95	08-31-95
GOLF COURSE CLUBHOUSE	6094 SUWANEE DAM ROAD						04-04-95	03-02-96
SONNY SMITH TRUCKING	663 BUFORD HIGHWAY					08-15-95	08-17-95	TEMP CO 02-16-96
FREDRICK EQUIPMENT BLDG.	N.G. CENTER BLDG 4 SUITE D					08-25-95	08-25-95	03-02-96
WINNETT GASTROENTEROLOGY	4700 HIGHWAY 20						09-05-95 RM	01-29-96
BLACKBUSTER VIDEO	1496 BUFORD HIGHWAY					09-18-95	09-18-95	01-29-96
S.H. UNITED METHODIST CHURCH GY	4600 HIGHWAY 20					09-27-95	10-17-95	TEMP CO 03-27-96
	7-274-004 A PORTION OF		12-11-95	HM-1	BG			
N.G. DENTAL CARE	4901 ALTON TUCKER BLVD.						12-08-95 RM	04-12-96
DR. MICHAEL PHELAN	4530 NELSON BROGDON BLVD.					01-02-96	01-03-96	
MEMORIES OF A LIFETIME	4450 HIGHWAY 20 SUITE						01-05-96 RM	01-26-96
B.T. BALTIMORE	7-253-008							
CITIZENS BANK	4450 HIGHWAY 20 SUITE		01-08-96	HM-1	BG			
SUGAR HILL STATION SHELL ADDITION	1498 BUFORD HIGHWAY						01-19-96 RM	08-14-96
INCHAPPE TESTING SERVICES	1180 BUFORD HIGHWAY						02-06-96	01-29-96
COLONIAL LIGHTING	120 PEACHTREE INDUSTRIAL BLVD.					01-11-96	02-27-96	03-29-96
JOHNSON REALTY	4450 HIGHWAY 20 SUITE		12-11-95	HM-1	BG	02-07-96	03-11-96	07-03-96
PAPA JOHN'S	1498 BUFORD HIGHWAY SUITE B						03-18-96	04-12-96
FABRIC CARE DRY CLEANERS	1498 BUFORD HIGHWAY SUITE A						04-09-96 RM	07-03-96
MAIL BOXES ETC.	1498 BUFORD HIGHWAY SUITE C						04-30-96 RM	06-28-96
VARI BEST HOMES	5610 HIGHWAY 20		05-13-96	RS-150	OI		10-04-96	
CAR CARE AMERICA	07-253-013 A PORTION OF		06-10-96	HM-1	BG	09-24-96	09-25-96	
SWAIN STEWART	7-292-025 HIGHWAY 20		APPLICATION WITHDREW 5-28-96				06-06-96 RM	08-14-96
SHONEY'S	4500 HIGHWAY 20						07-11-96	
G.A. EXPO INC.	350 BUFORD HIGHWAY					07-18-96	08-15-96	
JACKSON SERVICES	4614 PINECREST DRIVE							
AAMCO PAVING	355 BROGDON ROAD		10-09-95	HM-1	HM-2	05-14-96 RECINDED	7-11-96	
BRICKTON PARTNERS	4705 HIGHWAY 20					06-12-96		
ONEX DEVELOPMENT	5000 HIGHWAY 20					06-20-96		
BUFORD PRESBYTERIAN CHURCH	1242 BUFORD HIGHWAY					08-06-96		
ROBERT S. JORDAN	7-274-002A		*		LM			
SUGAR VALLEY JOINT VENTURE	7-307-009 A PORTION OF	*			AF	RS-100		
THOMAS D. WOOD	7-307-009 & 7-307-001	*			AF	RS-100		
STEVEN HENRY	7-321-066 HIGHWAY 20	*			R-100	BG		
WILLIAM MALONEY	7-321-052 HIGHWAY 20	*			R-100	BG		
CHARLES HOLLOWAY	7-321-031 HIGHWAY 20	*			R-75	BG		
JAMES BURGGRAAF	679 BUFORD HIGHWAY 23	*			M-1	LM		
M.P. EQUIPMENT	7-258-005 BUFORD HIGHWAY 23	*			HSB	HM-1		
	380 BUFORD HIGHWAY							

* PUBLIC HEARINGS BEING HELD

SUBDIVISION LOT AVAILABILITY LIST
Updated 11-04-96

Available Lots	Subdivision	Near What Major Street	Permits		C.O.'s		Lots Not		City	
			Issued	Issued	Issued	Issued	Built On	Built On	Gas	Gas
92	Abingdon Place	Whitehead Road	78		60		14		X	X
102	Arbor Clos	Highway 20	59		30		43		X	X
112	Bent Creek	Level Creek Road	110		110		2		X	X
7	Brandon Oaks	Austin Garner Road	6		6		1			
26	Brookside at Parkview	Parkview Mine Drive	26		25		0		X	X
39	Emerald Lakes IV	Cumming Highway	36		29		3		X	X
57	Hillcrest Crossing	Hillcrest Drive					57		X	X
33	Hillcrest Glenn	Hillcrest Drive	17		2		16		X	X
131	Lakefield Forest	Level Creek Road	128		124		3		X	X
174	Princeton Oaks	Riverside Road	146		129		28		X	X
81	Richland Creek Unit I	Sycamore Road	21		13				X	X
106	Saddle Tree	Suwanee Dam Road	44		28		62		X	X
116	Secret Cove	Old Suwanee Road	116		114		0		X	X
96	Sugar Crossing	Austin Garner Road	95		78		1		X	X
34	Sugar Hill Plantation	Old Cumming Highway	2				32		X	X
178	Sycamore Summit	Sycamore Road/Riverside Road	178		176		0		X	X
14	The Lakes at Riverside	Riverside Road	13		13		1			
51	The Links	Suwanee Dam Road	12		3		39			
114	The Oaks at Lanier	Highway 20	114		99		0		X	X
84	The Springs I	Highway 20	63		46		21		X	X
50	West Price Hill	West Price Road	47		46		3		X	X

1996 INSPECTION'S DEPARTMENT MONTHLY REPORT

UPDATED 11-04-96

PERMIT TYPES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD TOTAL
AD - ADDITION/GARAGE PERMITS	1	1	0	2	0	2	3	1	0	2			12
CM - COMMERCIAL	1	3	3	0	0	1	1	1	1	0			11
CT - CONSTRUCTION/SALES TRAILER	0	0	1	0	1	2	0	4	2	1			11
DL - DEMOLITION	0	0	0	0	0	0	0	1	0	0			1
DP - DEVELOPMENT PERMIT	2	3	2	0	2	3	1	2	3	0			18
FP - FENCE	4	1	2	5	2	7	3	2	1	6			33
GP - GRADING PERMIT	0	1	1	0	0	0	0	0	0	0			2
MI - MISCELLANEOUS/COMPLIANCE	6	9	6	8	7	12	6	8	12	13			87
MN - NEW MOBILE HOME	0	5	2	1	0	2	0	1	5	1			17
PP - POOL PERMIT	0	0	3	2	0	1	0	0	0	1			7
RF - REVIEW FEES	0	0	0	0	0	0	1	3	4	4			12
RM - REMODELING PERMITS	2	1	1	3	2	1	2	0	1	2			15
SB - STORAGE BUILDING	2	2	1	2	2	2	0	2	2	1			16
SF - SINGLE FAMILY	27	18	30	31	34	16	26	24	41	36			283
SP - SIGN PERMIT	2	5	2	1	2	3	4	4	3	1			27

AV - ADMINISTRATIVE VARIANCE	2	5	7	15	3	2	4	4	7	8			57
VA - APPEALS VARIANCE	0	1	0	0	9	0	0	2	2	1			15

AX - ANNEXATION APPLICATIONS	0	0	0	0	0	0	1	0	3	1			5
RZ - REZONING APPLICATIONS	0	0	1	1	0	2	1	0	4	1			10

CERTIFICATES OF OCCUPANCY	10	23	32	19	29	25	27	27	22	25			239

GAS TAPS ISSUED	31	45	35	60	50	37	39	35	55	67			454

BUILDING INSPECTIONS	215	248	433	352	277	284	280	270	288	366			3013

CITY OF SUGAR HILL

PERIODIC REPORT OF PERMITS ISSUED (GROUPED BY REPORT CODE)

TE RANGE: 10/01/96 TO 10/31/96

Printed on: NOVEMBER 4, 1996

	CODE	PRMS	VALUATION	FEES	DUE	UNITS
NEW RESIDENTIAL HOUSEKEEPING BLDGS:						
* Single Family Houses Detached	101	36	3,108,284.00	26,180.40	0	
* Single Family Houses Attached	102	0	0.00	0.00	0	
* 2 Family Building	103	0	0.00	0.00	0	
* 3 and 4 Family Buildings	104	0	0.00	0.00	0	
* 5 or More Family Buildings	105	0	0.00	0.00	0	
NEW RESIDENTIAL NON-HOUSEKEEPING BL:						
* Hotels, Motels & Tourist Cabins ..	213	0	0.00	0.00	0	
* Other Non-Housekeeping Shelter ...	214	0	0.00	0.00	0	
NEW NON-RESIDENTIAL BUILDINGS:						
* Amusement, Social, & Recreational	318	0	0.00	0.00	0	
* Churches & Other Religious	319	0	0.00	0.00	0	
* Industrial	320	0	0.00	0.00	0	
* Prkng Garages (Blds & Open Decked)	321	0	0.00	0.00	0	
* Service Stations & Repair Garages	322	0	0.00	0.00	0	
* Hospitals & Institutional	323	0	0.00	0.00	0	
* Offices, Banks, & Professional ...	324	0	0.00	0.00	0	
* Public Works & Utilities	325	0	0.00	0.00	0	
* Schools & Other Educational	326	0	0.00	0.00	0	
* Stores & Customer Services	327	0	0.00	0.00	0	
* Other Non-Residential Bldgs	328	0	0.00	0.00	0	
* Structures Other than Buildings ...	329	0	0.00	0.00	0	
ADDITIONS, ALTERATIONS, & CONVERSION						
* Residential	434	1	0.00	49.00	0	
* Non-Residential & Non-Housekeeping	437	1	0.00	2,417.98	0	
* Adds of Resid. Garages (Atch/Detc)	438	0	0.00	0.00	0	
DEMOLITIONS AND RAZING OF BUILDINGS:						
* Single Family Houses (Atch/Detach)	643	0	0.00	0.00	0	
* 2 Family buildings	645	0	0.00	0.00	0	
* 3 & 4 Family Buildings	647	0	0.00	0.00	0	
* 5 or More Family Buildings	648	0	0.00	0.00	0	
* All Other Buildings and Structures	649	0	0.00	0.00	0	
TOTALS FOR PERMITS SHOWN ABOVE						
	38		3,108,284.00	26,647.38	0	
Totals of other permits in the period						
	249		0.00	15,367.70	0	
TOTAL FOR ALL PERMITS IN THE PERIOD						
	287		3,108,284.00	44,015.08	0	

**FINANCE REPORT
NOVEMBER 1996**

We received the 1996 Premium Tax on October 17, 1996 in the amount of \$160,760.51 which is \$8,000+ more than budgeted. I transferred \$100,000 into the Georgia I Fund on October 23, 1996 and the amount now in the Georgia Fund is approximately \$845,000.

We continue to work on the 1997 Budget . The first Work Session with the Council will be on Wednesday, November 6th at 6:00 P.M. in the Community Center. After we hold this Work Session we will hold another, (if needed), before the December 9, 1996 Council Meeting. We will need to have the 1997 Budget completed by December 9th so it can be approved at that Council Meeting. If it is not approved then, we will have to call a Special Meeting to approve the 1997 Budget before January 1, 1997.

To date, October 31, 1996, we have received approximately \$24,000 in 1996 Property Taxes.

We will be paying the GMA Equipment Lease Pool the 1996 payment in the amount of \$33,677 by the end of November. We have this money in an escrow account and it will be transferred for payment by the end of the month. I have placed in the 1997 Budget the amount of \$34,000 which will cover our 1997 payment amount which will be due in November of 1997. We will set up an escrow account, beginning January 1997, with \$654 per week deposited, to fund this payment when due.

The Golf Course recorded another record month, for October, of \$101,183.30. This certainly helps with the daily cash flow.

I mailed five (5) Request for Proposals, due back to the City by December 2, 1996, for Audit services for the 1996 Audit. Manager Nevad and I will review these proposals and report at the December 1996 Council Meeting.

REVENUES/INCOME AND EXPENDITURES/EXPENSES REPORT 1996

OCTOBER

DEPARTMENT: BUDGET '96 '95YD: '96YD: PERCENT: NET '96
'96YTD: YTD-BUDGET:

Administration:					
Revenues	\$1,034,470	\$784,751	\$707,342	68.38%	\$327,128
Expenditures	\$850,752	\$547,027	\$650,193	76.43%	\$200,559
Net Income:	\$183,718	\$237,724	\$57,149	31.11%	\$126,569
Inspections:					
Revenues	\$71,800	\$103,229	\$170,320	237.21%	(\$98,520)
Expenditures	\$150,405	\$100,290	\$127,842	85.00%	\$22,563
Net Income:	(\$78,605)	\$2,939	\$42,478	-54.04%	(\$121,083)
Street:					
Revenues	\$78,800	\$73,775	\$41,870	53.13%	\$36,930
Expenditures	\$311,003	\$260,412	\$272,976	87.77%	\$38,027
Net Income:	(\$232,203)	(\$186,637)	(\$231,106)	99.53%	(\$1,097)
Sanitation:					
Income	\$378,000	\$250,873	\$295,045	78.05%	\$82,955
Expenses	\$378,000	\$284,176	\$236,409	62.54%	\$141,591
Net Income:	\$0	(\$33,303)	\$58,636	#DIV/0!	(\$58,636)
Gas:					
Income	\$2,454,500	\$1,612,316	\$2,286,611	93.16%	\$167,889
Expenses	\$2,223,879	\$889,727	\$2,098,344	94.36%	\$125,535
Net Income:	\$230,621	\$722,589	\$188,267	81.63%	\$42,354
Water:					
Income	\$0	\$550,539	\$20,340	#DIV/0!	(\$20,340)
Expenses	\$0	\$566,530	\$104,291	#DIV/0!	(\$104,291)
Net Income:	\$0	(\$15,991)	(\$83,951)	#DIV/0!	\$83,951
Sewer:					
Income	\$0	\$621,739	\$35,272	#DIV/0!	(\$35,272)
Expenses	\$0	\$820,785	\$307,810	#DIV/0!	(\$307,810)
Net Income:	\$0	(\$199,046)	(\$272,538)	#DIV/0!	\$272,538
Golf:					
Income	\$901,000	\$714,725	\$916,184	101.69%	(\$15,184)
Expenses	\$901,000	\$544,415	\$673,525	74.75%	\$227,475
Net Income:	\$0	\$170,310	\$242,659	#DIV/0!	(\$242,659)
Total Income:	\$4,918,570	\$4,711,947	\$4,472,984	90.94%	\$445,586
Total Expenditures/	\$4,815,039	\$4,013,362	\$4,471,390	92.86%	\$343,649
Expenses					
Variances	\$103,531	\$698,585	\$1,594	1.54%	\$101,937

OCTOBER 1996

GAS DEPARTMENT MONTHLY REPORT

NO#	SUPR REC	BLDR REQUEST	SUBDIVISION	LOT#	COMPLETED
01	09/26/96	09/26/96	5001 NELSON BROGDEN BLVD.		10/01/96
02	09/17/96	09/17/96	5375 SUWANEE DAM ROAD		10/01/96
03	06/25/96	09/24/96	SADDLE TREE	39A	10/02/96
04	08/22/96	09/26/96	ABINGDON PLACE	15A	10/03/96
05	08/06/96	09/24/96	DEER VALLEY	11A	10/3/96
06	09/26/96	09/26/96	HIGHLANDS @ BRIDGEGATE	18B	10/3/96
07	09/30/96	09/30/96	5165 WEST PRICE ROAD		10/03/96
08	06/28/96	09/30/96	SUGAR CROSSING	45A	10/04/96
09	07/23/96	09/30/96	SUGAR CROSSING	59A	10/04/96
10	05/06/96	09/25/96	THE LINKS	25A	10/07/96
11	06/04/96	10/02/96	SUGAR CROSSING	18B	10/07/95
12	08/21/96	09/22/96	DEER VALLEY	5A	10/10/96
13	08/05/96	09/23/96	DEER VALLEY	7A	10/10/96
14	08/13/96	10/02/96	ARBOR CLOS	123B	10/14/96
15	08/01/96	10/08/96	DEER VALLEY	6A	10/14/96
16	08/06/96	10/08/96	DEER VALLEY	12A	10/14/96
17	08/05/96	10/08/96	DEER VALLEY	8A	10/14/96
18	10/08/96	10/08/96	LENOX PARK	1A	10/14/96
19	10/08/96	10/08/96	LENOX PARK	2A	10/14/96
20	10/08/96	10/08/96	LENOX PARK	175A	10/14/96
21	05/13/96	09/09/96	OAKS @ LANIER	15A	10/14/96
22	07/24/96	10/09/96	RICHLAND CREEK	5A	10/14/96
23	07/24/96	10/09/96	RICHLAND CREEK	6A	10/14/96
24	08/21/96	10/10/96	ABINGDON PLACE	12A	10/15/96
25	02/13/96	10/10/96	EMERALD LAKES	53C	10/15/96
26	07/24/96	10/09/96	RICHLAND CREEK	4A	10/15/96
27	08/21/96	10/16/96	ASCOT	13C	10/16/96
28	07/23/96	10/11/96	ASCOT	22A	10/16/96
29	09/16/96	10/11/96	ASCOT	126A	10/16/96
30	10/10/96	10/10/96	704 OLD CLIMMING HWY		10/17/96
31	10/14/96	10/14/96	OAKS @ RIVERSIDE	3A	10/21/96
32	10/21/96	10/21/96	OAKS @ RIVERSIDE	4A	10/21/96
33	10/14/96	10/21/96	OAKS @ RIVERSIDE	7A	10/21/96
34	02/13/96	10/10/96	EMERALD LAKES	50A	10/22/96
35	10/16/96	10/16/96	HIGHLANDS @ BRIDGEGATE	4C	10/22/96
36	10/16/96	10/16/96	HIGHLANDS @ BRIDGEGATE	5C	10/22/96
37	10/16/96	10/16/96	HIGHLANDS @ BRIDGEGATE	6C	10/22/96
38	10/14/96	10/14/96	ROSEMOORE LAKE	45C	10/22/96
39	07/29/96	10/15/96	THE SPRINGS	17A	10/22/96
40	09/16/96	10/15/96	OAKS @ LANIER	38B	10/23/96
41	09/16/96	10/15/96	OAKS @ LANIER	39B	10/23/96
42	09/16/96	10/02/96	ARBOR CLOS	235B	10/23/96
43	07/11/96	10/16/96			
44	08/29/96	10/16/96			
45	09/16/96	10/16/96			
46	09/16/96	10/16/96			
47	09/16/96	10/10/96			
48	08/29/96	10/16			
49	08/29/96	10			
50	08/29/96				
51	08/29/96				
52	08/29				
53	08				
54					
55					
56					

1996 GAS DEPARTMENT REPORT							Sheet 1			
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY			
NEW SERVICES ADDED	32	33	32	32	33	56	40			
LENGTH IN FEET	2,080	3,185	2,284	2,165	2,815	4,370	3,267			
TYPE OF MATERIAL	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC			
SIZE OF PIPE	5/8"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"			
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A			
GAS LEAKS	24	20	11	9	9	12	31			
CORROSION CAUSED	2	0	0	7	0	0	0			
OUTSIDE FORCES	0	0	0	0	0	0	0			
MATERIAL DEFECT	7	3	1	2	0	0	0			
CUT OFF VALVE LEAKS	1	5	4	0	0	0	0			
LOW PRESSURE	3	35	4	6	1	0	0			
METERS REPLACED	12	4	0	0	0	0	0			
REGULATORS REPLACED	11	3	0	0	0	0	0			
REGULATORS RESET	0	1	0	3	0	0	1			
CUSTOMER SIDE	2	4	0	4	1	0	0			
NO LEAKS FOUND	8	7	5							
THIRD PARTY CUT LINES										
BILLED	12	13	11	6	6	8	12			
PAYMENTS RECEIVED	11	10	9	4	5	6	5			
OUTSTANDING	6	5	8	2	0	2	3			
KILLED SERVICES	7	12	13	15	20	24	26			
LENGTH IN FEET	0	0	4	0	0	0	0			
TYPE OF MATERIAL	N/A	N/A	PL & STL	0	0	0	0			
SIZE OF PIPE	N/A	N/A	5/8" & 3/4"	0	0	0	5/8" & 3/4"			
NEW MAINS PUT INTO SERVICE										
LENGTH IN FEET	0	0	1	2	1	1	0			
TYPE OF MATERIAL	N/A	N/A	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC			
SIZE OF MAIN	N/A	N/A	2" & 4"	2"	2"	4"	N/A			
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A			
LOCATES	149	186	263	200	364	322	315			

Shei

[illegible]

DRAINAGE DEPARTMENT

October 1996

DATE	WORK PERFORMED
1ST - 4th	Began work on Oak Grove Dr. - Cut a section of driveway to remove broken piping and tie-in new piping. Began cutting ditch for installation of 18" pipe. Filled in and packed sink hole at catch basin on Cardigan Trace.
7th - 11th	Continued cutting ditch on Oak Grove Dr. Installed 100' of 18" pipe. Installed silt fence on property at 4442 White Oak Dr. - Seed and hay back yard to side fence.
14th-18th	Reworked and placed fencing to original site at 4442 White Oak Dr. - Installed more silt fencing. Graded yard from side fence to catch basin. Flushed ditch line on S. Roberts Dr. at empty lot. Installed approximately 200' of 15" pipe provided by the property owner.
21st-25th	Returned to Oak Grove Dr. Cut 2 driveways and continued cutting ditch and installing pipe. Also began construction of catch basin on Oak Grove Dr. Installed about 100' of 15" pipe. Hauled dirt to 1539 Hidden Cir. and filled in sink hole. Formed and poured all 3 driveways on Oak Grove Dr.
28th-31st	Completed installation of pipe on Oak Grove Dr. Graded entire area and seed & hay approximately half. Started dressing up at creek. Seed and hay from side yard to catch basin on White Oak Dr. Barricaded and roped off ditches on Roberts Dr. and S. Roberts Dr. to protect "trick-or-treaters". Met with residents to discuss piping ditches mentioned above.

