

# BUFORD CITY COMMISSION MEETING

March 6, 2023  
Buford City Hall  
7:00 p.m.

1. Pledge to the Flag.
2. Approve the agenda as presented.
3. Approve the minutes from the February 6, 2023 meeting.
4. Change the April meeting to April 10, 2023.
5. Recognize Derrick Young for his twenty (20) years of service.

## **PUBLIC HEARINGS**

### 6. **Rezoning:**

#### I. **#Z-23-01:**

**Richardson Asset Mgt., LLC**  
**3600 Shoreland Drive**  
**Acres: 11.88**  
**Parcel: 07-330-006001 - Hall County**

**Requesting rezoning from R-100 (Single Family Residential) to RA-200 (Agricultural-Residential).**

## **P&Z Recommendation**

#Z-23-01: Richardson Asset Management, LLC request rezoning for the property located at 3600 Shoreland Drive from R-100 to RA-200. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated the property consisted of 11.88 acres and they are proposing to build one (1) single-family home with a barn. He asked for exemption on the road improvements and sidewalk and to eliminate the barn being 4-sides brick. Chairman stated he would like to see curb and gutter. There were no objections from the audience. Motion

by Wayne Johnson and seconded by Jeff Pirkle to recommend approval of rezoning request to RA-200 with the following conditions:

1. The applicant shall apply for a land disturbance permit for review by the City Engineer. The City Engineer shall determine the need for State and/or Federal permitting/variances for the disturbances of state waters, as necessary.
2. The applicant shall provide the City of Buford elevations indicating the intended architectural materials and design. The final design shall be approved by the Planning Director.
3. The home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on each elevation. Accents shall include brick, stucco, rock, shakes, hardiplank, and concrete siding as approved by the Planning Director. The barn shall be designed as per the drawing submitted with the application by Creative Concepts Studio, dated October 26, 2016.
4. The home shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basement.
5. Only one (1) residential home is allowed for single-family dwelling, per lot, within RA-200 district. The accessory structure shown on the site plan provided with the rezoning application is to be for a detached garage/barn as indicated in the letter of intent.

Ayes – 4

Nays – 0

**II. #Z-23-07:**

**Jacob Hand**

**Holiday Road**

**Acres: 1.192**

**Parcel: Out of 08-169-001002B**

**Requesting rezoning from RA-200 (Agricultural-Residential) to R-100 (Single Family Residential).**

**P&Z Recommendation**

#Z-23-07: Jacob Hand requested rezoning for the property located on Holiday Road, being out of parcel 08-169-001002B, containing 1.192 acres from RA-200 to R-100. Jeff Pruitt spoke on behalf of the applicant and explained the request to the Board. He stated they are proposing to build one (1) single-family home. He

asked for the home to be 3-sides brick with 30% accents and with a water table on the rear elevation in order to provide a day light basement. There were no objections from the audience. Motion by Amy Reed and seconded by Jeff Pirkle to recommend approval of the rezoning request to R-100 with the following conditions:

1. The proposed lot shall meet the standards of R-100 zoning for lot width and lot area.
2. Prior to the issuance of any subsequent permits the applicant shall provide an exemption plat for review and approval. The exemption plat shall be accompanied by an environmental report that provides verification of state waters located at the subject site.
3. Only one (1) residential home is allowed for single-family dwelling, per lot, within R-100 district.
4. The applicant shall provide a house location plan (HLP) with the building permit to be approved by the Planning Director.
5. The home shall be constructed with three (3) sides brick or stone with accents not to exceed 30% on each elevation. The rear elevation shall have a 42” water table of brick or stone. Accents shall include brick, stucco, rock, shakes, hardiplank, and concrete siding as approved by the Planning Director.
6. The proposed home shall have a minimum gross heated floor area of 3400 square feet exclusive of garages or basement and shall have a minimum two (2) car garage.
7. The driveway shall be a minimum width of 18 feet.
8. All front, side, and rear yards shall be sodded and shall have two (2) 3-inch ornamental trees planted in the front yard.
9. Road improvements including curb and gutter and 5-foot sidewalk is required along Holiday Road. All improvements shall meet the standard of City of Buford codes and ordinances.

Ayes – 4

Nays – 0

### **III. #Z-23-08:**

**David Anderson**

**North Bogan Road**

**Acres: 4.531**

**Parcel: Out of 08-155-000021**

**Requesting rezoning from R-100 (Single Family Residential) to RA-200 (Agricultural-Residential).**

#### **P&Z Recommendation**

#Z-23-08: David Anderson requested rezoning for the property located on North Bogan Road, being parcels 08-155-000021 and 08-155-000021A, containing 4.531 acres from R-100 to RA-200. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated they will be removing the house and build a new single-family home and the existing barn will remain. The two lots will be combined into one parcel. They are proposing to build a farmhouse style home. They asked for relief on the width of driveway, eliminating areas of sod in the front and rear yards, eliminate road improvements, minimum square footage to be 3200, and to leave the existing farm type fence in the front yard. There were no objections from the audience. Motion by Jeff Pirkle and seconded by Wayne Johnson to recommend approval of the rezoning request to RA-200 with the following conditions:

1. The applicant shall provide a house location plan (HLP) with the building permit to be approved by the Planning Director.
2. Prior to the issuance of any subsequent permits the applicant shall provide a combination plat for review and approval.
3. Only one (1) residential home is allowed, and the existing barn shall remain.
4. The proposed home shall be a farmhouse style estate home as per the drawing submitted with the application by Caldwell Cline Architects and Designers dated December 28, 2022.
5. The minimum square footage shall be 3200 gross heated floor area exclusive of garages or basement. The home shall have a minimum two (2) car garage.
6. The driveway shall be a minimum width of nine (9) feet from North Bogan Road to the barn and then a minimum width of 18 feet from the 9-foot drive to the house.
7. The existing fence shall be replaced with a picket fence.

8. The front yard shall be sodded with a minimum area of one (1) acre and the side and rear yards shall be sodded with a minimum border of 20 feet.
9. The road improvements including sidewalk and curb and gutter shall not be required per the exemption letter from Hall County Traffic and Engineering Division.

Ayes – 4  
Nays – 0

**IV. #Z-23-09:**

**bSide Partners, LLC  
4105 Gainesville Highway  
Acres: 20.847  
Parcel: 08-151-002009**

**Requesting rezoning from C-2 (Commercial) to M-1 (Light Industrial).**

**P & Z Recommendation**

#Z-23-09: bSide Partners, LLC request rezoning for the property located at 4105 Gainesville Highway from C-2 to M-1. Mitch Peevy spoke on behalf of the applicant and explained the request to the Board. He stated the development will consist of six (6) office/warehouse buildings and one (1) 3-story self-storage building. The one (1) self-storage building could also accommodate some office/warehouse use and they would provide the parking underground for that use. Lee and Mayra Sharp, Wildwood Subdivision, had concerns with any floodplain disturbance, vehicles entering the site and also asked for a larger undisturbed buffer that abuts residential properties. Mr. Peevy stated the floodplain would not be disturbed and the buffer would probably end up being more like 55 feet depending on the grading. Chadwick Allen, 5416 Frazer Road, asked if the buildings would be professional looking buildings and what type of users. Mr. Peevy stated the buildings would be brick or stucco with roll-up doors on the side. Users would be similar to contactors with 20% office and 80% warehouse/storage. After short discussion, motion by Wayne Johnson and seconded by Amy Reed to recommend approval of the zoning request to M-1 with the following conditions:

1. Per City of Buford Zoning Ordinance Section 605-606, minimum strip requirements, M-1 zoned property shall include a minimum of 50' buffer strip for screening adjacent to residential. The applicant shall replant areas

that are void of vegetation for effective screening. The final plan is to be reviewed and approved by the Planning Director.

2. Landscape and architectural design shall follow section 1316.1 – Design Requirements, Buford Zoning Ordinance.
3. Vehicular parking shall be within designated striped parking spaces and parking on grassed areas is prohibited.
4. The mini-self-storage building shall have 10 parking spaces per the site plan submitted with the application and if the building has office-warehouse users then parking will be provided underground as required per the City of Buford Zoning Ordinance, Article X.
5. The final plan shall be approved by the Planning Director.
6. U-Haul rentals shall be prohibited.
7. Outdoor speakers shall be prohibited.
8. No outdoor storage of junk vehicles is allowed on the site.
9. All exterior lighting shall be directed and shielded so as to illuminate the development only.