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the following sections of the DEVELOPMENT REGULATIONS OF THE CITY OF SUGAR HILL be amended as follows:

1. Section 6.13.1 of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:
 - "a. Sidewalks shall be provided within all single family subdivisions.
 - b. Sidewalks shall be provided along the street from which a multi-family development has access.
 - c. Sidewalks shall be provided along all streets adjoining a non-residential development."
2. Section 6.13.2 (a) of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:

"a. Sidewalks shall be required adjacent to both sides of internal subdivision streets."

These amendments shall become effective January 1, 1997.

IT IS SO ORDAINED this _____ Day of _____, 1996.

Council Member

Council Member

Council Member

Council Member

Council Member

Attest: _____

City Clerk

Submitted to Mayor: _____

Approved by Mayor, this _____ day of _____, 1996.

Mayor

*So now
Charles
and Powers
50*



TO : Ms. Betty Garbutt, City Clerk
City of Sugar Hill
FROM: David R. Bowen
RE : Rezoning Application Submitted for Parcel #7275-006

Dear Ms. Garbutt:

Please accept this letter as my request to withdraw the rezoning application submitted by me to the City of Sugar Hill on the above referenced parcel (#7275-006).

I appreciate your assistance in this matter.

Sincerely,

A handwritten signature of David R. Bowen, written in dark ink, is positioned above the printed name.

David R. Bowen

bjs

"Building Quality Communities Since 1969"

P.O. Box 401

Buford, Georgia 30518

(404) 932-1187

AX-96-002

APPLICATION

**TOM WOOD
HIGHWAY 20**

02/03/05 inclusive

Pub Stone Bales

out Pugh
Baled 5-0

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9601847

TYPE: AX - ANNEXATION APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 QT

ADDRESS: 7-321-066

OWNER NAME: THOMAS D. WOOD

CONTRACTOR: DANS USED CARS

FEE DUE FROM: DANS USED CARS

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ANNEXATION APPLICATION RC# 113	1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check-773

PAID

RECEIVED

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: 7-0321-066 Total Number of Acres to be annexed: 2.5

It is requested that a zoning classification of (BG) General Business District be assigned to the property upon annexation. The property is currently zoned () R-200 in Gwinnett County.

Is this property vacant? ☒ yes ☐ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: THOMAS D. WOOD

Address: 2936 CARDINAL LAKE CIR.

City: DULUTH State: GA. Zip Code: 30136

Phone: 770-476-0607 Home SAME Work

Date: 8-28-96 Signature: Thomas D. Wood

ELECTOR (Registered Voter):

Name: THOMAS D. WOOD

Address: 2936 CARDINAL LAKE CIR.

City: DULUTH State: GA. Zip Code: 30136

Phone: 770-476-0607 Home SAME Work

Date: 8-28-96 Signature: Thomas D. Wood

Mayor & Council Annexation Application Acceptance Meeting Date: _____

P & Z Public Hearing: _____ Mayor & Council Public Hearing: _____

Deadline for submitting application in order to follow this schedule: _____

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: AX-96-002 ACCEPTED BY: Kim Sanders
DATE: 9-6-96 AMOUNT PAID: 35000 CHECK #: 0771

All that tract or parcel of land located in land lot 321 of the 7th district of Gwinnett County state of Georgia and being more particularly described beginning at a point on the North Easterly side of Georgia highway #20 from the center line of Sugar Ridge Drive 494.11 ft. at an iron pin thence running North $3^{\circ} 56' 16''$ East 448.72 ft. to an iron pin thence running S $88^{\circ} 41' 00''$ East 293.99 ft. to a rebar thence running S $16^{\circ} 36' 53''$ West 464.72 feet to a rebar thence running N $88^{\circ} 41' 00''$ West to the point of beginning.

LEGEND:

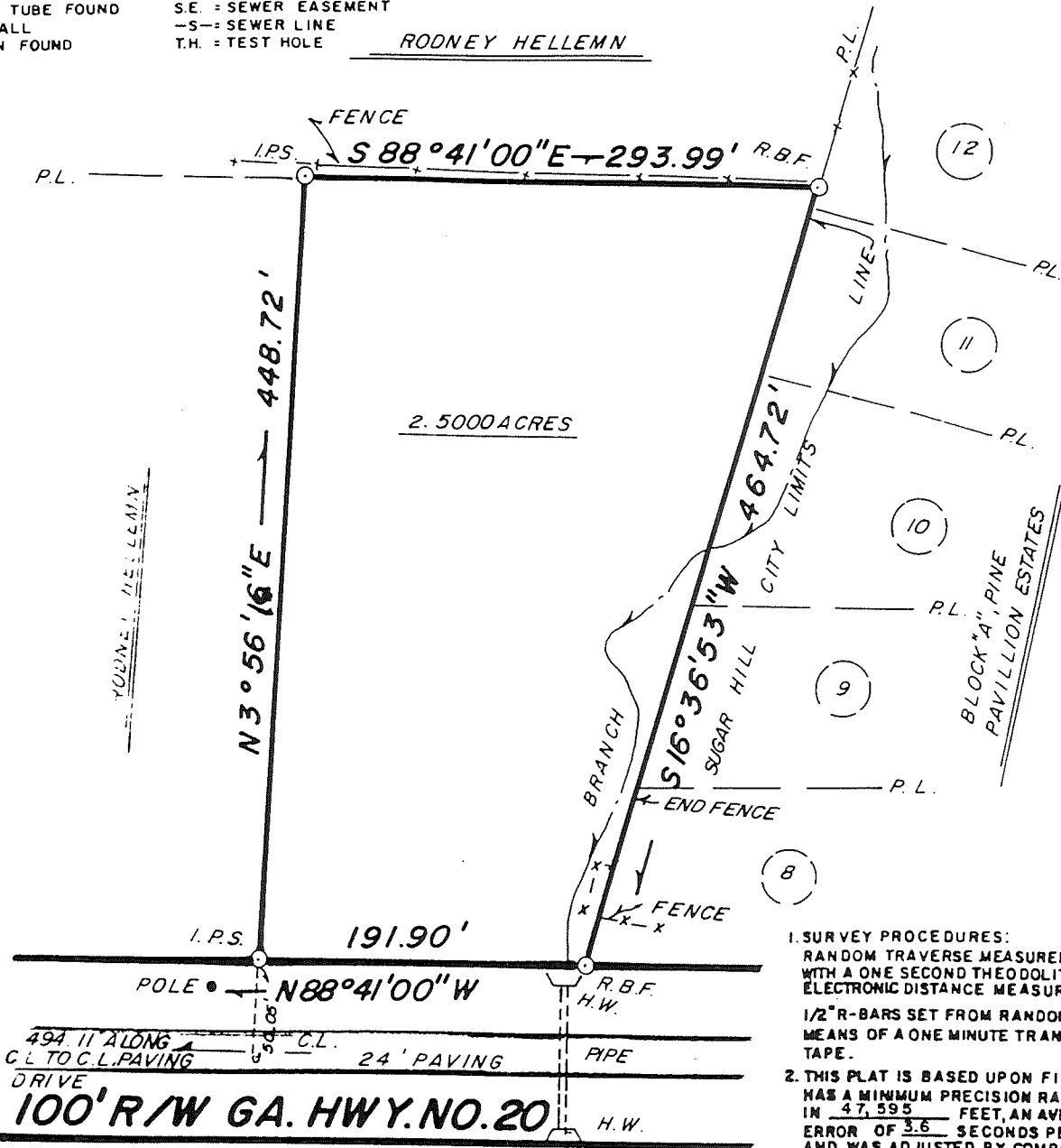
B.L. = BUILDING LINE
C.B. = CATCH BASIN
C.E. = CONSTRUCTION EASEMENT (TEMPORARY)
C.L. = CENTER LINE
D.E. = DRAINAGE EASEMENT
D.I. = DROP INLET
G.C.F. = GWINNETT COUNTY FLOOD HAZARD AREA (APPROX.)
H.T.F. = HOLLOW TUBE FOUND
H.W. = HEAD WALL
I.P.F. = IRON PIN FOUND

I.P.S. = IRON PIN SET ($\frac{1}{2}$ " R-BAR)
J.B. = JUNCTION BOX
L.L.L. = LAND LOT LINE
M.H. = MANHOLE
P.C. = POINT OF CURVATURE
P.T. = POINT OF TANGENCY
P.L. = PROPERTY LINE
R/W = RIGHT OF WAY
R.B.F. = R-BAR FOUND
S.E. = SEWER EASEMENT
-S- = SEWER LINE
T.H. = TEST HOLE

RODNEY HELLEMN

NOTES:

1. THIS PROPERTY IS LOCATED IN CENSUS TRACT 501
2. THIS PROPERTY IS LOCATED ON SHEET 608 OF THE FIA OFFICIAL FLOOD INSURANCE RATE MAP NUMBER 130322 DATED JUNE 15, 1981, COVERING GWINNETT COUNTY, GEORGIA AND (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.



1. SURVEY PROCEDURES:
RANDOM TRAVERSE MEASUREMENTS OBTAINED WITH A ONE SECOND THEODOLITE AND AN ELECTRONIC DISTANCE MEASURING DEVICE.
 $\frac{1}{2}$ " R-BARS SET FROM RANDOM TRAVERSE BY MEANS OF A ONE MINUTE TRANSIT AND STEEL TAPE.
2. THIS PLAT IS BASED UPON FIELD DATA WHICH HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 47,595 FEET, AN AVERAGE ANGULAR ERROR OF 3.6 SECONDS PER ANGLE POINT AND WAS ADJUSTED BY COMPASS RULE.
3. DATA SHOWN ON THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 452,697 FEET.

SURVEY FOR: **THOMAS WOOD**

LOT _____ BLOCK _____ LAND LOT 32 I of the 7th DISTRICT
UNIT _____ GWINNETT COUNTY, GEORGIA
SUBD. _____
DATE: 6-9-86
SCALE: 1" = 100' 0 50' 100' 200' 2.5000 ACRES

NO.	DATE	REVISION DESCRIPTION

HANNON, MEES & BAGWELL,
SURVEYORS & ENGINEERS, INC.
238 BUFORD DRIVE
LAWRENCEVILLE, GEORGIA 30245
TELEPHONE: (404) 963-7181

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW
Mack L. Meeks
MEMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA



CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9601848

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 QT ADDRESS: 7-321-066

OWNER NAME: THOMAS D. WOOD

CONTRACTOR: DANS USED CARS

FEE DUE FROM: DANS USED CARS

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
-----	-----	-----
ALL REZONINGS RC#113	1.00	350.00

SUBTOTAL OF ITEM AMOUNTS		350.00

Check-771

8-28-96

TO: CITY OF SUGAR HILL -

I FEEL THAT MY LAND, ZONED R-100 ON GA. HY. 20 IS NOT SUITABLE FOR RESIDENTIAL. BASED ON LAND BEING DEVELOPED AND POPULATION GROWTH IN THE AREA, TRAFFIC ON GA. HY. 20 HAS BECOME EXCESSIVE. SO AT THIS TIME I WOULD LIKE TO HAVE MY PROPERTY RE-ZONED COMMERCIAL.

THOMAS D. WOOD
Thomas D. Wood

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Sime</u>	NAME: <u>Thomas D. Wood</u>
ADDRESS: _____	ADDRESS: <u>2936 Cardinal Lake Dr</u>
CITY: _____	CITY: <u>Dubuque</u>
STATE: _____ ZIP: _____	STATE: <u>GA</u> ZIP: <u>30136</u>
PHONE: _____	PHONE: <u>770-476-0607</u>
CONTACT PERSON: <u>Terry Cochran</u>	
PHONE: <u>945-6736</u> FAX: _____	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
☒ OWNER'S AGENT	☐ PROPERTY OWNER ☐ CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>R-100</u> REQUESTED ZONING DISTRICT: <u>BG</u>	
LAND DISTRICT(S): <u>7</u> LAND LOT(S): <u>321</u> ACREAGE: <u>2.5</u> TAX ID#: <u>7-321-066</u>	
ADDRESS OF PROPERTY: _____	
PROPOSED DEVELOPMENT: _____	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

- ☐ Proposal is a Development of Regional Impact
☐ Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS _____
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET _____
GROSS DENSITY _____	DENSITY _____
NET DENSITY _____	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

YES

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

NO

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

~~YES~~ NO

D. Whether the proposed rezoning (or Special Exception) 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 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 rezoning.

YES

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-002

RECEIVED BY K. Sanders

DATE RECEIVED 9-9-96

REZONING 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 Mayor and Council.

Thomas D. Wood 8/28/96
Signature of Applicant Date

Thomas D. Wood.
Typed or Print Name and Title

[Signature] 8/28/96 NOTARY SEAL
Signature of Notary Public Date

Notary Public, Gwinnett County, Georgia
My Commission Expires July 8, 1998

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-002
RECEIVED BY K. Landers DATE RECEIVED 9-9-96

REZONING 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 Mayor and Council.

Thomas D. Wood 8/26/96
Signature of Owner Date

Thomas D. Wood
Typed or Print Name and Title

[Signature] 8/26/96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Chinnett County, Georgia
My Commission Expires July 9, 1998

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-002

RECEIVED BY K. Sanders DATE RECEIVED 9-9-96

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, 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.

Thomas D. Wood 8/28/96 Thomas D. Wood owner
Signature of Applicant Date Type or Print Name and Title

[Signature] 1/1/
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

[Signature] 8/28/96
Signature of Notary Public Date NOTARY SEAL

Notary Public, Gwinnett County, Georgia
My Commission Expires July 6, 1998

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 Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

NO (yes/no)

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

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

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-002
RECEIVED BY [Signature] DATE RECEIVED 9-9-96

McFarland ♦ Dyer & Associates, Inc.

Memorandum

To: City of Sugar Hill Planning Commission
Mayor and City Council of Sugar Hill

From: Don McFarland, McFarland - Dyer & Associates, Inc.

Date: October 14, 1996

Subject: Report and Recommendation AX-96-002 & AX-96-003
(Adjoining Sites)

Case Number: AX-96-002 & AX-96-003

Proposed Zoning: BG General Business

Existing Zoning: R-100 Single Family Residential (Gwinnett County)

Applicant: Thomas D. Wood and Steven Henry

Location: LL 321 - 7th District, Ga. Hwy. 20

Size: 2.5 acres each

Proposed Use: Unknown at this time

Analysis:

The sites are adjoining fronting on Ga. Hwy. 20 adjoining the Pavilion Estates Subdivision. Land Use within the immediate area consists of residential uses and scattered commercial uses along Ga. Hwy. 20 between Peachtree Industrial Blvd. and Suwanee-Dam Rd. The character of recent development within the area has been predominantly residential development with larger parcels being developed with lots fronting on interior roadways. The Comprehensive Plan adopted by Gwinnett County and the City of Sugar Hill has designated this area as low density residential. However, that same plan also has provisions for smaller parcels of land fronting along major thoroughfares to be considered for low intensive non-residential uses buffering residential uses to the rear.

Recommendation:

The change in zoning classification should be anticipated for a considerable number of parcels fronting along Ga. Hwy. 20. As these changes are considered, the use of the property should be the main concern of the review of each zoning or rezoning request. If a use is not proposed with a request, the only non-residential classification that should be considered should be an O-I Office Institutional District. This would allow office uses as the only use for properties that would be undesirable for residential lots fronting along a major thoroughfare. The zoning for the proposed tracts should be designated as O-I and deny the BG as requested unless plans showing uses are submitted.

LEGEND:

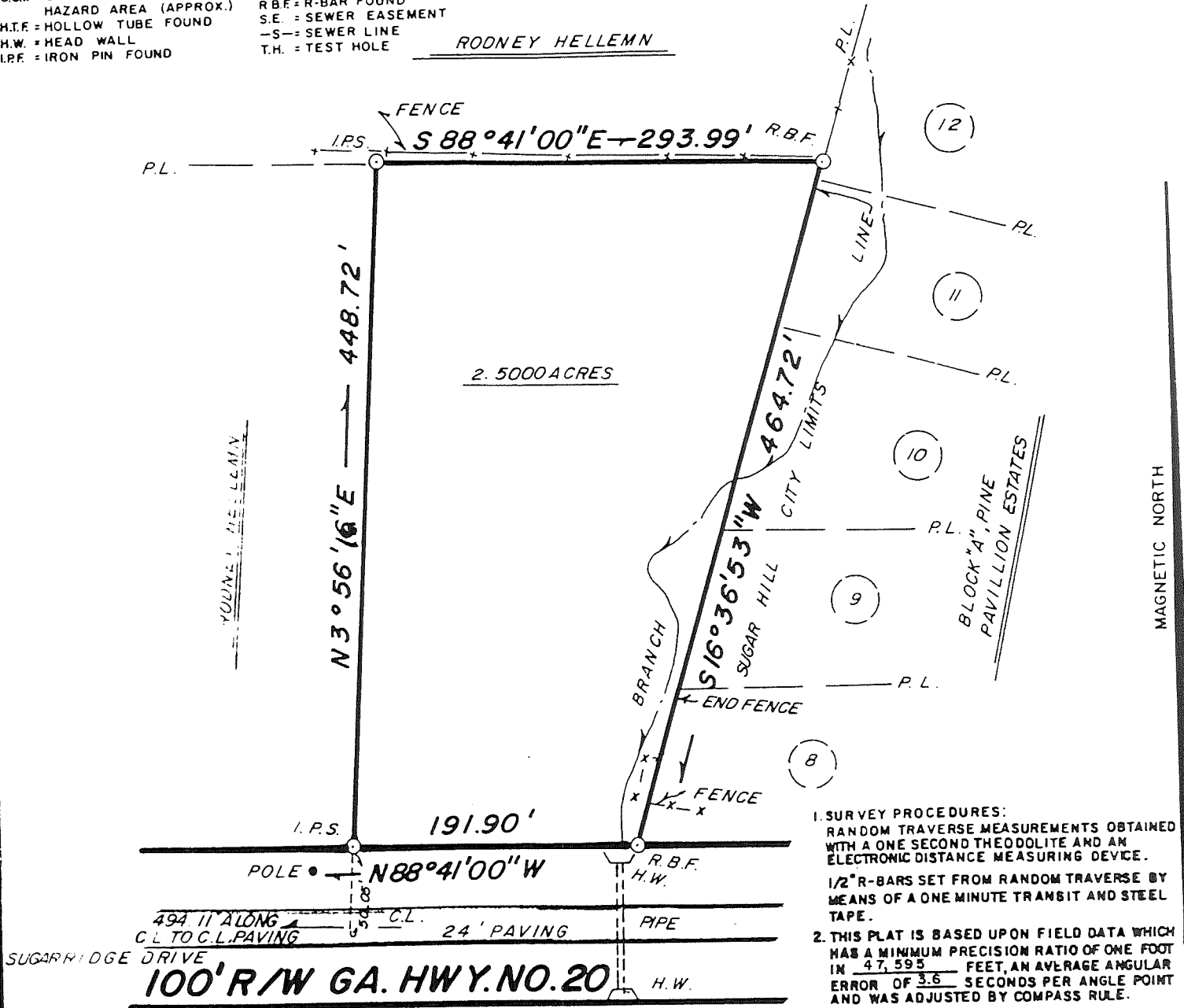
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H.T.F. = HOLLOW TUBE FOUND
H.W. = HEAD WALL
I.P.F. = IRON PIN FOUND

I.P.S. = IRON PIN SET (1/2" R-BAR)
J.B. = JUNCTION BOX
L.L.L. = LAND LOT LINE
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P.L. = PROPERTY LINE
R/W = RIGHT OF WAY
R.B.F. = R-BAR FOUND
S.E. = SEWER EASEMENT
-S- = SEWER LINE
T.H. = TEST HOLE

RODNEY HELLEMN

NOTES:

1. THIS PROPERTY IS LOCATED IN CENSUS TRACT 501
2. THIS PROPERTY IS LOCATED ON SHEET 608 OF THE FIA OFFICIAL FLOOD INSURANCE RATE MAP NUMBER 130322 DATED JUNE 15, 1981, COVERING GWINNETT COUNTY, GEORGIA AND (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS.



SURVEY FOR: **THOMAS WOOD**

LOT _____ BLOCK _____
UNIT _____
SUBD. _____

LAND LOT 32 I

of the 7th DISTRICT
GWINNETT COUNTY, GEORGIA

DATE: 6-9-86
SCALE: 1" = 100'

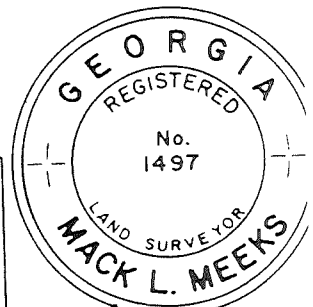
0 50' 100' 200' 2.5000 ACRES

HANNON, MEEKS & BAGWELL,
SURVEYORS & ENGINEERS, INC.
238 BUFORD DRIVE
LAWRENCEVILLE, GEORGIA 30245
TELEPHONE: (404) 963-7181

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW

[Signature]

MEMBER SURVEYING AND MAPPING SOCIETY OF GEORGIA



NO.	DATE	REVISION DESCRIPTION

AX-96-003

APPLICATION

**STEVEN HENRY
HIGHWAY 20**

CITY OF SUGAR HILL

PAGE

ITEM COUNT FOR FEE CALCULATION

TYPE: AX - ANNEXATION APPLICATION

PERMIT : 9601849

MASTER PERMIT: NOT FOUND

PROJECT: 96 QU

ADDRESS: 7-321-052

OWNER NAME: STEVEN HENRY

CONTRACTOR: DANS USED CARS

FEE DUE FROM: DANS USED CARS

CODE CNT

DESCRIPTION OF ITEMS SELECTED

QUANTITY

AMOUNT

ANNEXATION APPLICATION

RC# 113

1.00

350.00

SUBTOTAL OF ITEM AMOUNTS

350.00

Check-0772

PAID

CITY OF SUGAR HILL

All that tract or parcel of land lying and being in land lot 321 of the 7th district of Gwinnett County, Georgia and being more particularly described as beginning at a North Western side of Georgia highway #20 running along highway 20 313.6 feet from the center line of Sugar Ridge Drive to a rebar thence running N 8° 59' 48" West 455.61 feet to a rebar thence running S 88° 41' 00" East 293.99 feet thence running South 53° 56' 16" West 448.72 feet to an iron pin thence running North 88° 41' 00" West to the point of beginning.