Ayes – 4

Nays – 0

7. **Annexations:**

I. **Plat #655:**

**Applicant/Owner: Patrick Houlihan  
463 Thunder Road  
Buford, GA 30518**

**Property: 463 Thunder Road, Hall County**

**Parcel: 07-299-004002**

**Acres: 0.48**

**Zoned From: AR-III**

**Zoned To: RA-200**

**P & Z Recommendation:**

Plat #655: Patrick Houlihan requested annexation and zoning for the property located at 463 Thunder Road from AR-III to RA-200. Hall County did not object to the annexation. The Board noted that the property was unkept and the City would have immediate violations to address. The applicant was not present.

Motion by Wayne Johnson and seconded by Jeff Pirkle to recommend denial of the request.

Ayes – 4  
Nays – 0

**II. Plat #656:**

**Applicant/Owner: Dwell Co., LLC by Angela Utayev  
2976 North Bogan Road  
Buford, GA 30518**

**Property: 2976 North Bogan Road, Gwinnett County  
Parcel: 7-263-010  
Acres: 0.6400  
Zoned From: R-75  
Zoned To: R-100**

**P&Z Recommendation:**

Plat #656: Dwell Co., LLC by Angela Utayev requested annexation and zoning for the property located at 2976 North Bogan Road from R-75 to R-100. The applicant was present and explained the request to the Board. Gwinnett County did not object to the annexation and zoning request and there were no objections from the audience. Motion by Jeff Pirkle and seconded by Wayne Johnson to recommend approval of the annexation and zoning to R-100 and if the existing home is removed or any new home constructed, the new home shall comply with the following conditions:

1. Home shall have a minimum gross heated floor area of 2800 square feet exclusive of garage or basement. Shall have a minimum 2-car garage.
2. Home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear elevations. Accents shall include brick, stone, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
3. The driveway shall be a minimum width of 18 feet.
4. The front and side yards shall be sodded.
5. Shall plant two (2) ornamental trees in the front yard.

Ayes – 4  
Nays – 0

**III. Plat #657:**

**Applicant/Owner: Carol M. Simmons  
6224 Mount Salem Circle  
Flowery Branch, GA 30542**

**Property: 6224 Mount Salem Circle, Hall County  
Parcel: 08-138-001016  
Acres: 5.41  
Zoned From: AR-III  
Zoned To: RA-200**

**P&Z Recommendation:**

Plat # 657: Carol M. Simmons requested annexation and zoning for the property located at 6224 Mount Salem Circle from AR-III to RA-200. Jeff Pruitt spoke on behalf of the applicant and explained the request to the Board. Hall County did not object to this annexation and zoning request and there were no objections from the audience. Motion by Amy Reed and seconded by Jeff Pirkle to recommend approval of the annexation and zoning to RA-200 and if the existing home is removed or any new home constructed, the new home shall comply with the following conditions:

1. Home shall have a minimum gross heated floor area of 2800 square feet exclusive of garage or basement. Shall have a minimum 2-car garage.
2. Home shall be constructed with four (4) sides brick or stone with accents not to exceed 20% on the front, side and rear elevations. Accents shall include brick, stone, stucco, rock, shakes, hardiplank and concrete siding as approved by the Planning Director.
3. The driveway shall be a minimum width of 18 feet.
4. The front and side yards shall be sodded.
5. Shall plant two (2) ornamental trees in the front yard.

Ayes – 4

Nays – 0



8. **Zoning Amendment:**

**P&Z Recommendation**

#ZA-23-01: Robert Perkins made a motion to recommend approval of the amendment to the City of Buford Zoning ordinance, Section 1308 C-2 General Business District, Special Uses, 30. Liquor Stores. There was not a second. Lack of a second, the motion dies.

#ZA-23-01 Amendment to Zoning Ordinance concerning Section 1308 C-2 General Business District, Special Uses, 30. Liquor Stores to modify population requirements and other provisions.