GEND
 BUILDING LINE
 CATCH BASIN
 CONSTRUCTION EASEMENT
 (TEMPORARY)
 CENTER LINE
 DRAINAGE EASEMENT
 DROP INLET
 GWINNETT COUNTY FLOOD
 HAZARD AREA (APPROX)
 HOLLOW TUBE FOUND
 HEAD WALL
 IRON PIN FOUND

IPS = IRON PIN SET (1/2" R BAR)
 JB = JUNCTION BOX
 LLL = LAND LOST LINE
 MH = MANHOLE
 PC = POINT OF CURVATURE
 PT = POINT OF TANGENCY
 PL = PROPERTY LINE
 R/W = RIGHT OF WAY
 RBF = R-BAR FOUND
 SE = SEWER EASEMENT
 S = SEWER LINE
 PLTH = TEST HOLE

RODNEY HELLEMN

NOTES:

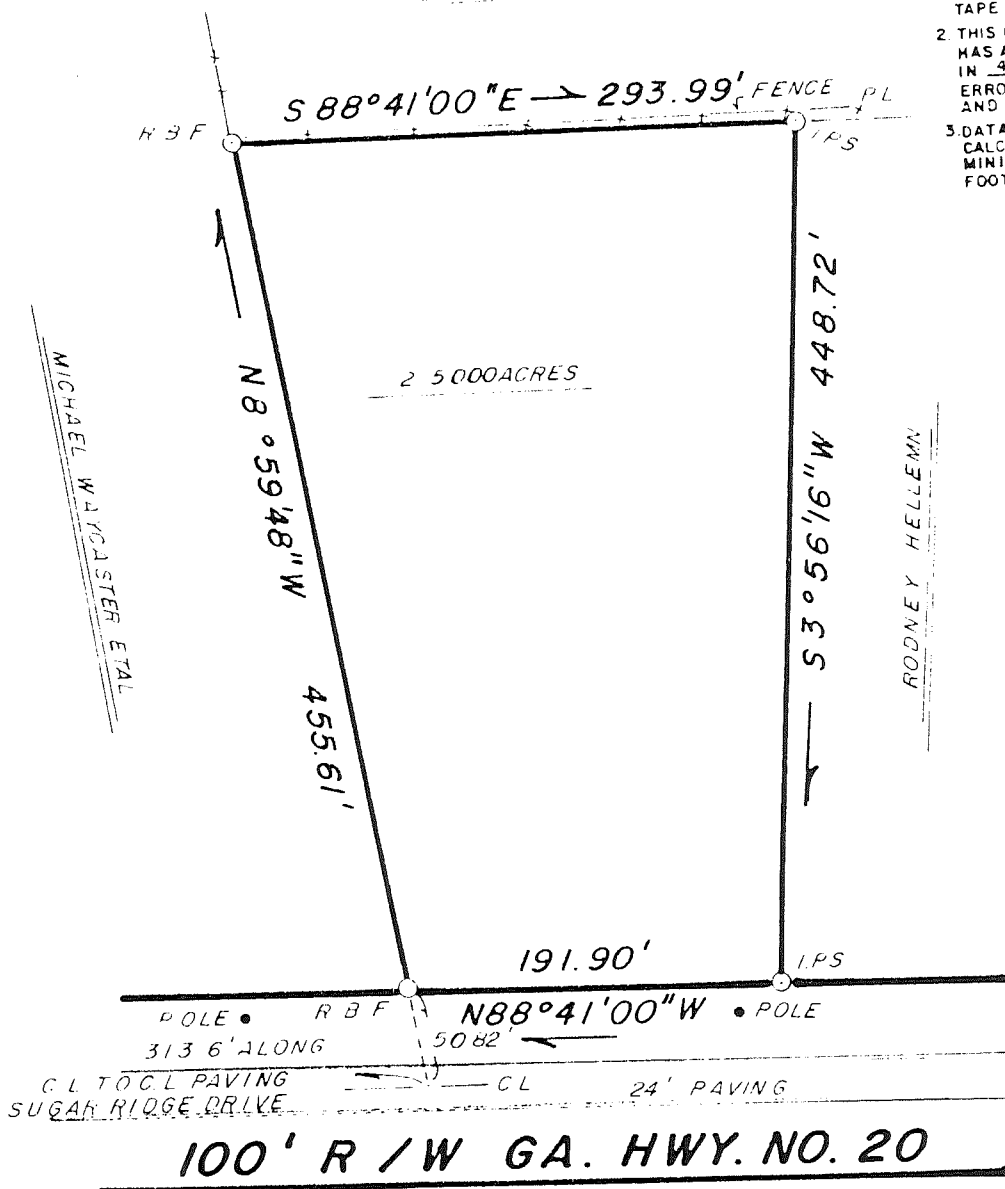
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1. SURVEY PROCEDURES.
RANDOM TRAVERSE MEASUREMENTS OBTAINED WITH A ONE SECOND THEODOLITE AND AN ELECTRONIC DISTANCE MEASURING DEVICE.

1/2" R-BARS SET FROM RANDOM TRAVERSE BY MEANS OF A ONE MINUTE TRANSIT AND STEEL TAPE

2. THIS PLAT IS BASED UPON FIELD DATA WHICH HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 47,595 FEET, AN AVERAGE ANGULAR ERROR OF 3.6 SECONDS PER ANGLE POINT AND WAS ADJUSTED BY COMPASS RULE

3. DATA SHOWN ON THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A MINIMUM PRECISION RATIO OF ONE FOOT IN 667,930 FEET.



AX-96-003

SURVEY FOR: STEVEN P. HENRY

LOT BLOCK LAND LOT 321

of the 7th DISTRICT
GWINNETT COUNTY, GEORGIA

DATE 6-9-86

SCALE 1"=100'

0 50' 100' 200' 2.5000 ACRES

GRAPHIC SCALE

HANNON, MEEKS & BAGWELL,
SURVEYORS & ENGINEERS, INC.

238 BUFORD DRIVE
LAWRENCEVILLE, GEORGIA 30045



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTE AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW

Mack L. Weeks

NO. DATE REVISION DESCRIPTION

CITY OF SUGAR HILL

PAGE 1

ITEM COUNT FOR FEE CALCULATION

TYPE: RZ - REZONING APPLICATION

PERMIT : 9601850

MASTER PERMIT: NOT FOUND

PROJECT: 96 QU

ADDRESS: 7-321-052

OWNER NAME: STEVEN HENRY

CONTRACTOR: DANS USED CARS

FEE DUE FROM: DANS USED CARS

DESCRIPTION OF ITEMS SELECTED

ALL REZONINGS

SUBTOTAL OF ITEM AMOUNTS

RC#113

QUANTITY

1.00

AMOUNT

350.00

350.00

Check-767

CITY OF SUGAR HILL

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>SAME</u>	NAME: <u>STEVEN HENRY</u>
ADDRESS: _____	ADDRESS: <u>5378 SECRETARIAT LN.</u>
CITY: _____	CITY: <u>SUGAR HILL</u>
STATE: _____ ZIP: _____	STATE: <u>GA</u> ZIP: <u>30518</u>
PHONE: _____	PHONE: <u>770-455-1211 WK.</u>
CONTACT PERSON: <u>TERMY COHRON</u>	
PHONE: <u>445-6736</u>	FAX: <u>932-4941</u>

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
☐ OWNER'S AGENT	☒ PROPERTY OWNER
☐ CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>R-100</u>	REQUESTED ZONING DISTRICT: <u>BG</u>
LAND DISTRICT(S): <u>7th</u>	LAND LOT(S): <u>321</u> ACREAGE: <u>2.5</u> TAX ID#: <u>7-321-052</u>
ADDRESS OF PROPERTY: _____	
PROPOSED DEVELOPMENT: _____	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

- ☐ Proposal is a Development of Regional Impact
☐ Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS _____
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET _____
GROSS DENSITY _____	DENSITY _____
NET DENSITY _____	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

YES

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

NO

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

NO

D. Whether the proposed rezoning (or Special Exception) 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 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 rezoning.

YES

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-003

RECEIVED BY Kim Landers

DATE RECEIVED 9-30-96

City of Sugar Hill
to whom it may concern

I would like for you to ANNEX my
property located on Hwy 20 Ajoining
Sugar Hill for joining the commercial
zoning. I have owned this property
for 13 yrs and don't feel that the
highest and best use is Residential due to
the heavy traffic along Highway 20
Thank you for your consideration
Steve Harg

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: 7-0321-052 Total Number of Acres to be annexed: 2.5

It is requested that a zoning classification of (BG) General Business be assigned to the property upon annexation. The property is currently zoned () 12-100 in Gwinnett County.

Is this property vacant? ☒ yes ☐ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: STEVEN HENRY
 Address: 5378 SECRETARIAT LN
 City: Buckhead State: GA Zip Code: 30518
 Phone: 770-455-1211 WK Home: _____ Work: _____
 Date: 9/6/96 Signature: [Signature]

ELECTOR (Registered Voter):

Name: _____
 Address: _____
 City: _____ State: _____ Zip Code: _____
 Phone: _____ Home: _____ Work: _____
 Date: _____ Signature: _____

Mayor & Council Annexation Application Acceptance Meeting Date: _____
 P & Z Public Hearing: _____ Mayor & Council Public Hearing: _____
 Deadline for submitting application in order to follow this schedule: _____

 PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: 4X-96-003 ACCEPTED BY: [Signature]
 DATE: 9-6-96 AMOUNT PAID: 350.00 CHECK #: 767

REZONING 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 Mayor and Council.

Steven Henry 9/6/96
Signature of Applicant Date

STEVEN HENRY
Typed or Print Name and Title

[Signature] 9/6/96
Signature of Notary Public Date NOTARY SEAL

Notary Public, Gwinnett County, Georgia
My Commission Expires July 8, 1999

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-003

RECEIVED BY Kim Sanders DATE RECEIVED 9-30-96

REZONING 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 Mayor and Council.

 9/16/96
Signature of Owner Date

Stelton Henry
Typed or Print Name and Title

 9/16/96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Chatham County, Georgia
My Commission Expires July 8, 1998

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-003
RECEIVED BY R. Landers DATE RECEIVED 9-30-96

REZONING CHECKLIST

The following is a checklist of information required for submission of a Rezoning or Special Exception application. The Planning and Development Department reserves the right not to accept any uncompleted applications.

☒ Application completed with all information needed attached and rezoning fee paid.

Other information required to be submitted with the application:

- ☒ Legal Description
- ☒ Boundary Survey
- ☐ Site Plan (this is optional)
- ☒ Letter of Intent (is requested)
- ☒ Applicant Certification
- ☒ Conflict of Interest/Campaign Contributions
- ☒ Adjoining Property Owner(s) of record List
- ☒ Development of Regional Impact
- ☒ Within 2,000 feet from the Chattahoochee River

I, Stelen Henry have completed all of the above.
(Printed Name)

Stelen Henry 9-16-96
Applicant Signature Date

Completed Date: ____/____/____

MAKE SURE THIS CHECKLIST IS RETURNED WITH THE REZONING APPLICATION.

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-003 ACCEPTED BY K. Landers

McFarland ♦ Dyer & Associates, Inc.

Memorandum

To: City of Sugar Hill Planning Commission
Mayor and City Council of Sugar Hill

From: Don McFarland, McFarland - Dyer & Associates, Inc.

Date: October 14, 1996

Subject: Report and Recommendation AX-96-002 & AX-96-003
(Adjoining Sites)

Case Number: AX-96-002 & AX-96-003

Proposed Zoning: BG General Business

Existing Zoning: R-100 Single Family Residential (Gwinnett County)

Applicant: Thomas D. Wood and Steven Henry

Location: LL 321 - 7th District, Ga. Hwy. 20

Size: 2.5 acres each

Proposed Use: Unknown at this time

Analysis:

The sites are adjoining fronting on Ga. Hwy. 20 adjoining the Pavilion Estates Subdivision. Land Use within the immediate area consists of residential uses and scattered commercial uses along Ga. Hwy. 20 between Peachtree Industrial Blvd. and Suwanee-Dam Rd. The character of recent development within the area has been predominantly residential development with larger parcels being developed with lots fronting on interior roadways. The Comprehensive Plan adopted by Gwinnett County and the City of Sugar Hill has designated this area as low density residential. However, that same plan also has provisions for smaller parcels of land fronting along major thoroughfares to be considered for low intensive non-residential uses buffering residential uses to the rear.

Recommendation:

The change in zoning classification should be anticipated for a considerable number of parcels fronting along Ga. Hwy. 20. As these changes are considered, the use of the property should be the main concern of the review of each zoning or rezoning request. If a use is not proposed with a request, the only non-residential classification that should be considered should be an O-I Office Institutional District. This would allow office uses as the only use for properties that would be undesirable for residential lots fronting along a major thoroughfare. The zoning for the proposed tracts should be designated as O-I and deny the BG as requested unless plans showing uses are submitted.

AX-96-005

APPLICATION

**WILLIAM MALONEY
HIGHWAY 20**

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9602119

TYPE: AX - ANNEXATION APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 TC

ADDRESS: 7-321-031

OWNER NAME: WILLIAM H. MALONEY

CONTRACTOR: WILLIAM H. MALONEY

FEE DUE FROM: WILLIAM H. MALONEY

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ANNEXATION APPLICATION RC# 113	1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check- 1515

P A I D

CITY OF SUGAR HILL

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: 7-321-31 Total Number of Acres to be annexed: 3.24⁺

It is requested that a zoning classification of (B5) General Business be assigned to the property upon annexation. The property is currently zoned (R) 75 in Gwinnett County.

Is this property vacant? ___ yes ☒ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: William H. Mahoney
Address: 5422 Hwy 20
City: Sugar Hill State: GA Zip Code: 30518
Phone: 932 3430 Home _____ Work _____
Date: Sept 25-96 Signature: Wm. H. Mahoney

ELECTOR (Registered Voter):

Name: William H. Mahoney
Address: 5422 Hwy 20
City: Sugar Hill State: GA Zip Code: 30518
Phone: 945-3430 Home _____ Work _____
Date: 9/25/96 Signature: Wm. H. Mahoney

Mayor & Council Annexation Application Acceptance Meeting Date: _____
P & Z Public Hearing: _____ Mayor & Council Public Hearing: _____
Deadline for submitting application in order to follow this schedule: _____

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: AX-96-005 ACCEPTED BY: Kim Landers
DATE: 10-2-96 AMOUNT PAID: 35000 CHECK #: 1515

9/25/96

City of Sugar Hill

I have property facing Hwy 20 that I would like to have annexed into the City limits of Sugar Hill. And that it be zoned to General Business. There is a lot of traffic on Hwy 20 and I feel that it is no longer ~~commercial~~ residential property and should be Commercial.

Thank you for your help.
William H. Maloney

All that tract or parcel of land, together with all improvements thereon, lying and being in Land Lot 321, 7th Land District, Gwinnett County, Georgia, containing 4.683 acres and being Tract No. 4 as shown on plat of survey prepared for G.M. Duval et al, by Hannon, Meeks & Bagwell, Surveyors, dated April 15, 1974, and revised April 13, 1979, recorded in Plat Book 10, Page 88, Gwinnett County Records, and being more particularly described as follows:

BEGINNING at a point on the southerly right-of-way of State Highway No. 20 at the centerline of a branch known as Annie Appling Branch and running thence in a southerly direction along the centerline of said branch and following the meanderings thereof a distance of 722 feet, more or less, to a point; thence South 25 degrees 43 minutes West a distance of 25.84 feet to a point on the easterly side of Sugar Ridge Drive; thence along the northeastern side of Sugar Ridge Drive, North 25 degrees 06 minutes West a distance of 90.6 feet to a point, and North 21 degrees 57 minutes West a distance of 59.7 feet to a point, and North 25 degrees West a distance of 100.7 feet to a point, and North 25 degrees 53 minutes West a distance of 54.8 feet to a point; and North 24 degrees 31 minutes West a distance of 100 feet to a point, and North 24 degrees 48 minutes West a distance of 100 feet to a point, and North 24 degrees 31 minutes West a distance of 100 feet to a point; and North 22 degrees 34 minutes West a distance of 100 feet to a point, and North 16 degrees 32 minutes West a distance of 34 feet to an iron pin on the southerly right-of-way of State Highway No. 20; thence South 88 degrees 41 minutes East along said right-of-way of State Highway 20 a distance of 640.3 feet to the point of beginning.

Less and except the following:

All that tract or parcel of land lying and being in Land Lot 321 of the 7th District of Gwinnett County, Georgia, containing 1.44 acres as shown on plat of survey from James F. and Alice D. Hornsby by S.R. Fields, Registered Land Surveyor, dated September 23, 1983, and being more particularly described as follows:

BEGINNING at an iron pin on the northeastern right-of-way of Sugar Ridge Drive, said point being 358.26 feet southeasterly from the intersection of the right-of-way of Georgia Highway 20 and the right-of-way of Sugar Ridge Drive as measured along the right-of-way of Sugar Ridge Drive; thence proceeding North 80 degrees 2 minutes 35 seconds East a distance of 330.60 feet to an iron pin; thence following a centerline of a branch which is the property line a distance of 444 feet, more or less, to an iron pin on the northeastern right-of-way of Sugar Ridge Drive; thence proceeding along the northeastern right-of-way of Sugar Ridge Drive North 25 degrees 6 minutes West a distance of 90.60 feet to a point; North 21 degrees 57 minutes West a distance of 59.7 feet to a point; North 25 degrees 0 minutes West a distance of 100.70 feet to a point; North 25 degrees 53 minutes West a distance of 54.8 feet to a point; North 24 degrees 31 minutes West a distance of 75.66 feet to an iron pin, the place or point of beginning.

c:\111733-A03Hornsby.lay

EXHIBIT

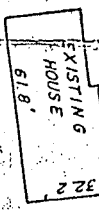
A

LEGEND:
 E/W = RIGHT OF WAY
 L/S = FROM AN SET
 L/S = FROM AN ROAD
 C/L = CENTER LINE
 N/L = NORTH LINE
 S/L = SOUTH LINE
 T/L = TIE LINE
 P = POWER LINE
 G = GAS LINE
 L/L = LAND LOT LINE

100' R/W GA. HWY. NO. 20

640.30'

3.231 ACRES



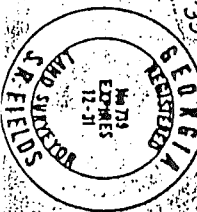
C.L. BRANCH IS P.L.
 302' ± ALONG C.L. BRANCH

SUGAR RIDGE DRIVE

- REFERENCES:
- 1.) PLAT FOR G.M. DUVAL ETAL BY HANNON, MEERS & BARNWELL DATED 4-15-74.
 - 2) HOUSE LOCATION FROM PLAT BY S.R. FIELDS DATED 7-5-79 FOR HARRY BLANKENSHIP.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

MEMBER GA. ASSN. REG. LAND SURVEYORS



JAMES F. & ALICE D. HORNSE

LAND LOT 32.1

CITY: LAWRENCEVILLE COUNTY: GWINNETT

DATE: 9-23-83

S. R. FIELDS, GWINNETT COUNTY SURVEYOR, REG. NO. 739

LAWRENCEVILLE

7 TH

STATE: GEORGIA

SCALE: 1

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9602120

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 TC

ADDRESS: 7-321-031

OWNER NAME: WILLIAM H. MALONEY

CONTRACTOR: WILLIAM H. MALONEY

FEE DUE FROM: WILLIAM H. MALONEY

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ALL REZONINGS RC#113	1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check- 1515

P A I D

CITY OF SUGAR HILL

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>William H. Maloney</u>	NAME: _____
ADDRESS: <u>5422 Hwy 20</u>	ADDRESS: _____
CITY: <u>Sugar Hill</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: _____ ZIP: _____
PHONE: <u>770 932 3430</u>	PHONE: _____
CONTACT PERSON: _____	
PHONE: _____ FAX: _____	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
____ OWNER'S AGENT	☒ PROPERTY OWNER
____ CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): <u>R-75</u>	REQUESTED ZONING DISTRICT: <u>B6</u>
LAND DISTRICT(S): <u>7</u>	LAND LOT(S): <u>321</u> ACREAGE: <u>324</u> TAX ID#: <u>7-321-031</u>
ADDRESS OF PROPERTY: <u>5422 Highway 20</u>	
PROPOSED DEVELOPMENT: <u>Commercial</u>	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

- ____ Proposal is a Development of Regional Impact
____ Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS _____
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET _____
GROSS DENSITY _____	DENSITY _____
NET DENSITY _____	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

YES

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

NO

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

NO

D. Whether the proposed rezoning (or Special Exception) 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 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 rezoning.

YES

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-005

RECEIVED BY Kim Sanders DATE RECEIVED 10-2-96

REZONING 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 Mayor and Council.

William H. Maloney 9/25/96
Signature of Applicant Date

William H. Maloney Owner
Typed or Print Name and Title

[Signature] 9/25/96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Gwinnett County, Georgia
My Commission Expires July 8, 1998

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-005

RECEIVED BY Kim Sanders DATE RECEIVED 10-2-96

REZONING 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 Mayor and Council.

Wm. H. Maloney 9/25/96
Signature of Owner Date

William H. Maloney Owner
Typed or Print Name and Title

[Signature] 9/25/96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, Gwinnett County, Georgia
My Commission Expires July 6, 1998

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-005

RECEIVED BY Kim Sanders DATE RECEIVED 10-2-96

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, 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.

Wm. H. Maloney / 9/25/96 William H. Maloney Owner
Signature of Applicant Date Type or Print Name and Title

[Signature] / 1/1/ _____
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

[Signature] / 9/25/96 _____
Signature of Notary Public Date NOTARY SEAL
Notary Public, Gwinnett County, Georgia
My Commission Expires July 6, 1998

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 Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

NO (yes no)

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

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

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER AX-96-005

RECEIVED BY Kim Sanders DATE RECEIVED 10-2-96

McFarland ♦ Dyer & Associates, Inc.

Memorandum

To: City of Sugar Hill Planning Commission
Mayor and City Council of Sugar Hill

From: Don McFarland, McFarland - Dyer & Associates, Inc.

Date: October 14, 1996

Subject: Report and Recommendation AX-96-005

Case Number: AX-96-005

Proposed Zoning: BG General Business

Existing Zoning: R-75 Single Family Residential (Gwinnett County)

Applicant: William H. Maloney

Location: LL 321 - 7th District, Ga. Hwy. 20

Size: 3.24 acres

Proposed Use: Unknown at this time

Analysis:

This site is across Ga. Hwy. 20 from the AX-96-002 & 003. Land Use within the immediate area consists of residential uses and scattered commercial uses along Ga. Hwy. 20 between Peachtree Industrial Blvd. and Suwanee-Dam Rd. The character of recent development within the area has been predominantly residential development with larger parcels being developed with lots fronting on interior roadways. The Comprehensive Plan adopted by Gwinnett County and the City of Sugar Hill has designated this area as low density residential. However, that same plan also has provisions for smaller parcels of land fronting along major thoroughfares to be considered for low intensive non-residential uses buffering residential uses to the rear.

Recommendation:

The change in zoning classification should be anticipated for a considerable number of parcels fronting along Ga. Hwy. 20. As these changes are considered, the use of the property should be the main concern of the review of each zoning or rezoning request. If a use is not proposed with a request, the only non-residential classification that should be considered should be an O-I Office Institutional District. This would allow office uses as the only use for properties that would be undesirable for residential lots fronting along a major thoroughfare. The zoning for the proposed tracts should be designated as O-I and deny the BG as requested unless plans showing uses are submitted.

AX-96-004

APPLICATION

**SHERLA HOLLOWAY
BUFORD HIGHWAY 23**

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9602109

TYPE: AX - ANNEXATION APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 SZ

ADDRESS: 679 BUFORD HIGHWAY

OWNER NAME: CHARLES & SHERLA T. HOLLOWAY

CONTRACTOR: H D MARINE INC.

FEE DUE FROM: H D MARINE INC.

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ANNEXATION APPLICATION RC# 113	1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check-2022

R A J 3

6/10/2022

ANNEXATION APPLICATION

This annexation petition is made pursuant to the provisions of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference #: 7-256-085 Total Number of Acres to be annexed: 14.5

It is requested that a zoning classification of () LmS be assigned to the property upon annexation. The property is currently zoned () M-1 in Gwinnett County.

Is this property vacant? ☒ yes ☐ no (If no, it is necessary for the elector to sign.)

LANDOWNER:

Name: Sheria Holloway
Address: 669 Buford Highway
City: Sugar Hill State: GA Zip Code: 30518
Phone: 678-945-1002 Home 945-1002 Work
Date: 9/30/96 Signature: Sheria J Holloway

ELECTOR (Registered Voter):

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Home _____ Work _____
Date: _____ Signature: _____

Mayor & Council Annexation Application Acceptance Meeting Date: _____
P & Z Public Hearing: _____ Mayor & Council Public Hearing: _____
Deadline for submitting application in order to follow this schedule: _____

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

FILE NUMBER: _____ ACCEPTED BY: _____
DATE: _____ AMOUNT PAID: _____ CHECK #: _____

Letter of Intent - Sherla Valloway

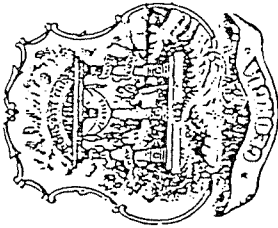
We intend to use this piece of property for a boat dealership.
To sell new and used boats.

Person having property interest.

J. Lee Dodgen - owner H D Marine, Inc.

Adjoining property owners:

Charles ^{Sherla} Valloway
669 Buford Highway
Sugar Hill, GA 30518



STATE OF GEORGIA,

FILED IN CLERK'S COURT
STANDARD WARRANTY DEED
CLERK OF SUPREME COURT
CHIEF CLERK

1992 APR 22 AM 11:49

1992 APR 22 AM 11:49

CLERK OF SUPREME COURT
CHIEF CLERK
GWINNETT COUNTY
1992 APR 22 AM 11:49

THIS INDENTURE, made this 21st day of April

In the year of our Lord One Thousand Nine Hundred and Ninety-two

between Kenneth Lance

of the State of Georgia and County of Gwinnett of the first part

and Sherla T. Holloway

of the State of Georgia and County of Gwinnett of the second part

WITNESSETH: That the said part of the first part, for and in consideration of the sum of Ten and 00/100

in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged has granted, bargained, sold and conveyed and by these presents do es grant, bargain, sell and convey unto the said part, her heirs and assigns, all that tract or parcel of land lying and being in Land Lot 256 of the 7th

All that tract or parcel of land lying and being in Land Lot 256 of the 7th Land District, Gwinnett County, Georgia, as shown on a plat of survey for Kenneth Lance by Paul M. Tompkins, Surveyor, dated January 30, 1984, and more particularly described as follows:

BEGINNING at an iron pin marking the point of intersection of the east right of way line of an unnamed road having a sixty-foot right of way with the southeast right of way line of U.S. Highway No. 23 (a 200 foot right of way); run thence along the southeast right of way line of U.S. Highway No. 23 North 56 degrees 24 minutes East 95.90 feet to an iron pin; run thence South 31 degrees 42 minutes East 198.12 feet to an iron pin; run thence South 56 degrees 24 minutes West 181.70 feet to an iron pin found on the east right of way line of the above referenced sixty-foot road right of way; run thence along said right of way line North 12 degrees 13 minutes West 60.20 feet to an iron pin and North 07 degrees 13 minutes West 158.52 feet to an iron pin on the southeast right of way line of U.S. Highway 23, which is the place or point of beginning; the above property as a part of the property conveyed from Camille Gunter to Cecil J. Payne by warranty deed dated September 1, 1972, recorded in Record Book 559, page 240, Gwinnett County records.

GWINNETT CO., GEORGIA

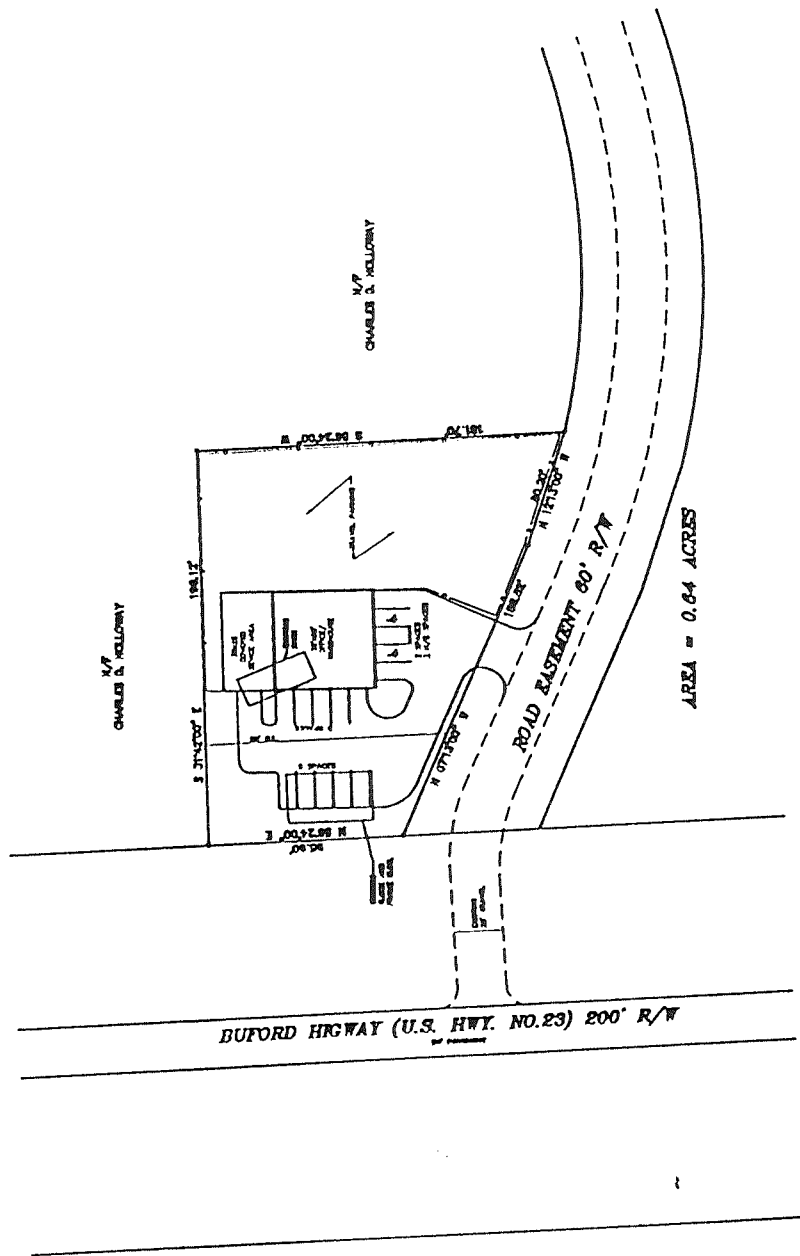
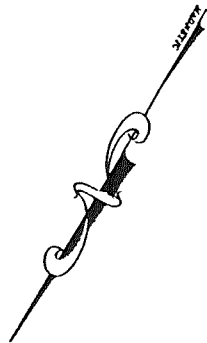
REAL ESTATE TRANSFER TAX

4-22-92

Date

TO HAVE AND TO HOLD the said bargained premises together with all and singular the rights, numbers and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said part of the second part, her heirs and assigns forever, IN FEE SIMPLE.

And the said part of the first part, for his heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part.



HD MARINA

GREEN LAND SURVEYING, INC.

DATE	10/1/88	BY	JLH
PROJECT	HD MARINA	DATE	10/1/88
CLIENT	GREEN LAND SURVEYING, INC.	DATE	10/1/88
JOB NO.	1001	DATE	10/1/88
JOB NAME	HD MARINA	DATE	10/1/88
JOB ADDRESS	HD MARINA	DATE	10/1/88
JOB PHONE	HD MARINA	DATE	10/1/88
JOB FAX	HD MARINA	DATE	10/1/88
JOB E-MAIL	HD MARINA	DATE	10/1/88
JOB WEBSITE	HD MARINA	DATE	10/1/88
JOB COMMENTS	HD MARINA	DATE	10/1/88

GRAPHIC SCALE



CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9602110

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 SZ

ADDRESS: 679 BUFORD HIGHWAY

OWNER NAME: CHARLES & SHERLA T. HOLLOWAY

CONTRACTOR: H D MARINE INC.

FEE DUE FROM: CHARLES & SHERLA T. HOLLOWAY

CODE OWN

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
-----	-----	-----
ALL REZONINGS RC#113	1.00	350.00

SUBTOTAL OF ITEM AMOUNTS		350.00

Check-2022

3 4 0 0
CITY OF SUGAR HILL

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Charles & Sherla T. Holloway</u>	NAME: <u>Sherla T. Holloway</u>
ADDRESS: <u>669 Buford Highway</u>	ADDRESS: <u>669 Buford Hwy.</u>
CITY: <u>Sugar Hill</u>	CITY: <u>Sugar Hill</u>
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30518</u>
PHONE: <u>945-1002</u>	PHONE: <u>945-1002</u>
CONTACT PERSON: <u>Charles Holloway</u>	
PHONE: <u>945-1002</u> FAX: _____	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
☐ OWNER'S AGENT	☒ PROPERTY OWNER
☐ CONTRACT PURCHASER	
PRESENT ZONING DISTRICT(S): _____	REQUESTED ZONING DISTRICT: <u>LM</u>
LAND DISTRICT(S): <u>5th</u>	LAND LOT(S): <u>256</u> ACREAGE: <u>1.5</u> TAX ID#: <u>7-286085</u>
ADDRESS OF PROPERTY: <u>669 Buford Highway</u>	
PROPOSED DEVELOPMENT: <u>boat dealership - H D Marine, Inc.</u>	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

N/A Proposal is a Development of Regional Impact
N/A Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS <u>1</u>
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET _____
GROSS DENSITY _____	DENSITY _____
NET DENSITY _____	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING 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 rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

yes, suitable

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

no it will not

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

no

D. Whether the proposed rezoning (or Special Exception) 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 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 rezoning.

no

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

REZONING 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 Mayor and Council.

Sherla T. Holloway 9/23/96
Signature of Applicant Date

SHERLA T. HOLLOWAY, OWNER
Typed or Print Name and Title

Dennis S. Mitchell 9/23/96
Signature of Notary Public Date

NOTARY SEAL

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

REZONING 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 Mayor and Council.

Sherla T. Holloway 9/23/96
Signature of Owner Date

SHERLA T. HOLLOWAY, OWNER
Typed or Print Name and Title

Dennis S. Mitchell 9/23/96
Signature of Notary Public Date

NOTARY SEAL

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, 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.

Sherla T. Holloway 9/23/96 SHERLA T. HOLLOWAY OWNER
Signature of Applicant Date Type or Print Name and Title

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

Donna Mitchell 9/23/96
Signature of Notary Public Date NOTARY SEAL

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 Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

_____ (yes/no)

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

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

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

McFarland ♦ Dyer & Associates, Inc.

Memorandum

To: City of Sugar Hill Planning Commission
Mayor and City Council of Sugar Hill

From: Don McFarland, McFarland - Dyer & Associates, Inc.

Date: October 14, 1996

Subject: Report and Recommendation AX-96-004

Case Number: AX-96-004

Proposed Zoning: BG General Business or LM Light Manufacturing

Existing Zoning: M-1 Light Industrial (Gwinnett County)

Applicant: Sherla Holloway

Location: LL 256 - 7th District, Buford Highway

Size: 1 + or - acre.

Proposed Use: Boat Sales Center

Analysis:

The proposed request is to annex an island of property which is currently surrounded by the City Limits of Sugar Hill. Land use along Buford Hwy. between the City Limits of Buford and The City of Suwanee consists of scattered commercial uses among scattered single family homes. The majority of the homes were constructed more than 20 years ago. The property to the rear has been used for tire sales and a recapping tire manufacturing business.

Recommendation

The proposed use is consistent with the Comprehensive Plan of the City of Sugar Hill and compatible with the existing and developing landuses within the area. There would be no anticipated adverse impacts on surrounding properties, if the proposed use is implemented on the site. The application is recommended to be approved as BG General Business.

CITY OF SUGAR HILL

ITEM COUNT FOR FEE CALCULATION

PAGE

PERMIT : 9602036

TYPE: RZ - REZONING APPLICATION

MASTER PERMIT: NOT FOUND

PROJECT: 96 AA

ADDRESS: 7-258-005

OWNER NAME:

CONTRACTOR: JAMES BURGGRAAF

FEE DUE FROM: JAMES BURGGRAAF

CODE CNT

DESCRIPTION OF ITEMS SELECTED	QUANTITY	AMOUNT
ALL REZONINGS RC#113	1.00	350.00
SUBTOTAL OF ITEM AMOUNTS		350.00

Check-335

*Interv
Charles
Wesley
2nd Pugh
Value 5-D*

P A I D

CITY OF SUGAR HILL

*Pub for
Bailey
Charles
Value 5-D
per
thermally
auto FH
NME
Chris
Bailey
5-D*

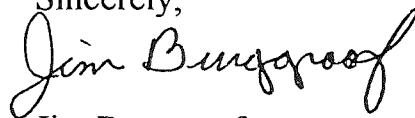
Letter of Intent

9-23-96

7 Acres Hwy. 23
Burggraaf Rezoning

Having access to Hwy. 23/Hwy. 20 the 7 acres has a suitable use for a industrial development. Within the development a portion of the property may be used for mini warehouses to serve the need of the residential market in the area. The combination of office warehouse and professional services approximate size of building to be 2500 - 5000 sq. ft sections to suit most tenants. Size of building will be determined by market. Proposed building shall have partial brick veneer, including professional landscaping similar to an office park development.

Sincerely,

A handwritten signature in cursive script that reads "Jim Burggraaf". The signature is fluid and stylized, with the first and last letters of each word being capitalized and prominent.

Jim Burggraaf

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUGAR HILL, GEORGIA.

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>JAMES BURGGAFF</u> ADDRESS: <u>2040 ASHTON POINT DR.</u> CITY: <u>DALVIA GA</u> STATE: <u>GA</u> ZIP: <u>30211</u> PHONE: <u>770-945-9753</u>	NAME: <u>FORUM GROUP</u> ADDRESS: <u>333 MAIN ST. Suite 500</u> CITY: <u>SUWANEE</u> STATE: <u>GA</u> ZIP: <u>30174</u> PHONE: <u>770-945-6332</u>
CONTACT PERSON: <u>TOM CATANESE</u> <u>pager 404-282-7891</u> PHONE: <u>770-945-6332</u> FAX: <u>770-945-1662</u>	

* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
☐ OWNER'S AGENT	☐ PROPERTY OWNER ☒ CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>HSB</u> REQUESTED ZONING DISTRICT: <u>HM-1</u>	
LAND DISTRICT(S): <u>258</u> LAND LOT(S): <u>7th</u> ACREAGE: <u>7</u> TAX ID#: <u>7-258-5</u>	
ADDRESS OF PROPERTY: _____	
PROPOSED DEVELOPMENT: <u>warehousing with offices</u>	

PLEASE CHECK THE FOLLOWING IF APPLICABLE:

N/A Proposal is a Development of Regional Impact
N/A Proposal is within 2,000 feet from the Chattahoochee River

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDING/LOTS _____
DWELLING UNIT SIZE (sq. ft.) _____	TOTAL GROSS SQUARE FEET _____
GROSS DENSITY _____	DENSITY _____
NET DENSITY _____	

LETTER OF INTENT

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED.

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use and attachment as necessary:

A. Whether a proposed rezoning (or Special Exception) will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes, the use is suitable in view of Adjacent
And nearby development.

B. Whether a proposed rezoning (or Special Exception) will adversely affect the existing use or usability of adjacent or nearby property:

The proposed use should NOT Adversely Affect
Adjacent properties.

C. Whether the property to be affected by a proposed rezoning (or Special Exception) has reasonable economic use as currently zoned:

The project could developed AS A Neighborhood
commercial development.

D. Whether the proposed rezoning (or Special Exception) will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The proposed use will NOT increase traffic
more than the present zoning development.

E. 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 rezoning.

There Are None.

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

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 Mayor and Council.

James R Burggraaf Contract Purchaser
Typed or Print Name and Title

NOTARY SEAL

* * * * *

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

REZONING 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 Mayor and Council.

Louis T. Catane 9/23/96
Signature of Owner Date

LOUIS T. CATANESE GENERAL PARTNER
Forum Group
Typed or Print Name and Title

Daphne W. [Signature] 9/23/96
Signature of Notary Public Date

NOTARY SEAL

Notary Public, State of New York
My Comm. Expires 12/31/98

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, 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.

James K. Burggraf 9/23/96 James K. Burggraf
Signature of Applicant Date Type or Print Name and Title

Tom Catanesse 9/23/96 Tom CATANESE - Representative
Signature of Applicant's Date Type or Print Name and Title
Attorney or Representative

Dabbin Went 9/23/96
Signature of Notary Public Date NOTARY SEAL

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 Mayor and Council or a member of the City of Sugar Hill Planning and Zoning Board.

NO (yes/no)

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS made (Within Last Two Years)

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

* * * * *

PLANNING AND DEVELOPMENT DEPARTMENT USE ONLY

CASE NUMBER _____

RECEIVED BY _____ DATE RECEIVED _____

L E G A L D E S C R I P T I O N

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 258, 7 TH DISTRICT, CITY OF SUGAR HILL, GWINNETT COUNTY, GEORGIA.

BEGINNING AT A POINT ON GEORGIA HIGHWAY NO. 20, THENCE PROCEEDING IN A SOUTHERLY DIRECTION ALONG GEORGIA HIGHWAY NO. 13 A DISTANCE OF 1671.85 FEET TO A POINT ON THE 200' RIGHT OF WAY OF GA. HWY NO. 13, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE South 38 degrees 09 minutes 30 seconds West for a distance of 201.85 feet TO A POINT.

THENCE North 65 degrees 11 minutes 18 seconds West for a distance of 178.04 feet TO A POINT.

THENCE South 43 degrees 01 minutes 54 seconds West for a distance of 134.05 feet TO A POINT.

THENCE North 40 degrees 21 minutes 29 seconds West for a distance of 157.20 feet TO A POINT.