**END OF PUBLIC HEARINGS**

9. Adopt amendment to Section 6-56, City of Buford Code of Ordinances Article II, Licenses, Criteria upon receipt of multiple package store applications and adopt fee for such use.
10. Approve purchase of properties located at 125 N. Church Street, parcel ID 7-294C-008, in the amount of \$160,000, 584 New Street, parcel ID 7-296-073, in the amount of \$300,000, 515 Copper Street, parcel ID 7-296-004A, in the amount of \$60,000.00, and 545 Copper Street, parcel ID 7-296-003A, in the amount of \$70,000.00.
11. Consider reappointment of Robert Murphy and Dorothy Lott as Board of Directors at the Housing Authority of the City of Buford.
12. Authorize City Manager and City Attorney to proceed with eminent domain proceedings for the acquisition of property for the Moreno Street pedestrian facilities and streetscape project as to the parcels set forth herein.
13. Authorize renewal of 2023-2024 general liability and property insurance policy package with Sterling, Seacrest & Pritchard / Pritchard Insurance Agency.
14. Consider approval of special event at Buford Youth Sports Complex for Elyte Sports, LLC, flag football.
15. Consider approval of Buford Senior Academy bids for classroom expansion project.

16. Consider approval of bids for Bona Road Pedestrian Improvements – Phase II project (CDBG).
17. Consider acceptance of a utility easement from WREG Harbins Retail, LLC for installation of a gas line at the Publix Store #1893 located at 952 Harbins Road, Dacula, GA 30019.
18. Authorize payment of Invoice #22115-06 in the amount of \$375.00 to Breaux & Associates for Buford High School restroom project.
19. Authorize payment of Invoice #18137-12 in the amount of \$155,614.76 to Breaux & Associates for new Buford High School Stadium project.
20. Authorize payment #4 in the amount of \$614,914.13 to John D. Stephens, Inc. for Waterworks Road water main relocation project.
21. Authorize payment #4 in the amount of \$111,808.35 for Shadburn Ferry Road storm drainage project and change order #1 for Shadburn Ferry Road sidewalk improvements project to Ohmshiv Construction, LLC.
22. Authorize payment #3 in the amount of \$274,270.02 to John D. Stephens, Inc. for new Buford High School stadium sewer project.
23. Authorize payment #3 in the amount of \$749,118.00 to Veolia Water Technologies, Inc. for Southside WPCP Tertiary filter replacement.
24. Authorize payment #21 in the amount of \$321,552.09 to Ruby Collins, Inc. for water plant expansion project and payment of Invoice #2370-23 in the amount of \$11,180.00 to Global Control Systems, Inc. for specialized controls and instrumentation.
25. Authorize payment #4 in the amount of \$88,841.00 for Buford High School baseball restrooms project and payment #5 in the amount of \$332,284.00 for Buford Middle School addition and renovations project to Charles Black Construction Company, Inc.
26. Authorize payment of Invoice #6 in the amount of \$58,003.00 to Charles

Black Construction Company, Inc. for New Street relocation project and utilize SPLOST funds and general funds.

27. Authorize payment of Invoice #4 in the amount of \$27,135.00 to Charles Black Construction Company, Inc. for Buford Southside Water Treatment Plant Office Building project.
28. Authorize payment of Invoice #2 in the amount of \$342,095.00 to Charles Black Construction Co., Inc. for Robert Bell Parkway road repair project and utilize SPLOST funds.
29. Authorize payment of Invoice #3 in the amount of \$38,163.64 to Charles Black Construction Company, Inc. for Buford High School stadium project.
30. City Manager's Report.
31. City Attorney's Report.

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NOTE: The City of Buford does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities per the Americans with Disabilities Act of 1992. Bryan Kerlin, City Manager, 770-945-6761, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator. The City of Buford will assist citizens with special needs given proper advance notice. Any requests for reasonable accommodations required by

individuals to fully participate in any open meeting, program, or activity of the city should be directed to the ADA Coordinator, Bryan Kerlin, 2300 Buford Highway, Buford, Georgia, 770-945-6761.