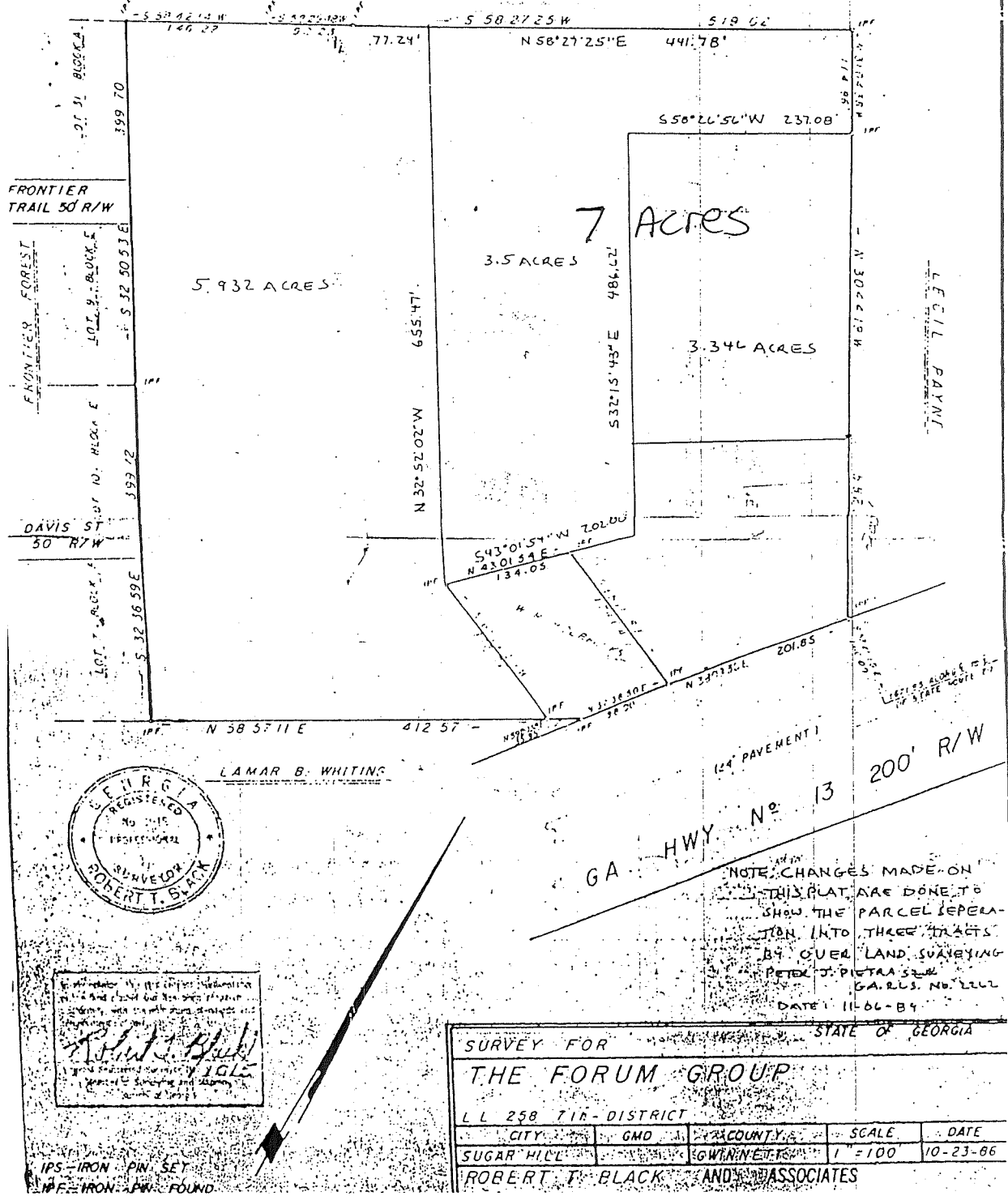
THENCE North 30 degrees 46 minutes 01 seconds West for a distance of 500.00 feet TO A POINT.

THENCE North 58 degrees 27 minutes 25 seconds East for a distance of 443.95 feet TO A POINT.

THENCE South 30 degrees 46 minutes 01 seconds East for a distance of 697.90 feet TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 7.00 acres more or less.



LEGEND

IPS IRON PIN SET
 IPF IRON PIN FOUND
 R/W RIGHT OF WAY
 BL BUILDING LINE
 PL PROPERTY LINE
 DE DRAINAGE EASEMENT
 SSE SANITARY SEWER EASEMENT
 MH MANHOLE
 CB CATCH BASIN
 JB JUNCTION BOX
 DI DROP INLET
 HW HEADWALL
 AC ACRE
 PVT PAVEMENT
 CRK CREEK
 LLL LAND LOT
 FH FIRE HYDRANT
 -X- FENCE LINE
 FF FINISH FLOOR
 -V- POWER LINE
 PP POWER POLE
 CL CENTER LINE
 TH TEST HOLE
 SPED SITE PLAN ENG. DEPT.
 SPHD SITE PLAN HEALTH DEPT.
 R RADIUS
 EL ELEVATION
 RDP RESIDENTIAL DRAINAGE PLAN

LECIL PAYNE

3271 HADDON HALL DR.
 BUFORD, GA. 30518
 945-6279

WILLIAM HOLBROOKS

1394 BUFORD HWY.
 BUFORD, GA. 30518
 945-5431

THE FORUM GROUP

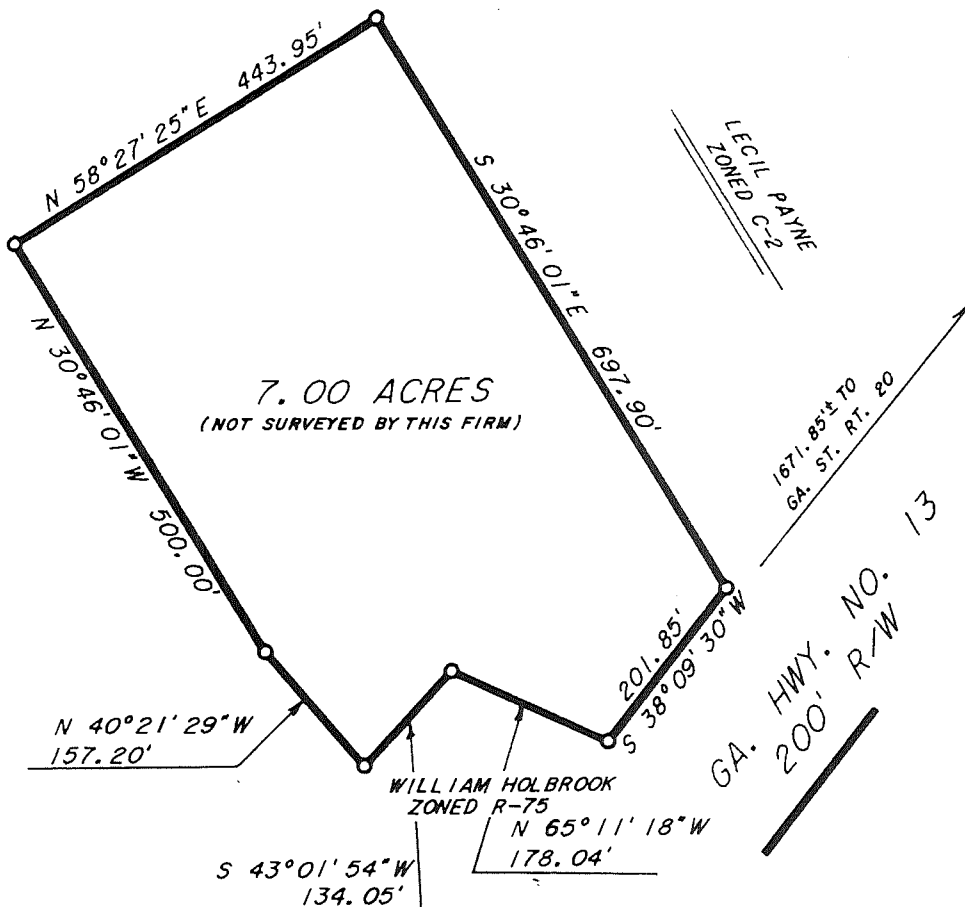
1935 CLIFF VALLEY WAY
 ATLANTA, GA.
 321-6173



LECIL PAYNE
 ZONED C-2

LECIL PAYNE
 ZONED C-2

THE FORUM GROUP
 ZONED - HSB



NOTE: THIS IS NOT A BOUNDARY SURVEY.
 BOUNDARY INFO. PROVIDED BY
 ROBERT T. BLACK

PROPOSED ZONING HMI

REZONING MAP FOR:

JIM BURGRAFF

DATE 9/25/96

SCALE 1"=200'

NO. DATE REVISIONS

L.L.258 DISTRICT 7th
 GWINNETT COUNTY, GA.
 CITY OF SUGAR HILL



RINGO •
 ABERNATHY
 & ASSOCIATES

• CONSULTANTS
 • SURVEYORS
 • ENGINEERS
 • PLANNERS

195 CHESTNUT STREET • LAWRENCEVILLE, GA 30245 • (404) 962-8456

FILE NO. _____

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

N 58° 27' 25" E
443.95'

S 30° 46' 01" E
697.90'

Future Expansion

THE FORUM GROUP
ZONED H5B

500.00'
N 30°46' 01" W

ENDING DEAD

1994 12 20 1994 12 20

- THE FORUM GROUP -



**FRINGO •
LABERNATH
& ASSOC.**

- CONSULTANTS
- SURVEYORS
- ENGINEERS
- PLANNERS

STYRENE POLYMER
100 COUNTRY DRIVE • LAWRENCEVILLE, GA 30043 • (770) 962-0000

spiritual, political,
 property interests;
 under H&P permitted zoning the
 area to be used
 commercial use;
 many thousands of
 other thousands
 set back;
 for many 1st college
 area - home
 zone - home
 business zone, home - no
 utilities;
 security issues, thousands of
 votes - thousands of
 obs. city of Dallas has
 electricity, gas, water, phone;
 this project to be covered by
 county funds.
 Developers:
 The Forum Group
 has main street
 suite 100
 business, offices
 south

GA. HWY. NO. 13
200' R/W

S 38° 09' 30" W
201.85'

WILLIAM HOLBROOK
ZONED R-7S
11.04.18-W

S 43° 01' 54" W
134.05'

N 40° 21' 29" W
157.20

500 00'

McFarland ♦ Dyer & Associates, Inc.

Memorandum

To: City of Sugar Hill Planning Commission
Mayor and City Council of Sugar Hill

From: Don McFarland, McFarland - Dyer & Associates, Inc.

Date: October 14, 1996

Subject: Report and Recommendation RZ-96-007

Case Number: RZ-96-007

Proposed Zoning: HM-1 Light Industry District

Existing Zoning: HSB Highway Service Business District

Applicant: James Burggraaf

Location: LL 258 - 7th District, Buford Hwy.

Size: 7.0 acres

Proposed Use: Warehousing with Offices

Analysis:

The use stated was not accompanied with a site plan to indicate how the property is to be developed. The land use plan indicates that this site and all other properties between this site and the intersection of Buford Highway is proposed for retail commercial usage. Discussions with the applicant or his representative indicated that the seven acre tract is to be subdivided into two or three parcels. There is also a possibility that if it was subdivided into three tracts that a portion of the site would be utilized for personal storage warehouses. The primary use discussed with the applicant or his representative would be for office warehouse multi-tenant space.

Recommendation

The proposed use is consistent with the Comprehensive Plan of the City of Sugar Hill in that the use would be of a non-residential nature. There would be no anticipated adverse impacts on surrounding properties, if the proposed use is implemented on the site. The application should be tabled until a definite site plan has been presented to the Planning Commission showing exactly how the site may be developed with information about anticipated uses. Should a site plan be submitted at the Planning Commission Meeting, the Planning Commission should consider the architectural style of the structure and the overall appearance of the site once it is developed.

City of Sugar Hill
Annexation Application

Chadler
approve
2nd Pugh
late 5-0

Annexation Fee \$50.00

File Number AX-96-006

This annexation petition is made pursuant to the provision of the official code of Georgia annotated 36-36, Article 2, "Annexation Pursuant to Application by 60 percent of Landowners and Electors."

Application is hereby made to the City of Sugar Hill, Georgia by the undersigned property owners and electors residing on property proposed for annexation, to have the attached described land(s) annexed into the corporate limits of the City of Sugar Hill.

Map Reference # 7-307-009 A portion of # OF ACRES .5

It is requested that a zoning classification of (RS-100) Medium Density Single Family be assigned to the property upon annexation. The property is currently zoned (AF) Agricultural - Forest in Gwinnett County.

Is this property vacant? yes ☒ no.

(If no, it is ~~not~~ necessary for elector to sign.)

LANDOWNER:

RICHARD F BUTTERWORTH
Name

882 WHITEHEAD RD
Address

SUGAR HILL GA 30518
City, State & Zip

770 945-8111 RETIRED
Home Phone Work Phone

Richard F Butterworth 7/30/96
Signature Date

ELECTOR (Registered Voter):

Name

Address

City, State & Zip

Home Phone Work Phone

Signature Date

Mayor & Council Annex. App. Acceptance Meeting: November 11, 1996

Planning & Zoning Public Hearing: December 16, 1996

Mayor & Council Public Hearing: January 13, 1997

Deadline for submitting application in order to follow this time schedule is October 28, 1996.

FOR OFFICE USE ONLY

Amount Paid \$ 350.00 Date Paid 10-29-96

**CLERK'S REPORT
NOVEMBER 1996**

The Tax Digest was completed and mailed in October for due date of December 20, 1996. Tax payments are being received daily.

The Clerk's Department continues to assist with the Utility Billing and everything seems to be working out real well in that department.

We will be holding a Public Hearing prior to the December Council Meeting to let the citizens know where the excess revenue from Occupational Taxes was expended. My suggestion is to designate the excess of \$4,000 to offset some of the expenditures to the attorney for the Election Contest. Attorney fees, for work on the Election Contest, have amounted to \$7,038 to date.

City offices will be closed on November 28th and 29th to observe Thanksgiving Holidays. The Employee Thanksgiving Dinner will be held on Monday, November 25th at 12:00 noon. The City will furnish the Turkey and Dressing and the Ham and employees are asked to bring salads, vegetables, and desserts to go with the food furnished by the City.

MEMORANDUM 96-65

TO: Mayor/City Council

FROM: Warren P. Nevad 

RE: **NOVEMBER 11, 1996 CITY MANAGER REPORT**

DATE: November 6, 1996

1. EMPLOYEES:

We have prepared our In-Service training policy for Mayor/Council consideration. Our objective is to enhance the role of supervisory training and development for our employees. Safety training and drug awareness will also be stressed.

Pursuant to the October Mayor/Council Meeting, we have prepared a new check signing policy. This policy places responsibility and authority to the City Manager.

The City Manager attended the University of Georgia City Manager Seminar in Rome recently. Topic discussed included computer technology, compensation and customer service. We are preparing for our transition of programs to our new computer network. Hopefully, the accounting, utility and tax software will be online by year end.

2. PLANNING/ZONING:

During September, the department issued 36 single family residential permits. This resulted in permit revenues of \$20,000. In addition, the department conducted 366 inspections during this extremely busy month.

We have issued a development permit for Aamco Paving's proposed office/maintenance building. Rudy Bowen has officially dropped his request to rezone his property adjacent to the Lakefield Forest Subdivision.

3. GAS DEPARTMENT:

The Gas Department installed 76 new services during October. The year to date total is 430. Again, this was another record setting month for the Gas Department. We have installed over 5500 ft. of service lines. The gas crew has worked extremely hard in meeting our daily demands and improvements. Once again, we are soliciting quotes to construct 6,000 ft. of 4 inch pipe on Brogdon Rd. This would service Aamco's office and maintenance operations. Also, Mr. Breedlove is trying to develop the 8 acre parcel on Brogdon Rd. that was purchased from David Jenkins.

Shortly, we will be relocating a 2 inch gas line in order to allow the state to widen Peachtree Industrial Blvd. Letting on this project began in October. The estimated cost is \$25,000. The state will born all other costs associated with this project. In addition, Sycamore Rd will be realigned sometime next year. We hope to enter into a force account agreement with the County to pay for gas line relocation. We will keep you advised.

Transco will construct a regulator bypass unit to increase our high pressure gas deliveries during peak days. Finally, Welker and Associates is handling all bidding and construction management of our backup metering station on Peevy Rd. This will cost approximately \$40,000 and we have monies budgeted from renewal and replacement.

The construction of the backup meter will aid us in monitoring Transco's daily measurement readings.

4. ROADS/DRAINAGE:

We have commenced drainage work at the intersection of Roberts and South Roberts Dr. During October, we completed the Oakgrove Dr and Fox projects.

Frontier Drive, Pine Tree Circle and Hessie Lane have been paved under the L.A.R.P. Program. Pursuant to the State Department of Transportation, we must repair Duncan Drive and Pinedale Circle. These roads were paved under the Local Assistance Repaving Program (LARP) nearly five (5) years ago. In order to be eligible for our next grant cycle, we must repair these roads. The costs will be charged to renewal and replacement.

We have been extremely busy handling all yard waste and leaves.

5. FINANCE:

Our budget workshop has been scheduled for November 6th at 6:00 p.m. Our overall fiscal objective is maintenance of our millage and gas rates. Several critical improvement areas have been identified including the high pressure gas expansion project; drainage improvement at E.E. Robinson Park, comprehensive plan update and vehicle replacement.

6. GOLF COURSE:

During October, the golf course grossed \$101,000. During October 1995, we had generated approximately \$63,000. We have notified you that we are having spray irrigation deficiencies at the Golf Course. We are working with EPD and the County to address our need to divert spray irrigation to the 90 acres. Our objective is to keep our golf course open while satisfying the EPD permit requirements. We will keep you advised.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms

**AGENDA
CITY OF SUGAR HILL
MONDAY, DECEMBER 2, 1996 - 7:30 P.M.**

CALL TO ORDER, PLEDGE TO FLAG, AND INVOCATION:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

DEPARTMENT REPORTS:

A:	PLANNING AND ZONING, ZONING APPEALS BOARD:	NEVAD
B:	BUDGET AND FINANCE:	GARBUTT
C:	UTILITIES:	NEVAD
D:	GOLF:	QUEEN
E:	RECREATION:	NEVAD
F:	DRAINAGE:	NEVAD

OLD BUSINESS:

CITIZEN'S AND GUEST'S COMMENTS:

NEW BUSINESS:

A:	PUBLIC HEARING-OCCUPATION TAX:	GARBUTT
B:	AUDIT PROPOSAL:	NEVAD
C:	BOARD APPOINTMENTS:	WEBSTER
D:	DECEMBER 1996 GAS RATES-MGAG:	NEVAD
E:	EMPLOYEE BENEFITS:	SPRADLIN
F:	TRAINING AND TRAVEL:	SPRADLIN
G:	APPROPRIATION FOR GOLF DRAINAGE:	NEVAD
H:	DISCUSSION ON MULTI-FAMILY ZONING:	BAIRD

CITY CLERK'S REPORT:

CITY MANAGER'S REPORT:

COUNCIL REPORTS:

EXECUTIVE SESSION:

**PERSONNEL:
POSSIBLE LITIGATION:**

ADJOURNMENT:

**CITY OF SUGAR HILL
MINUTES
COUNCIL MEETING -MONDAY, NOVEMBER 11,1996-7:30 P.M.**

The Mayor and Council of the City of Sugar Hill met for the Regular Monthly Meeting on Monday, November 11, 1996 at 7:30 P.M. in the Community Center. The notice was posted on the doors of City Hall, the Community Center and faxed to the local media.

Those present were Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Steve Bailey, Dorland Baird, Tim Pugh and Charles Spradlin, City Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Golf Director Wade Queen, Drainage Supervisor Donna Zinskie, Development Director Consultant Don McFarland, Attorney Lee Thompson, citizens, guests, and representatives of the news media. There was no one present from the cable television company.

Mayor Webster welcomed those present and gave thanks and praise to the Veterans who have served to assure that we may conduct meeting in a safe protected manner. He asked that all Veterans be given a round of applause. He then led in the Pledge to the Flag. Council Member Charles Spradlin gave the Invocation asking special blessing on all Veterans.

APPROVAL OF THE AGENDA:

Council Member Charles Spradlin made a motion to approve the Agenda, seconded by Council Member Dorland Baird and approved on a unanimous vote. (5-0)

APPROVAL OF THE OCTOBER MINUTES:

Council Member Charles Spradlin made a motion to approve the October Minutes, seconded by Council Member Dorland Baird and unanimously approved. (5-0)

DEPARTMENT REPORTS:

A: PLANNING AND ZONING; ZONING APPEALS BOARD:

Manager Warren Nevad reported the City issued 36 single family building permits during the month of October. There were 366 inspections conducted. A Development Permit has been issued to Aamco Paving for a Maintenance and Office Building Complex. There will be several Public Hearing tonight for three (3) parcels on Highway 20 and two (2) on Buford Highway.

B: BUDGET AND FINANCE:

Finance Director Garbutt reported that the City received the 1996 Premium Tax in the amount of \$160,760.52 which is \$8,000 more than budgeted. There was \$100,000 of that amount transferred to the Georgia I Fund which is now at approximately \$845,000. This amount includes the \$325,000 of Sanitation Escrow Funds. The City has received approximately \$24,000 in 1996 Property Taxes through October 31, 1996. The Golf Course had another record month of over \$100,000 in revenue.

C: UTILITIES:

Manager Nevad reported another record month with 76 new gas services installed with the year-to-date being 430. There was over 5,000 feet of service line installed and work on the Brogdon Road expansion project and the back-up meter at the Transco Station has been started.

Manager Nevad gave a report on Oglethorpe Power Transmission Project. They had a meeting at the Golf Course Club House on October 17, 1996 concerning the substation at the corner of Suwanee Dam Road and Highway 20. There is a memo at City Hall if the public wishes to review it and they will hold a second meeting on December 3, 1996. Anyone wishing more information may contact Phyllis Turner at Oglethorpe Power at 770-270-7159.

D: GOLF:

Director Wade Queen reported that October was another record month with revenues up 61% over the same time last year. The performance is due to the good weather which the Golf Course has experienced. There are several tournaments scheduled.

Council Member Spradlin asked Director Queen to comment on the effluent from the Golf Course. Director Queen stated that the Sugar Hill Golf Course has released some treated Waste Water during the wet weather periods when it could not be used on the course. This was released onto Golf Course land which is not permitted. This is a problem with systems of this type. He explained the details of why the discharge was done. He stated that staff is working with Gwinnett County and EPD to work toward a solution to this problem.

Council Member Spradlin read the following:

"If at any time a conflict arises in regard to the needs of Waste Water disposal as opposed to the needs of optimizing Golf Course operations, the Waste Water Disposal needs will have absolute priority. Under worse conditions the golfing operations will be shut down entirely to accommodate the needs of Waste Water disposal."

Director Queen agreed that this is indeed true, but stated that at the time he did not feel the Golf Course could afford to do this. Council Member Spradlin stated that he did not feel the City could afford the weight of the EPD if their recommendations are being violated. He made a motion that this Council strictly enforce a policy that adheres

to this paragraph as filed. Council Member Pugh seconded the motion. Council Member Bailey asked if alternative methods have been looked at for disposal of the Waste Water. Director Queen stated that all avenues are being explored and the operations have been shut down as Council Member Spradlin requested and will continue to be that way until he is told to do differently. This was discussed among the Council. Director Queen stated that they would operated in this way because they have no other choice. The Consent Order should be received within the next few weeks from EPD. The vote on the motion was unanimous. (5-0)

E: RECREATION:

Manager Nevad reported that the bath rooms have been winterized at the upper and lower pavilions.

F: DRAINAGE:

Manager Nevad reported work has been started at South Roberts and Roberts Drive and the Oak Grove Drive project and the Fox Property project have been completed.

OLD BUSINESS:

A: COMPUTER SYSTEM REPORT:

Council Member Spradlin reported that there has been a delay in the soft ware conversion.

There will be a training class for employees and any resident who would like to attend. This will be on Thursday, November 21, 1996 at 6:30 P.M. at City Hall. Council Member Pugh asked if the Golf Course has been connected to the system. Council Member Spradlin stated that his will be done as soon as the soft ware is installed.

B: SIDEWALK CONSTRUCTION ORDINANCE:

Council Member Spradlin stated that Attorney has drawn up an Ordinance, on sidewalks, at the Council's request and he asked Clerk Garbutt to read the Ordinance (see attached) to be added to the City's Development Regulations. Council Member Spradlin made a motion to approve this Ordinance, seconded by Council Member Bailey and passed on a unanimous vote. (5-0)

C: CHECK SIGNING POLICY:

Mayor Pro Tem Davis explained the Policy and asked Manager Nevad to read it. (see attached) The main objective is to be sure that all checks have the Manager's signature on them and place total responsibility on the City Manager for enforcement of the Policy. Mayor Davis made a motion to adopt this policy, seconded by Council Member Spradlin and after discussion passed on a unanimous vote. (5-0)

D: IN-SERVICE TRAINING:

Council Member Baird asked Manager Nevad to read the proposed Policy.(see attached) Council Member Baird made a motion to adopt this policy, seconded by Council Member Pugh. The Policy was discussed for clarification on the time of training , when it is to be held, and is to include all management and that it be mandatory. Mayor Webster asked if the City has a problem with drugs. Manager Nevad stated that drug testing is done by DOT regulations and that there is no problem. The vote on the motion was unanimous. (5-0)

E: COMPUTER PURCHASE PROGRAM:

Attorney Thompson stated that this was discussed last month, in regard to the City purchasing computer for employees. Council Member Spradlin stated that he wanted to remove this from the Agenda and he would present this at a later time when he feels he can present a plan that would be beneficial to the City and the employee.

F: WITHDRAWAL OF RZ-96-006-DAVID BOWEN:

Clerk Garbutt read a letter (see attached) from Mr. Bowen asking that this be removed. Council Member Spradlin made a motion to accept the request of withdrawal, seconded by Council Member Bailey and approved unanimously. (5-0)

**G: PUBLIC HEARINGS: AX-96-002 THOMAS D. WOOD
 AX-96-003 STEVE HENRY
 AX-96-005 WILLIAM H. MALONEY**

Council Member Bailey made a motion to go into a Public Hearing to include the application for annexation from the above referenced properties, the motion was seconded by Council Members Baird and Pugh. The vote on the motion was unanimous. (5-0).

Consultant Don McFarland explained the location of the properties with two (2) located on Highway 20 and one (1) across the street. The request is for annexation and a zoning classification of BG. He reviewed this and explained the classifications of OI and BG. One (1) track has been designated for a car lot with maintenance and the other two (2) have not been identified for proposed use. The Planning Commission heard the request and they have recommended that this property not be annexed due to the opposition which was expressed at the Planning Commission meeting by the citizens living in that area..

Mr. Terry Cohron stated that the use for the parcel closest to the sub-division has not been decided and the other parcel located on Highway 20 has been designated as a car lot. He explained why the property owners wants a favorable decision from the Council.

Mrs. Angie Lamb spoke against the annexation and rezoning of this property as commercial. She brought out all the reasons why the property owners in this sub-division do not want this property to be brought into the city for commercial use. She stated that those present feel that it will be detrimental to the community. She asked that the Council take into consideration the feeling of the residents in this community.

Mr. Ronald Puckett spoke in opposition to the annexation and rezoning. He gave reasons why he does not want this property annexed and rezoned. He asked that the Council take these request of the citizens seriously. He stated he really does not oppose the annexation, but he feels that it should not be zoned commercial. He does not want the nice community destroyed with commercialism.

Mr. Trey Curtis spoke in opposition to this matter. He feels that this will be a environmental and noise concern. His biggest concern was that there has been no site plan for the property. He asked that those in agreement with what has been stated, please raise their hands. Most of those present agreed with him.

Mrs. Meg Avery spoke in opposition to this annexation and rezoning, and she asked that the Council listen to the citizens. She feels this is not the type of commercialism that Sugar Hill needs.

Council Member Bailey made a motion to go back into the Regular Session, seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0)

Council Member Bailey made a motion to deny the application of the applicant, seconded by Mayor Pro Tem Davis.

Council Member Spradlin stated that he opposes this for the same reasons the citizens expressed. He also feels that that this needs to be looked at very closely in the future so that both property owners can be satisfied. Council Member Baird stated that Highway 20 is a thoroughfare and he feels that it will be made into a four lane highway and sooner or later will be commercial, but he agrees with the residents who have spoken tonight.

Mayor Pro Tem Davis stated he read last week that you can tell when your neighborhood is shot when a used car lot goes up there and they have a big yellow sign that reads, We Tote The Note.

Council Member Pugh stated that it is not that the City does not want this property annexed into the City, but if these property owners return in a 90 day period and request a zoning of OI, he asked could the fee be waived. This was discussed with Attorney Thompson giving the options which the Council may have.

Mr. Cohron explained why this was brought before the Zoning Board and he does not wish to destroy anyone's life style they presently have.

Council Member Spradlin asked if this could be zoned by the county. This was discussed. The Council also discussed the withdrawal and what options the property owners have.

The main concern was that there was no site plans for two (2) of the parcels and no planned use. Mrs. Lamb stated that they have been told that Gwinnett County would not rezone the property as requested. After all discussion, the vote on the motion was unanimous. (5-0)

H: PUBLIC HEARING FOR AX-96-004 SHERLA HOLLOWAY

Council Member Bailey made a motion to enter into a Public Hearing to consider application for AX-96-004-Sherla Holloway, seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0)

Consultant Don McFarland stated the proposed use is for a Boat Sale operation and the request has been reviewed and the Zoning Board made a recommendation that it be approved. No one was present to speak for or against this annexation and zoning.

Council Member Spradlin made a motion to go back into Regular Session, seconded by Council Member Pugh. The vote on the motion was unanimous. (5-0)

Council Member Spradlin made a motion to approve the annexation, seconded by Council Member Pugh. Council Member Spradlin asked Mr. McFarland to explain what surrounded the property. After more discussion, the vote on the motion was unanimous. (5-0)

I: PUBLIC HEARING RZ-96-007 JAMES BURGGRAAF:

Council Member Bailey made a motion to go into a Public Hearing to hear RZ-96-007, seconded by Council Member Spradlin. The vote on the motion was unanimous. (5-0) Consultant McFarland explained that they were requesting this be made a HMI zoning for mini warehouse or storage facility. The Planning Commission recommended this be approved. Mr. Guy Abernathy, representing the owners of the property, presented pictures and diagrams of what the facility will look like after it is constructed. He gave the location and use of the property as office and ware house facilities.

Council Member Spradlin made a motion to go into Regular Session, seconded by Council Member Baird and unanimously passed. (5-0)

Council Member Spradlin made a motion to approve the request with a stipulation that it is used for a mini storage warehouse, the motion was seconded by Council Members Baird and Pugh. Council Member Bailey asked what was the restriction for and Council Member Spradlin stated that he wanted to be sure that it was used for the purpose it was proposed for. The motion passed on a unanimous vote. (5-0)

CITIZEN'S AND GUEST'S COMMENTS:

Mr. Ronald Puckett thanked the Council for their decision on the rezonings on Highway 20 and stated that they were a good Council and he appreciates them.

Mrs. Rose Payne spoke on the revising of the Comprehensive Plan for the City of Sugar Hill. She appreciates the Council listening to the requests of the citizens. She explained the requirements on the Comprehensive Plan and gave a brief history of the completion of the Comprehensive Plan, and why it is important to the City for the public to be included in preparing the Comprehensive Plan.

Mrs. Meg Avery expressed dismay at the negative article in the paper concerning the discharge of the effluent into the Chattahoochee River, from the Waste Water Plant, at the Golf Course. She discussed the possibility of enormous fines. She asked about the statement read by Council Member Spradlin and made some remarks concerning the shut down of the Golf Course. She expressed her feelings on how the money is spent within the budget.

Mrs. Rose Payne asked why the cameras were not at the meeting and was told that the City did not know why they were not there, maybe for the Veterans Holiday.

Council Member Spradlin asked for a ten (10) minute recess.

NEW BUSINESS:

A: CITY MANAGER REVIEW:

Council Member Pugh stated that he has been very pleased with the performance of the City Manager and he would like to propose that Manager Nevad receive a 5% increase in salary. Council Member Spradlin seconded the motion with a stipulation that it be retroactive to the anniversary date in August. Council Member Baird expressed appreciation to Manager Nevad, Mayor Pro Tem Davis and Council Member Bailey and Mayor Webster also expressed appreciation for Manager Nevad's work. The vote on the motion was unanimous. (5-0)

B: TENNIS CLINIC:

Council Member Baird expressed appreciation for all the help on the Youth Golf Clinic. He would like to see that on an ongoing basis and he wants to have a Tennis Clinic at E.E. Robinson Park in the Spring. There was a consensus on this by the Council. Council Member Spradlin asked that the Recreation Board be included in the plans and this was a proposal by Council Member Baird. Council Member Spradlin thanked Council Member Baird for his work on the Golf Clinic.

C: REPORT ON FUTURE COMMUNITIES COMMISSION:

Council Member Spradlin showed the report from the Future Communities Commission which was appointed by the State Legislature and stated that he hoped that the other members of Council have reviewed this document. He reported that he and Clerk Garbutt have attended two (2) meetings, one (1) in Gainesville, and one (1) at the GMA Building. He feels this is an attempt to get rid of small cities. His one word for the document is "DANGEROUS". He read the recommendations which puts emphasis on combination of services and consolidation. This document has caused much controversy from the cities in Georgia as to how it will affect the smaller cities. This was discussed and Consultant McFarland stated that he sent one of his staff to one (1) of the Town Hall meetings and that there are cities from every area of Georgia which are deeply concerned with the report. GMA has appointed a Task Force which is working hard to convey the feelings of all the GMA cities to the Future Communities Commission. This was discussed with much interest by the Council as to the route this action may take for Georgia cities. The attempt to make this mandatory seems to make it a violation of the sovereignty of the cities. He asked the Council to read this and understand it and stated that he intends to keep on top of this. Clerk Garbutt stated that she thinks this will be discussed at the Gwinnett County Municipal Association on Tuesday night, November

12th at Little Gardens in Lilburn. Council Member Bailey asked that the Council make an effort to meet with the County at the breakfast before the legislature convenes in January.

D: ACCEPT APPLICATION AX-96-006 SUGAR VALLEY JOINT VENTURE:

Consultant McFarland presented an application which has already heard and tabled and the process is having to start again because of the time frame. It is from the Oaks at Lanier and the City must accept the application if it meets legal standards. Council Member Spradlin stated that he would be glad to assist in this in any way to facilitate the meetings between the groups. Council Member Spradlin made a motion to accept this application, seconded by Council Member Pugh and passed by unanimous vote. (5-0)

CITY CLERK'S REPORT:

Clerk Garbutt reported that a Public Hearing will be held before the December Council Meeting at 7:00 P.M. to decide on the use of excess revenue over budgeted amount from Occupational Taxes.

City employees will observe Thanksgiving Holidays on November 28th and 29th.

The GMA Meeting will be at Little Gardens in Lilburn tomorrow night, Tuesday, November 12th. Those wishing to go are Council Members Bailey, Pugh and Spradlin, Manager Nevad and Clerk Garbutt. Mayor Pro Tem Davis will let staff know later if he can attend.

CITY MANAGER'S REPORT:

City Manager Nevad reported that Hessie Lane, Frontier Drive and Pine Tree Circle have been resurfaced recently through the LARP Program and all yard trash is being handled to comply with the ban placed by EPD.

Staff will be working with EPD to enhance the spray irrigation at the Golf Course. He expressed his appreciation for the support given him by the Council.

COUNCIL REPORTS:

Council Member Pugh stated he is very dissatisfied with the North East Gwinnett Cable Vision coverage and total lack of quality. No one has seen the meeting from last month.

Council Member Spradlin apologized for being long winded tonight, and thanked the Council for keeping politics out of the business. He expressed appreciation for the service from Manager Nevad over the past two (2) years.

Council Member Baird expressed appreciation to Manager Nevad. He thanked the people for coming out and expressing their views. He thanked the Council for the way they work.

Council Member Bailey added his blessings to the other comments.

Mayor Webster thanked the Council for doing what the citizens wishes them to do. He stated that is what the Council is here for.

EXECUTIVE SESSION:

Council Member Pugh made a motion, at 9:25 P.M. to enter into Executive Session to discuss possible litigation and personnel with Attorney Thompson. Council Member Baird seconded the motion which passed on a vote of 4-0 with Council Member Spradlin abstaining. Council Member Davis stated he would have to leave due to work commitments. Mayor Webster called for a ten (10) minute recess.

The Executive Session ended at 10:40 P.M. on a motion by Council Member Bailey, seconded by Council Member Pugh and unanimously passed by those present. (4-0)

There was no action taken out of the Executive Session.

A Budget Work Session and Benefit Review Session was scheduled for Saturday, November 23, 1996 at 9:00 A.M. at City Hall.

ADJOURNMENT:

Council Member Pugh made a motion to adjourn at 10:43 P.M., seconded by Council Member Bailey and unanimously passed by those present. (4-0)

**CITY OF SUGAR HILL-COUNCIL MEETING
MINUTES-MONDAY, DECEMBER 2, 1996-7:30 P.M.**

The Mayor and Council of the City of Sugar Hill held their regular monthly meeting on Monday, December 2, 1996 at 7:30 P.M. in the Community Center.

The meeting was advertised in the local papers and posted on the doors of City Hall and the Community Center and placed on the placard at the corner of PIB and Alton Tucker Blvd.

Those present were Mayor Gary L. Webster, Mayor Pro Tem Reuben Davis, Council Members Dorland Baird, Tim Pugh and Charles Spradlin, Council Member Steve Bailey was absent due to work commitments, Manager Warren P. Nevad, City Clerk/Finance Director Betty B. Garbutt, Attorney Lee Thompson, Drainage Supervisor Donna Zinskie, Golf Director Wade Queen, employees Kim Landers, Kelley Canady, Joe Appling, Tony Bauman, Ruth Switzer, Jeff Hefner, and Tommy Everett, registered guests Katherine Cavanaugh, CPA Jimmy Whitaker, CPA Don Brisco, David Bechtold, citizens, guests and representatives of the news media.

CALL TO ORDER AND INVOCATION:

Mayor Webster called the meeting to order, led the Pledge to the Flag and Council Member Spradlin gave the Invocation.

Mayor Webster stated that the meeting was changed from second Monday to first Monday in December so the Council and citizens will have the opportunity to attend the Buford Commission Meeting on Monday, December 9, 1996 to express views concerning the proposed expansion of the Buford Landfill.

APPROVAL OF AGENDA:

Council Member Spradlin made a motion to approve the Agenda with the removal of item C: Board Appointments to the January Meeting and adding item I: Approval of the 1997 Budget, seconded by Council Member Pugh and unanimously approved by those present. (4-0)

APPROVAL OF NOVEMBER MINUTES:

Council Member Spradlin made a motion to approve the November Minutes, seconded by Council Member Pugh and unanimously approved by those present. (4-0)

DEPARTMENT REPORTS:

A: PLANNING AND ZONING, ZONING APPEALS BOARD:

Manager Nevad reported that during November there were 21 single family permits issued which resulted in revenues of over \$14,000. There were 335 inspections conducted. He reported to the public that the City of Buford will have a hearing on a landfill expansion on Monday, December 9, 1996 at 7:30 P.M. at their regular meeting. Council Member Spradlin made a motion to resolve to be opposed to the expansion as a neighboring city. Council Member Pugh seconded the motion which passed on a vote of 3-1 with Council Member Baird voting against the motion.

B: BUDGET AND FINANCE:

Finance Director Garbutt reported the City received reimbursement from Gwinnett County on street resurfacing in the amount of \$59,935.

She will be requesting that the excess revenue above budget for Occupational Taxes be applied to legal fees on the Election Contest.

She reported that Revenues, Expenditures and Expenses should be at 91.67% at this time and they currently stand at 93.79% in Revenues overall and 84.06% in Expenditures and Expenses overall.

C: UTILITIES:

Manager Nevad reported that the Gas Department installed 46 new services in November, bringing the year to date total to 481. There was 3,790 feet of service lines installed. Purchase of gas, will be reviewed later tonight, from the Municipal Gas Authority.

D: GOLF:

Director Queen reported another record month over the same time last year with 68.48% in revenues over last year. The Sugar Hill Golf Association held a tournament and other tournaments were played at the course. Staff at the course is working very hard to continue to abide by the regulations set forth by the EPD with the disposal of the waste water.

E: RECREATION:

There was no report on recreation.

F: DRAINAGE:

Work will begin at the corner of Creek Lane and Pass Court next week. There will be some landscaping work done on the Fox property.

OLD BUSINESS:

There was no Old Business to come before Council.

CITIZEN'S AND GUEST'S COMMENTS:

Mr. W. J. Dodd spoke in behalf of the employees of the City of Sugar Hill. He asked Mayor Pro Tem Davis and Council Member Pugh what they would do if Ford Motor Co. and General Motors, respectively, cut their benefits. He stated that he feels that the employees of the City deserves the respect of the Council. He appealed to the Council not to cut any of the benefits from the employees. He feels that there will be less devotion, low morale, lack of trust in the City Council, and less loyalty and the City creates a training ground where employees leave to go to businesses with better benefits. He asked that the Council not do everything for a vote, but be devoted to doing what is best for everyone. The best interest of all is to treat employees fairly. The employees are the backbone of Sugar Hill and they need to be appreciated. He feels that the employees should be able to work and not be afraid they cannot depend on a good life.

Mr. Jimmy Whitaker, CPA expressed appreciation to the City for his firm to be able to bid on the 1996 Audit. He gave a background on his firm and his ability to do government audits and the fact that his firm keeps up with all the state and federal laws. He stated he would be honored to have the City as a client.

Mrs. Katherine Cavanaugh spoke against the proposed landfill in Buford. She addressed the concerns of her neighbors and citizens of Sugar Hill and asked that the Council oppose the proposed expansion. She stated that they can hear the movement of the trucks from 2:00 A.M. to 4:00 P.M at the present landfill. It is a noise issue as well as a traffic issue. She thanked the Council for being allowed to speak on this issue.

Mr. Donald Brisco, CPA expressed appreciation to the City for allowing him to make a bid on the 1996 Audit. He stated he has fifteen (15) municipalities he performs the audits for and has much experience in governmental auditing and all the reviews which are required. He stated he would be honored to have the City of Sugar Hill as a client.

Mr. Herb Payne spoke against the landfill expansion proposed for Buford. He brought up information from the Department of Community Affairs and what is required for a municipality to expand a landfill and what amendments are required by a Solid Waste Management Plan. He showed a marked map he prepared to show where the landfill will be expanded. To him, this is a big issue and he hopes that something can be done for the betterment of all concerned.

Mrs. Rose Payne asked that the Council go on record opposing the proposed expansion of the Buford Landfill and she reported some significant issues discussed for the P & Z regulations. She asked that Mr. Don McFarland make an impact study on how the landfill expansion will affect the City of Sugar Hill. She read what they wanted in the impact study. She asked that the Council make a motion to this effect.

NEW BUSINESS:

A: PUBLIC HEARING-OCCUPATIONAL TAX:

GARBUTT

Council Member Spradlin made a motion to enter into a Public Hearing on Occupational Taxes. The motion was seconded by Council Member Pugh and unanimously approved by those present. (4-0) Finance Director Garbutt requested that the excess over revenue in occupational Taxes of approximately \$4,000 be applied to the legal fees in connection with the 1996 Election Contest. Council Member Spradlin made a motion to return to the Regular Session, seconded by Council Member Baird and passed on a vote of 4-0. Council Member Spradlin made a motion to apply the excess revenue in Occupational Taxes to the legal fees in connection with the 1996 Election Contest. Council Member Pugh seconded the motion which passed on a vote of 3-1. Mayor Pro Tem Davis voted against the motion.

B: AUDIT PROPOSAL:

NEVAD

Manager Nevad asked Finance Director Garbutt to give a statement concerning the Audit Proposal. Ms. Garbutt reported that five (5) RFP's were sent out and two (2) firms responded, Meeks and Whitaker and Brisco and Brisco. She explained that the City of Sugar Hill spent \$14,000 on the Audit with \$2,000 added for additional work on a single Gas Department Audit. Mr. Meeks bid not over \$9,000 for 1996 Audit and the same fee for 1997 and 1998. Mr. Brisco bid \$7,983 for the 1996 Audit with the same fee for 1997 and 1998. Manager Nevad gave his recommendation for the selection by asking that the bid of \$7,983 from Brisco and Brisco be accepted for years '96,'97,'98. Council Member Pugh made a motion to accept the bid, seconded by Council Member Spradlin. The fees were questioned for clarification and the motion passed on a unanimous vote of those present. (4-0) Manager Nevad thanked Mrs. Garbutt for her work on this project and the amount of money saved by placing the audit out for bid. Council Member Spradlin seconded this thanks and Mrs. Garbutt was given a round of applause.

C: BOARD APPOINTMENTS:

WEBSTER

This was moved to the January 1997 Meeting.

D: DECEMBER 1996 GAS RATES-MGAG:

NEVAD

Manager Nevad gave the background of how natural gas is purchased. The cost is set months ahead and all different factors are used for determining the cost. Customers are billed per hundred cubic feet and we are billed, by MGAG, by thousand cubic feet. He has been advised that the cost of gas is 50.7 cents per 100 cubic feet. This will cost the City approximately \$100,000 if the rates are not adjusted. This was discussed between Manager Nevad and the Council. He

recommended an increase of 10 cents per one hundred cubic feet for December 1996 and January 1997. Council Member Baird made a motion to approve this request and was seconded by Council Member Pugh. Rates were discussed and the vote on the motion was 3-1 with Council Member Spradlin voting against the motion.

E: EMPLOYEE BENEFITS:

SPRADLIN

Council Member Spradlin asked that Manager Nevad give his concerns on this issue. Manager Nevad stated that he would request that no benefits be reduced. He feels that the system is in place, downsize if possible, but not cut benefits and there are four less positions that we had at this time last year and that is a cut in salaries. He did not recommend any reduction of benefits. Council Member Spradlin stated that he feels the benefits are more than adequate and are above what is paid by other municipalities. The two issues are on medical benefits and on retirement benefits. He stated that no cut has been determined on the medical benefits, it has been discussed, but no decision has been made. This was discussed. He made a motion that effective January 1, 1997, the City pay 50% of dependent coverage and grandfather any current employee into the current plan so that they will not be burdened with this expense. The motion was seconded by Council Member Pugh for discussion. He recommended that the City pay 60% of the dependent coverage. Council Member Spradlin amended his motion which passed on a unanimous vote of those present. (4-0) Mayor Pro Tem Davis asked that different companies be looked at to get the best rate and best insurance for the City. He stated he does not want anything cut for the employees. Mayor Webster stated that Clerk Garbutt is in the process of getting proposals at this time and Mayor Pro Tem Davis requested that he see these proposals when they are received. Council Member Baird stated that he feels the employees are doing an excellent job and does not want any benefits cut. He feels that some employees are dissatisfied due to the fact they are not aware of how to use the insurance and some do not appreciate the fact that they are getting free insurance. He stated that the City has the finest insurance in the country. He asked the employees to appreciate what they have and he feels they are dedicated and should have the benefits to go along with it. The vote on the motion was unanimous of those present. (4-0) Council Member Spradlin asked that the retirement which is 6% of salary for those who have been employed for one (1) year and non-participatory for the employee, with 100% matching on the deferred compensation up to the combined limit of \$7,500, he feels that this is excessive and made a motion that it be lowered to 50% matching on deferred compensation and 3% of salary paid into retirement. Council Member Pugh seconded the motion. Manager Nevad recommended that this not be done and he feels that trust is lost when benefits are taken away and that retirement planned on is not going to be there. He asked that current employees be grandfathered in. Council Member Spradlin stated he has looked at other benefit packages and even with this cut this is fair and is best for the proper management of the city. The vote on the motion was 3-1. Council Member Baird voted against the motion.

F: TRAINING AND TRAVEL:

SPRADLIN

Council Member Spradlin made a motion to adopt the 1996 actual as the 1997 Budget and that any department expense be limited to \$2,500 and must have a consensus of the Council to go above that amount, but exclude the limit for the Gas Department of \$4,000. Council Member Pugh seconded the motion. Mayor Pro Tem Davis asked that the \$2,500 be approved by a super majority of the Council. Council Member Spradlin seconded the amendment for discussion. There was more discussion with Council Member Pugh asking for signatures on the approval. Manager Nevad did not want to alter the framework of the current policy. He stated it is sometimes hard to get in touch with the entire Council. The end results was that the entire Council will be contacted and a consensus of three (3) will be required for the expense to go over \$2,500. The vote on the amendment was unanimous of those present. (4-0) The vote on the original motion was unanimous. (4-0)

G: APPROPRIATION FOR GOLF DRAINAGE:

NEVAD

There has been much work on this issue, and PHO has evaluated the problem and has found a used irrigation system, which the City can purchase for the price of \$32,000. Everything is being done to support the "spray over play" program for Wastewater disposal. Manager Nevad asked POH representatives Bill Johnson, and Gary Simpson to give a technical update on the issue. They explained how they were working to keep the golf course open and abide by the stipulations given by EPD. They have identified 57 acres which can be used for spray areas. This will be sufficient to handle 500,000 gallons of Waste Water per day. Seventeen acres has been selected for this used spray system which can be installed in approximately 3 weeks. They have tentative approval from EPD to do this project. An estimated cost is between \$150,000 to \$250,000 for the entire project to be placed on the 57 acres. There was discussion concerning the 17 acres and where the system will be placed and also the cost. Director Queen gave the location and what will be done to install the system. The cost will depend on how much used equipment can be purchased. Staff asked that the City purchase the used equipment at an approximate cost of \$32,000 for purchase and installation. Council Member Spradlin made a motion to allocate the \$32,000 and see more specifics on the estimate of the \$200,000 cost, the motion was seconded by Council Member Pugh and passed unanimously by those present. (4-0)

H: DISCUSSION ON MULTI-FAMILY ZONING:

BAIRD

Council Member Baird asked that the residents be aware that there is a possibility of 170-200 apartment units to be built on Level Creek Road. He is concerned about the fact that these apartments will possibly load the schools to

ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the following sections of the DEVELOPMENT REGULATIONS OF THE CITY OF SUGAR HILL be amended as follows:

1. Section 6.13.1 of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:

“a. Sidewalks shall be provided within all single family subdivisions.

b. Sidewalks shall be provided along the street from which a multi-family development has access.

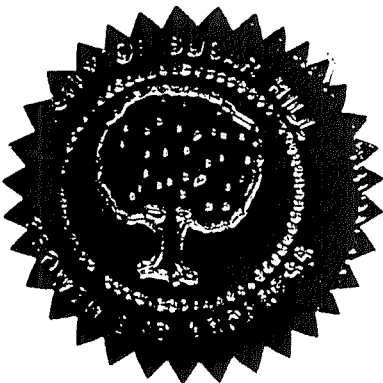
c. Sidewalks shall be provided along all streets adjoining a non-residential development.”

2. Section 6.13.2 (a) of the Development Regulations of the City of Sugar Hill shall be deleted and the following inserted in lieu thereof:

“a. Sidewalks shall be required adjacent to both sides of internal subdivision streets.”

These amendments shall become effective January 1, 1997.

IT IS SO ORDAINED this 11 Day of November, 1996.



Tim Pugh
Council Member

Alvin C. Bailey
Council Member

Shelard Baird
Council Member

Charles A. Spradlin
Council Member

Ruben H. Davis
Council Member

Attest: Beverly B. Garland
City Clerk

Submitted to Mayor: November 11, 1996

Approved by Mayor, this 11 day of November, 1996

Harry J. Webb
Mayor

Check Signature Policy

1.1.0 Purpose: To provide a mechanism to facilitate an orderly systematic process for check signatures.

1.2.0 Objective: To place total responsibility upon City Manager for enforcement and implementation of check signature policy.

1.3.0 Guidelines:

1.3.1 All checks require two (2) signatures.

1.3.2 The Mayor and City Manager are responsible for check signatures when both officials are available.

1.3.3 The City Manager's signature is required on all checks except in the absence of the City Manager when a check is required to complete a transaction.

1.3.4 Upon absence, the City Manager shall designate the City Clerk to sign checks with the Mayor. Should the Mayor or City Clerk be absent, the Mayor Pro Tem's signature is required if available. Should the Mayor and City Clerk be absent, one (1) of the following staff members shall sign checks with the Mayor Pro Tem:

- 1) Deputy Clerk;
- 2) City Accountant;
- 3) Personnel Officer.

Upon the City Manager's return, a copy of all checks signed shall be submitted to the City Manager

1.3.5 During the Mayor's absence, the City Manager and City Clerk shall sign checks. If the City Clerk is absent, the City Manager and Mayor Pro Tem if available shall sign checks.

Section 3 - In-service Training of Employees

Each department shall:

- a) Provide an employee with a copy of his/her job description as written by the personnel office.
- b) During each job evaluation, review job description with employee.
- c) Department heads or supervisor shall have at least one day of in-service training per month with employees on the above procedures,
- d) Department heads or supervisor shall have at least one day of safety training per month with employees in order to address specific areas which effect the safety of his/her department. This training will not replace the training required by the safety committee which is given by the City Manager's Administrative Assistant.
- e) The Drug Enforcement Officer shall present training sessions on a regular basis in order for the City to receive a Drug Free Work Place status from G. M. A.
- f) Attendance records will be kept of each training session for job procedures, safety meetings, and substance abuse.
- g) Certificates of attendance will be issued and placed in employee personnel files after each day of in-service training

ADMINISTRATIVE REPORT

PLANNING, ZONING, & BUILDING INSPECTIONS DEPARTMENT

NOVEMBER 1996 THRU - 11-27-96

PRINTED 11-27-96

THIS REPORT WAS PRINTED ON NOVEMBER 27, 1996

CITY OF SUGAR HILL

PERMIT TYPE AND DESCRIPTION	# OF PERMITS	VALUATION	FEES DUE	FEES PAID
AD - ADDITION/GARAGE PERMIT	3	0.00	223.88	223.88
AV - ADMINISTRATIVE VARIANCE	1	0.00	150.00	150.00
CT - CONSTRUCTION/SALES TRAILERS	1	0.00	100.00	100.00
DL - DEMOLITION	1	0.00	100.00	100.00
DP - DEVELOPMENT PERMIT	3	0.00	3,189.40	3,189.40
EC - ENERGY CODE AFFIDAVIT	21	0.00	0.00	0.00
EL - ELECTRICAL AFFIDAVIT	31	0.00	0.00	0.00
FP - FENCE PERMIT	2	0.00	0.00	0.00
GP - GRADING PERMIT	1	0.00	250.00	250.00
HE - HEATING/AIR AFFIDAVIT	19	0.00	0.00	0.00
MH - MOBILE HOME INSTALLER AFFIDAVIT	3	0.00	0.00	0.00
MI - MISCELLANEOUS-COMPLIANCE PERMIT	6	0.00	103.25	103.25
MN - MOBILE HOME INSPECTION NEW	4	0.00	200.00	200.00
PL - PLUMBING AFFIDAVIT	32	0.00	0.00	0.00
RF - REVIEW FEES	1	0.00	300.00	300.00
RM - REMODELING PERMIT	2	0.00	389.92	389.92
RZ - REZONING APPLICATION	1	0.00	350.00	350.00
SB - STORAGE BUILDING/GARAGE	1	0.00	25.00	25.00
SF - SINGLE FAMILY RESIDENTIAL	21	1,631,765.00	14,436.20	14,436.20
SP - SIGN PERMIT	2	0.00	50.00	50.00
TL - TRADE LICENSE REGISTRATION	13	0.00	170.00	170.00
TAP & METER PAYMENTS	20	0.00	5,700.00	5,700.00
VA - APPEALS VARIANCE	1	0.00	150.00	150.00
TOTALS FOR ALL PERMIT TYPES	193	1,631,765.00	26,487.65	26,487.65

BASE FEE TRANSACTION SUMMARY DURING THE PERIOD 11/01/96 THROUGH 11/27/96

PAGE 1

THIS REPORT WAS PRINTED ON NOVEMBER 27, 1996

CITY OF SUGAR HILL

TRANS. DATE	#	RESIDENTIAL 1000-0001	COMMERCIAL 1000-0002	MISCELLANEOUS 1000-0003	MOBILE HOMES 1000-0004	DEVELOPMENT 1000-0005	GAS 1000-0006	WATER 1000-0007	SEWER 1000-0008
11/01/96	7	2027.20	25.00	10.00	0.00	0.00	1140.00	0.00	0.00
11/04/96	2	150.00	0.00	10.00	0.00	0.00	0.00	0.00	0.00
11/05/96	3	69.80	0.00	10.00	0.00	0.00	265.00	0.00	0.00
11/06/96	7	2334.25	0.00	10.00	0.00	0.00	1425.00	0.00	0.00
11/07/96	1	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00
11/08/96	8	1581.00	0.00	30.00	0.00	0.00	855.00	0.00	0.00
11/11/96	7	0.00	0.00	20.00	0.00	1100.00	1140.00	0.00	0.00
11/12/96	8	1838.40	0.00	0.00	100.00	0.00	1425.00	0.00	0.00
11/13/96	2	0.00	0.00	0.00	0.00	0.00	570.00	0.00	0.00
11/14/96	10	2466.80	0.00	10.00	100.00	0.00	2280.00	0.00	0.00
11/15/96	1	25.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11/18/96	5	341.50	59.08	20.00	0.00	0.00	0.00	0.00	0.00
11/20/96	6	25.00	0.00	0.00	0.00	0.00	1425.00	0.00	0.00
11/21/96	8	85.00	100.00	20.00	0.00	1190.00	570.00	0.00	0.00
11/22/96	1	331.20	0.00	0.00	0.00	0.00	185.00	0.00	0.00
11/25/96	6	375.00	198.32	20.00	0.00	0.00	285.00	0.00	0.00
11/26/96	1	0.00	0.00	10.00	0.00	0.00	0.00	0.00	0.00
=====	===	=====	=====	=====	=====	=====	=====	=====	=====
TOTALS	83	11650.25	392.40	170.00	300.00	2290.00	11685.00	0.00	0.00

-Existing Categories	0.00
Current Categories	26487.65
	=====
Grand Total	26487.65

1996 INSPECTION'S DEPARTMENT MONTHLY REPORT

UPDATED 11-27-96

PERMIT TYPES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD TOTAL
AD - ADDITION/GARAGE PERMITS	1	1	0	2	0	2	3	1	0	2	3		15
CM - COMMERCIAL	1	3	3	0	0	1	1	1	1	0	0		11
CT - CONSTRUCTION/SALES TRAILER	0	0	1	0	1	2	0	4	2	1	1		12
DL - DEMOLITION	0	0	0	0	0	0	0	1	0	0	1		2
DP - DEVELOPMENT PERMIT	2	3	2	0	2	3	1	2	3	0	3		21
FP - FENCE	4	1	2	5	2	7	3	2	1	6	2		35
GP - GRADING PERMIT	0	1	1	0	0	0	0	0	0	0	1		3
MI - MISCELLANEOUS/COMPLIANCE	6	9	6	8	7	12	6	8	12	13	6		93
MN - NEW MOBILE HOME	0	5	2	1	0	2	0	1	5	1	2		19
PP - POOL PERMIT	0	0	3	2	0	1	0	0	0	1	0		7
RF - REVIEW FEES	0	0	0	0	0	0	1	3	4	4	1		13
RM - REMODELING PERMITS	2	1	1	3	2	1	2	0	1	2	2		17
SB - STORAGE BUILDING	2	2	1	2	2	2	0	2	2	1	1		17
SF - SINGLE FAMILY	27	18	30	31	34	16	26	24	41	36	21		304
SP - SIGN PERMIT	2	5	2	1	2	3	4	4	3	1	2		29

AV - ADMINISTRATIVE VARIANCE	2	5	7	15	3	2	4	4	7	8	1		58
VA - APPEALS VARIANCE	0	1	0	0	9	0	0	2	2	1	1		16

AX - ANNEXATION APPLICATIONS	0	0	0	0	0	0	1	0	3	1	0		5
RZ - REZONING APPLICATIONS	0	0	1	1	0	2	1	0	4	1	1		11

CERTIFICATES OF OCCUPANCY	10	23	32	19	29	25	27	27	22	25	26		265

GAS TAPS ISSUED	31	45	35	60	50	37	39	35	55	67	41		495

BUILDING INSPECTIONS	215	248	433	352	277	284	280	270	288	366	334		3347

1995-1996 COMMERCIAL PROJECTS LIST

UPDATED 11-04-96

CHANGE DEVELOPMENT BUILDING CERTIFICATE OF
FROM TO PERMIT PERMIT OCCUPANCY

PROJECT NAME	ADDRESS	ANNEXED	REZONED	FROM	TO	DEVELOPMENT PERMIT	BUILDING PERMIT	CERTIFICATE OF OCCUPANCY
BELL SOUTH TOWER	6190 SUWANEE DAM ROAD					02-07-95	01-27-95	05-26-95
JETS & PUMPS INC.	675 NORTH PRICE ROAD					02-07-95	02-07-95	08-31-95
GOLF COURSE CLUBHOUSE	6094 SUWANEE DAM ROAD					08-15-95	04-04-95	03-02-96
SONNY SMITH TRUCKING	663 BUFORD HIGHWAY					08-25-95	08-17-95	TEMP CO 02-16-96
FREDRICK EQUIPMENT BLDG.	N.G. CENTER BLDG 4 SUITE D					09-05-95 RM	08-25-95	03-02-96
GWINNETT GASTROENTEROLOGY	4700 HIGHWAY 20					09-18-95	09-05-95 RM	01-29-96
BLOCKBUSTER VIDEO	1496 BUFORD HIGHWAY					09-27-95	09-18-95	01-29-96
S.H. UNITED METHODIST CHURCH GY	4600 HIGHWAY 20						10-17-95	TEMP CO 03-27-96
N.G. DENTAL CARE	7-274-004 A PORTION OF		12-11-95	HM-1	BG			
DR. MICHAEL PHELAN	4901 ALTON TUCKER BLVD.					01-02-96	12-08-95 RM	04-12-96
MEMORIES OF A LIFETIME	4530 NELSON BROGDON BLVD.						01-03-96	
B.T. BALTIMORE	4450 HIGHWAY 20 SUITE						01-05-96 RM	01-26-96
CITIZENS BANK	7-253-008		01-08-96	HM-1	BG			
SUGAR HILL STATION SHELL ADDITION	4450 HIGHWAY 20 SUITE						01-19-96 RM	08-14-96
INCHAPE TESTING SERVICES	1498 BUFORD HIGHWAY						02-06-96	01-29-96
COLONIAL LIGHTING	1180 BUFORD HIGHWAY					01-11-96	02-27-96	03-29-96
JOHNSON REALTY	120 PEACHTREE INDUSTRIAL BLVD.		12-11-95	HM-1	BG	02-07-96	03-11-96	07-03-96
PAPA JOHN'S	4450 HIGHWAY 20 SUITE						03-18-96	04-12-96
FABRIC CARE DRY CLEANERS	1498 BUFORD HIGHWAY SUITE B						04-09-96 RM	07-03-96
MAIL BOXES ETC.	1498 BUFORD HIGHWAY SUITE A						04-30-96 RM	06-28-96
VARI BEST HOMES	1498 BUFORD HIGHWAY SUITE C						10-04-96	
CAR CARE AMERICA	5610 HIGHWAY 20		05-13-96	RS-150	OI			
SWAIN STEWART	07-253-013 A PORTION OF		06-10-96	HM-1	BG	09-24-96	09-25-96	
SHONEY'S	7-292-025 HIGHWAY 20		APPLICATION WITHDRAWN 5-28-96					
G.A. EXPO INC.	4500 HIGHWAY 20						06-06-96 RM	08-14-96
JACKSON SERVICES	350 BUFORD HIGHWAY						07-11-96	
AAMCO PAVING	4614 PINECREST DRIVE					07-18-96	08-15-96	
BRICKTON PARTNERS	355 BROGDON ROAD		10-09-95	HM-1	HM-2	05-14-96 RECINDED	7-11-96	
ONEX DEVELOPMENT	4705 HIGHWAY 20					06-12-96		
BUFORD PRESBYTERIAN CHURCH	5000 HIGHWAY 20					06-20-96		
ROBERT S. JORDAN	1242 BUFORD HIGHWAY		*		LM	08-06-96		
SUGAR VALLEY JOINT VENTURE	7-274-002A							
SUGAR VALLEY JOINT VENTURE	7-307-009 A PORTION OF	*			AF	RS-100		
CHARLES HOLLOWAY	7-307-009 & 7-307-001		*		AF	RS-100		
JAMES BURGGRAAF	679 BUFORD HIGHWAY 23	11-11-96	*	M-1	LM	UNDER REV.		
M.P. EQUIPMENT	7-258-005 BUFORD HIGHWAY 23	11-11-96	*	HSB	HM-1			
	380 BUFORD HIGHWAY							

* PUBLIC HEARINGS BEING HELD

THIS REPORT WAS PRINTED ON NOVEMBER 27, 1996

CITY OF SUGAR HILL

<< STATISTICAL BREAKOUT >>

<----- Inspections ----->		<----- RE-INSPECTIONS ----->			Based On # Activities		
# ACTIVITIES	INSPECTIONS (I)	PASSED	CORRECTIONS	RE-INSPECTIONS (R)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
334	222	96	99	112	83	14	112
	% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED
	56	44	45	54	74	16	54

INSPECTOR ID BREAKDOWN

TONY - BUILDING OFFICIAL - 166

JOE - ASSISTANT INSPECTOR - 168

TOTAL - 334 INSPECTIONS

SUBDIVISION LOT AVAILABILITY LIST

Updated 11-27-96

Available Lots	Subdivision	Near What Major Street	Permits		C.O.'s Issued	Lots Not Built On	City	
			Issued	Issued			Gas	Gas
92	Abingdon Place	Whitehead Road	79	63	13		X	
102	Arbor Clos	Highway 20	67	36	35		X	
112	Bent Creek	Level Creek Road	110	110	2		X	
7	Brandon Oaks	Austin Garner Road	6	6	1			
26	Brookside at Parkview	Parkview Mine Drive	26	25	0		X	
39	Emerald Lakes IV	Cumming Highway	36	30	3		X	
57	Hillcrest Crossing	Hillcrest Drive			57		X	
33	Hillcrest Glenn	Hillcrest Drive	26	5	7		X	
131	Lakefield Forest	Level Creek Road	128	124	3		X	
174	Princeton Oaks	Riverside Road	146	129	28		X	
81	Richland Creek Unit I	Sycamore Road	21	14			X	
106	Saddle Tree	Suwanee Dam Road	45	29	61		X	
116	Secret Cove	Old Suwanee Road	116	114	0		X	
96	Sugar Crossing	Austin Garner Road	95	83	1		X	
34	Sugar Hill Plantation	Old Cumming Highway	2		32		X	
178	Sycamore Summit	Sycamore Road/Riverside Road	178	176	0		X	
14	The Lakes at Riverside	Riverside Road	13	13	1			
51	The Links	Suwanee Dam Road	12	4	39			
114	The Oaks at Lanier	Highway 20	114	99	0		X	
84	The Springs I	Highway 20	65	50	19		X	
50	West Price Hill	West Price Road	47	46	3		X	

**FINANCE REPORT
DECEMBER 1996**

The City received a check from Gwinnett County on street resurfacing in the amount of \$59,935.00.

Council has received the 1997 Budget with the adjustments requested at the Budget Work Session. We need another Work Session to make the final adjustments before the Budget is approved. This should be scheduled from the Council Meeting on next Monday night.

At the Public Hearing on the Occupational Tax, I will request that the amount collected over Budget be applied to the legal cost associated with the suit on the election. We have collected approximately \$4,400 over budgeted amount and the amount spent on legal cost for the election suit has gone over \$7,000.

Revenues and Expenditures or Expenses should be at 91.67% at this time and to date we have received and dispensed the following:

General Fund Revenue	82.98%
General Fund Expenditures	84.42%
Sanitation Revenue	85.19%
Sanitation Expenses	71.66%
Gas Revenue	99.90%
Gas Expenses	100.08%
Golf Revenue	107.09%
Golf Expenses	80.09%

Please call me should you have any questions regarding the finances of the City.

1986 GAS DEPARTMENT REPORT												Sheet1	
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD TOTAL
NEW SERVICES ADDED	32	33	32	32	33	56	40	57	45	76	46		481
LENGTH IN FEET	2,080	3,185	2,284	2,165	2,815	4,370	3,287	4,575	3,674	5,570	3,790		37,775
TYPE OF MATERIAL	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	PLASTIC	
SIZE OF PIPE	58"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
GAS LEAKS	24	20	11	9	9	12	31	22	30	28	16		
CORROSION CAUSED	2	0	0	7	0	0	2	2	0	1	0		
OUTSIDE FORCES	0	0	0	0	0	0	0	0	0	0	0		
MATERIAL DEFECT	7	3	1	0	0	0	0	4	0	0	0		
CUT OFF VALVE LEAKS	1	5	1	2	0	0	10	6	1	4	3		
LOW PRESSURE	3	35	4	0	0	0	0	0	0	0	0		
METERS REPLACED	12	4	11	6	1	2	0	2	2	2	1		
REGULATORS REPLACED	11	3	0	0	0	0	0	4	4	1	4		
REGULATORS RESET	0	1	0	0	0	0	0	4	4	1	1		
CUSTOMER SIDE	2	4	0	3	0	1	4	2	3	1	0		
NO LEAKS FOUND	8	7	5	4	1	0	4	0	4	5	3		
THIRD PARTY CUT LINES	12	13	11	6	6	8	12	7	17	12	5		
BILLED	11	10	9	4	5	6	5	3	0	4	0		
PAYMENTS RECEIVED	6	5	8	2	0	2	3	2	0	1	1		
OUTSTANDING	7	12	13	15	20	24	26	N/A	N/A	N/A	N/A		
KILLED SERVICES	0	0	4	0	0	0	0	2	2	0	1		
LENGTH IN FEET	0	0	495	0	0	0	0	140	200	0	25		
TYPE OF MATERIAL	N/A	N/A	PL & STL	0	0	0	N/A	PL & STL	PL & STL	N/A	PL		
SIZE OF PIPE	N/A	N/A	5/8" & 3/4"	0	0	0	5/8" & 3/4"	5/8" & 3/4"	5/8" & 3/4"	N/A	5/8"		
NEW MAINS PUT INTO SERVICE	0	0	1	2	1	1	0	3	4	2	1		
LENGTH IN FEET	0	0	3500	5,000	1,000	5,900	0	4000	6,880	6,000	8,000		40,080
TYPE OF MATERIAL	N/A	N/A	PLASTIC	PLASTIC	PLASTIC	PLASTIC	N/A	PLASTIC	PLASTIC	PLASTIC	PLASTIC		PLASTIC
SIZE OF MAIN	N/A	N/A	2" & 4"	2"	2"	4"	N/A	2" & 4"	2" & 4"	4"	4"		2" & 4"
CATHODICALLY PROTECTED?	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A
LOCATES	149	185	263	200	364	322	315	266	416	480	385		3,336

**NOVEMBER 1996
GAS DEPARTMENT MONTHLY REPORT**

NO#	SUPR REC	BLDR REQUEST	SUBDIVISION	LOT#	COMPLETED
01	07/19/96	10/30/96	ARBOR CLOS	215A	11/01/96
02	09/16/96	10/30/96	ARBOR CLOS	220B	11/01/96
03	06/17/96	10/24/96	ASCOT	29A	11/01/96
04	06/17/96	10/24/96	ASCOT	32A	11/01/96
05	09/16/96	10/29/96	ABINGDON PLACE	22A	11/04/96
06	09/16/96	10/29/96	ABINGDON PLACE	43A	11/04/96
07	09/16/96	10/29/96	ABINGDON PLACE	88A	11/04/96
08	09/26/96	09/26/96	HIGHLANDS @ BRIDGEGATE	17B	11/04/96
09	09/16/96	10/24/96	OAKS @ LANIER	87B	11/04/96
10	09/16/96	10/24/96	OAKS @ LANIER	88B	11/04/96
11	05/31/96	11/05/96	ARBOR CLOS	120B	11/05/96
12	09/16/96	11/05/96	ARBOR CLOS	121B	11/05/96
13	11/01/96	11/01/96	5620 O'ROUKE ROAD		11/05/96
14	08/29/96	11/04/96	HILLCREST GLENN	32A	11/06/96
15	10/08/96	10/08/96	LENOX PARK	3A	11/07/96
16	10/08/96	10/08/96	LENOX PARK	4A	11/07/96
17	10/08/96	10/08/96	LENOX PARK	5A	11/07/96
18	09/20/96	10/31/96	RICHLAND CREEK	19A	11/07/96
19	08/27/96	10/28/96	OAKS @ LANIER	1A	11/11/96
20	08/13/96	11/01/96	SPRINGS	18A	11/11/96
21	02/13/96	11/01/96	SPRINGS	46A	11/11/96
22	05/13/96	11/01/96	SPRINGS	47A	11/11/96
23	05/15/96	11/04/96	LINKS	4B	11/12/96
24	09/30/96	11/04/96	HILLCREST GLENN	21A	11/13/96
25	09/25/96	10/31/96	RICHLAND CREEK	7A	11/13/96
26	09/25/96	11/05/96	RICHLAND CREEK	10A	11/13/96
27	09/16/96	11/09/96	SUGAR CROSSING	53A	11/13/96
28	09/30/96	11/04/96	150 PEACHTREE IND BLVD		11/14/96
29	09/16/96	11/04/96	HILLCREST GLENN	12A	11/18/96
30	09/30/96	11/04/96	HILLCREST GLENN	26A	11/18/96
31	09/16/96	11/04/96	HILLCREST GLENN	27A	11/18/96
32	08/19/96	11/04/96	1001 NORTH PRICE ROAD		11/18/96
33	10/21/96	11/12/96	DEER VALLEY	39A	11/20/96
34	10/21/96	11/12/96	DEER VALLEY	40A	11/20/96
35	11/12/96	11/12/96	HIGHLANDS @ BRIDGEGATE	40B	11/20/96
36	11/12/96	11/12/96	HIGHLANDS S@ BRIDGEGATE	41B	11/20/96
37	11/15/96	11/15/96	LEXINGTON MANOR	23A	11/20/96
38	09/30/96	11/15/96	OAKS @ LANIER	41B	11/20/96
39	09/30/96	11/15/96	OAKS @ LANIER	42B	11/20/96
40	09/30/96	11/15/96	OAKS @ LANIER	43B	11/20/96
42	09/30/96	11/15/96	OAKS @ LANIER	44B	11/20/96
43	05/21/96	11/12/96	PRINCETON OAKS	149B	11/20/96
44	08/21/96	11/18/96	5219 SUWANEE DAM ROAD		11/20/96
45	11/15/96	11/15/96	LEXINGTON MANOR	1A	11/21/96
46	08/21/96	11/12/96	SADDLE TREE	74A	11/24/96

DRAINAGE DEPARTMENT

November 1996

DATE	WORK PERFORMED
1st-4th	Hauled dirt to Pirkle property on Oak Grove Dr. Completed work work on creek bank on Oak Grove Dr.
	Seed and hayed Parker and Arnold property on Oak Grove Dr.
	Filled in and packed rut caused by dump truck on Frontier Dr. & seed and hayed.
	Flushed ditch on Roberts Dr.
	Removed logs and debris from creek bank that was blocking pipe at corner of Creek Lane and Craig Dr.
	Installed and covered 180' of 15" pipe on Roberts Dr.
	Met with Bill Alexis on Old Spring Way concerning completion of drainage project at detention pond.
	Worked on catch basin on Oak Grove Dr.
	Worked at City Hall installing lights outside building.
11th-15th	Repaired silt fence and removed silt from Phillips property caused by heavy rains when leaves and pine straw clogged drainage inlet at curb on Pass Ct.
	Seed and hayed Pirkle property on Oak Grove Dr.
	Placed rip-rap around flume at Old Spring Way.
	Continued working on banks at detention pond on Old Spring Way.
	Hauled dirt and rip-rap to pack banks and channel storm water.
	Met with Mr. & Mrs. Fox on White Oak Dr. to discuss solutions for landscaping of disturbed areas.
18th-22nd	Attended Support Group Mtg.
	Cleaned catch basins around City as several days of rain during the month had caused blockages.

[illegible]

Memo

To: BETTY GARBUTT

From: KIM LANDERS

Date: November 20, 1996

Re: TERM EXPIRATIONS FOR PLANNING COMMISSION MEMBERS AND BOARD OF APPEALS MEMBERS

The following Board Member's Term's will expire on December 31, 1996;

PLANNING COMMISSION MEMBERS

Jay Asgari - Current Chairman

Board Member - Rose Payne

PLANNING & ZONING BOARD OF APPEALS

Rick January - Current Vice Chairman

Board Member - Clyde L. Story

Board Member - Ed Entrekin

UPDATED 11-18-96

1996
BOARD OF APPEALS MEMBERS

CHAIRMAN - Ed Phillips Term Expires 12-31-97
5162 Creek Lane Home: 932-2739
Sugar Hill, Ga. 30518 Beeper: 703-0418
Voice Mail: 771-2031

VICE CHAIRMAN - Rick January Term Expires 12-21-96
1282 Frontier Drive Home: 271-1730
Sugar Hill, Ga. 30518 Work: 416-1123

Board Member - Clyde L. Story Term Expires 12-21-96
4701 Deep Creek Drive Home: 932-2995
Sugar Hill, Ga. 30518 Work: 798-3833

REPLACED DORLAND BAIRD JUNE 10, 1996

Board Member - Bill Parker Term Expires 12-21-97
4621 South Roberts Drive Home: 945-4021
Sugar Hill, Ga. 30518 Work: 531-1900

REPLACED MIKE FOGARTY JUNE 10, 1996

REPLACED BILL BAGLEY OCTOBER 28, 1996

Board Member Ed Entrekinn Term Expires 12-31-96
4585 Forest Green Drive Home: 932-1908
Sugar Hill, Ga. 30518 Work: 962-5365
Beeper : 404-570-1444

1996
PLANNING COMMISSION MEMBERS

CHAIRMAN - Jay Asgari Term Expires 12-31-96
5162 Creek Lane Home: 271-1024
Sugar Hill, Ga. 30518 Work: 271-1347
Beeper:

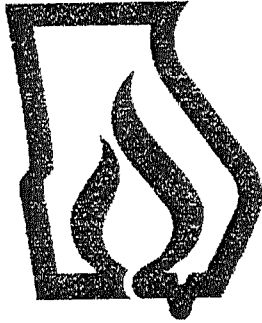
VICE CHAIRMAN - Granville Betts Term Expires 12-21-97
1282 Frontier Drive Home: 932-2892
Sugar Hill, Ga. 30518 Work: 299-3108(404)
Mobile: 557-1475(404)

REPLACED TIM PUGH 2-12-96

Board Member - Larry Newberry Term Expires 12-21-97
1050 Hunters Oak Trail Home: 932-0825
Sugar Hill, Ga. 30518 Work: 418-5111

Board Member - Bob Parris Term Expires 12-21-97
5050 Sugar Creek Drive Home: 932-2665
Sugar Hill, Ga. 30518 Work: 945-1235

Board Member Rose Payne Term Expires 12-31-96
980 Old Spring Way Home: 271-7651
Sugar Hill, Ga. 30518 Work: N/A



Authority News Bulletin

Municipal Gas Authority of Georgia 104 TownPark Drive Kennesaw Georgia 30144 770-590-1000

No. 1996-1

CONTACT: Chris Strippelhoff

DATE: November 22, 1996

TO: ALL MEMBER CITIES

DECEMBER GAS PRICES REACH RECORD HIGH

Over the past week, the natural gas futures market for the month of December experienced an unprecedented level of activity. As a result, the December price for natural gas futures closed at a record level of \$3.90 (January, February and March futures are trading in excess of \$3.00/MMBtu). Because most of our cities have fixed Residential and Commercial rate structures, you may want to implement a temporary seasonal rate increase in order to protect your margins. Please contact us for assistance in determining such an increase. For those cities who have large interruptible customers with alternate fuel capabilities, you may want to contact them as a courtesy and make them aware of the upcoming price for December's natural gas. Keep in mind that the alternative fuel markets (i.e. propane, heating oils) have also experienced an increase in price for December. Therefore, in most cases, natural gas will still be the lowest price fuel for these customers.

Unfortunately, the CAPP Program will not become a reality this year. During the two-day period when we were verifying price tolerances with member cities, prices dramatically increased above the levels approved. Because the underlying fundamental factors which rapidly drove the gas market to this extreme level (i.e. weather, storage, trading activity) were conflicting and sudden, we were unable to purchase any options for those cities that signed up for the CAPP program. We will begin program planning for the winter of 1997-98 after the holidays and will be communicating hedging options to our members in early Spring.

Should you have any questions concerning how the current winter market may affect your City, please do not hesitate to contact either Matt McIntyre, Chuck Davis, or me at (770) 590-1000.

	HEALTH	RETIREMENT	RETIREMENT	SOCIAL	TOTAL
	INSURANCE	@ 6 PERCENT	(MATCH)	SECURITY DEPT	

ADMINISTRATION	40000	11850	8000	15200	75050
PLANNING/ZONING	23500	6000	2100	7500	39100
STREET & BRIDGE	36000	7000	3000	9165	55165
GAS DEPARTMENT	85000	19000	6000	25000	135000
GOLF COURSE	57000	15000	12000	22500	106500
TOTALS	241500	58850	31100	79365	410815

TRAINING AND TRAVEL

MAYOR/CITY COUNCIL	10000
CITY MANAGER'S OFFICE	4000
FINANCE & CITY CLERK'S OFFICE	9000
GAS DEPARTMENT	7000
STREET & BRIDGE	2000
PLANNING & ZONING	4000
GOLF COURSE	4000
TOTAL BUDGETED	40000

MAYOR/CITY COUNCIL TRAINING

GEORGIA MUNICIPAL- SAVANNAH	4000
GEORGIA MUNICIPAL- JEKYLL	2500
MAYOR'S DAY	2500
MISCELLANEOUS	1000
TOTAL	10000

CITY MANAGER TRAINING

CAPITAL IMPROVEMENTS- UGA	450
CITY MGR. TRAINING (2 SESSIONS)	800
MAYOR'S DAY	700
MUNICIPAL GAS AUTHORITY	150
GEORGIA MUNICIPAL- SAVANNAH	800
GEORGIA MUNICIPAL-JEKYLL	600
MISCELLANEOUS	500
TOTAL	4000

SUGAR HILL CITY GOVERNMENT
SUGAR HILL, GEORGIA
BACKUP FIGURES FOR 1997BUDGET

FUND 01 - FINANCE & ADMINISTRATION

Supplies & Materials - This figure combines the Clerks Office and the Finance office and other Administration Duties:

#43400 Data Processing Supplies
#43600 Office Supplies
#43800 Printing

Equipment, Operation & Maintenance - This figure combines the Clerks Office and Finance Office and other Administration Duties:

#45000 Office Equipment
#45200 Office Equipment Maintenance
#48500 Telephone

Training & Travel - This figure combines the Clerks Office and Finance Office and other Administration Duties:

Finance Training - 1997

Ruth Switzer.....\$ 500
Kelley Canady.....\$ 500
Shirley Gibbs.....\$ 500
Total \$1,500

Clerk's Conference - UGA - February 1997

Betty Garbutt - Shirley Gibbs
Education.....(2)...\$ 615
Accommodations.....(2)...\$ 450
Meals.....(2)...\$ 100
Total \$1,165

Clerk's Conference - UGA - September 1997

Betty Garbutt - Shirley Gibbs
Education.....(2)...\$ 410
Accommodations.....(2)...\$ 325
Meals.....(2)...\$ 100
Total \$ 835

IIMC Conference - Summer 1997

Betty Garbutt
Registration.....\$ 350
Travel.....\$ 300
Accommodations.....\$ 600
Meals.....\$ 250
Total \$1,500

Seminars, Classes, Training Sessions,
Education, ... \$1,500

Margie Wilson
Shirlee Fields
Ruth Switzer
Ruth Ann Cooper

Georgia Municipal Meetings \$1,500

Betty Garbutt
Savannah Convention
Pre-Legislative Conference

Misc. Travel.....\$1,000

(Seminars, County Administration, Education)

Total Training and Travel.....\$ 9,000

**CLERK'S REPORT
DECEMBER 1996**

The Clerk's office is busy collecting taxes and also we are having some requests concerning Occupational Tax Licenses.

The employees have Thursday, November 28th and Friday, November 29th as Holidays for Thanksgiving.

We have been assisting in the audit of the Gas System concerning the gas loss, but no significant problem has been found. Meter reading and billing has been looked at and we are also looking at the purging which is done during the installation of the gas services. The firm doing the audit is also looking at the gas leaks to see if all major leaks have been found and repaired.

We have talked with six (6) different insurance companies to get quotes on the Group Insurance, we are doing all we can to see that the best rate for the City and the best benefits for the employees are obtained at the most reasonable cost.

There were five (5) RFP's for Audit Services mailed and to date I have heard from two (2) of them. Staff will look at those we receive on Monday, December 2, 1996 and we will make a recommendation at the December 2, 1996 Council Meeting.

We will observe two (2) days as Christmas Holidays. They will be December 25th and 26th.

I will need to know who wants to attend Mayor's Day on January 25th through January 27th, 1997 in Atlanta. Please let me know as soon as possible so I can make reservations for those wishing to stay at the Hilton.

MEMORANDUM 96-75

TO: Mayor/City Council

FROM: Warren P. Nevad 

RE: **DECEMBER 2, 1996 CITY MANAGER REPORT**

DATE: November 27, 1996

1. EMPLOYEES:

We are currently auditing our utility billing accounts to ensure that all accounts are properly billed. We are preparing for our transition of programs to our new computer network. Hopefully, the accounting, utility and tax software will be online in January.

Next month, we will prepare amendments to our personnel manual. Amendments are mostly housekeeping matters to bring our manual up to date.

2. PLANNING/ZONING:

During September, the department issued 21 single family residential permits. This resulted in permit revenues of \$14,460. In addition, the department conducted 335 inspections during this extremely busy month.

3. GAS DEPARTMENT:

The Gas Department installed 55 new services this month. We have installed over 3500 ft. of service lines. We have recently finished the installation of a 4 inch gas main on Brogdon Rd. Total cost of project was \$32,000. Staff saved \$30,000 by having the contractor connect the line to an existing regulator station instead of constructing a new one. This project will provide service to Aamco's office complex and future development on Brogdon Rd.

We are expecting a huge increase in the cost of gas for December. The price is expected to soar from \$4.34 per MCF in November to \$ 5.07 per MCF. We are requesting an increase only in December until the spot price decreases. We recommend to research the feasibility of adopting a "floating index" rate.

4. ROADS/DRAINAGE:

We will commence drainage work at the intersection of Creek Lane and Pass Court this month. We will finish landscaping the Fox property in early spring.

We received a check in the amount of \$59,000 for road paving.

5. FINANCE:

We have submitted our proposed 1997 budget draft. Our overall fiscal objective is maintenance of our millage rate. Several critical improvement areas have been identified including the high pressure gas expansion project; drainage improvement at E.E. Robinson Park and vehicle replacement.

We are soliciting new health insurance and audit proposals.

6. GOLF COURSE:

Piedmont Olsen Hensley has collected several plan sets and related documents of the current spray irrigation system and they are currently evaluating the 90 vacant acres for the expansion. EPD has conceptually approved a used spray irrigation network to minimize our costs. EPD has been impressed with our actions to date. These actions include: verbal consultation with golf course personnel, dismantling of discharge pipe, technical assistance from the County, daily communication with our engineers and networking with key local political leaders. We are poised to close the golf course, if necessary, in order to comply with our "spray over play" policy. We will continue to keep you advised of further details.

During November, the golf course grossed approximately \$70,000.

Please call me should you have any questions - Best Wishes for a productive meeting.

WPN:bms