

BOARD OF ZONING APPEALS

Minutes

February 26, 2009

Eron Moore, Chairman	Present
Ronnie Allen	Present
Mark Burson	Present
John Pentecost	Present
Bill Perkins	Present

Chairman Moore called the meeting to order and declared a quorum present.

Motion by Mr. Perkins to approve the agenda. Seconded by Mr. Allen. Approved unanimously 4-0

Motion by Mr. Pentecost to approve the minutes from the December 15th, 2008 meeting. Seconded by Mr. Allen. Approved unanimously 4-0

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. **Appeal of alcohol license revocation
El Rinconsito #2
198 Scenic Hwy**

Mr. Moore called the item and asked if the applicant was present and to come forward; which Norma Casillas did. He then requested of Mr. Leonard, Planning Director to make his presentation. Mr. Leonard introduced Ms. Kim Daughtery, Assistant to the City Clerk, Mr. Bob McAllister Consultant that performed the audits and Lawrenceville Police Sgt. Brad Grove. He then entered into the record a complete copy of alcohol ordinance and brought attention to 34-201.1 that alcohol sales within the city of Lawrenceville is a "privilege not a right". He then stated the series events and the reasons why the Board of Appeals was hearing this case. He stated that the alcohol license was revoked because of a failed audit and he then provided detailed information. He next detailed the revocation sections and reasons. He then detailed the penalty section of the ordinance and how it related to the revocation. He concluded the presentation by passing out documents included current licenses, citations, and an affidavit signed by the applicant stating that they understand and agree with all the regulations.

After several questions from the board Chairman Moore asked Ms Casillas for her presentation. Ms. Casillas, through her interpreter, rebutted some of the information provided by Mr. Leonard. She also had several questions. She also made available a packet of revised receipts.

The Board then questioned Mr. McAllister and Sgt. Grove concerning questions raised by Ms. Casillas.

Upon conclusion of the presentations there was some discussion and Chairman Moore called for a motion. The motion to deny the appeal was made by Mr. Perkins. Seconded by Mr. Burson and approved unanimously. 4-0

2. **Appeal of alcohol license revocation**
Europeon Sports Bar & Grill
219 Gwinnett Drive

Mr. Moore called the item and asked if the applicant was present and to come forward. Which Senad Avdic, his business partner, and Mr. Paul Andrew, Attorney. He then requested of Mr. Leonard, Planning Director to make his presentation. Mr. Leonard introduced Ms. Kim Daughtery, Assistant to the City Clerk, Mr. Bob McAllister Consultant that performed the audits and Lawrenceville Police Sgt. Brad Grove. He then entered into the record a complete copy of alcohol ordinance and brought attention to Section 34-201.1 that alcohol sales within the city of Lawrenceville is a "privilege not a right". He then stated the series events and the reasons why the Board of Appeals was hearing this case. He stated that the alcohol license was revoked because of a failed audit and he then provided detailed information. He next detailed the revocation sections and reasons. He then detailed the penalty section of the ordinance and how it related to the revocation. He concluded the presentation by passing out documents including current licenses, citations, and an affidavit signed by the applicant stating that they understand and agree with all the regulations.

After several questions from the board, Chairman Moore asked the applicant for their presentation. Mr. Andrew gave the presentation, he stated although his clients didn't fully understand the language they did not have some of the required documentation and violated some "minor" regulations it was more because they did not understand what those requirements are. However since his clients have been made aware of those regulations they now realize how important they are and then have since addressed the deficiencies and are now doing things correctly. Since they now understand they promise to adhere to those regulations and are asking for the license to be reinstated. Upon completion of the applicants presentation Chairman Moore asked Mr. Leonard if he had any questions for the applicant. Mr. Leonard asked Mr. Avdic that during the hearing after the court date for the citations issued in 2007 what was discussed? Mr. Avdic stated that he was told that he could not purchase alcohol from a retailer that it was important to follow the regulations and further consequences could result if he didn't. Mr. Moore then asked if Mr. Andrew had any questions for any of the staff. Mr. Andrew proceeded to ask Sgt. Grove several questions concerning reasons for the audit and how his client's establishment was chosen.

Upon conclusion of the presentations there was some discussion and Chairman Moore called for a motion. The motion to deny the appeal was made by Mr. Allen. Seconded by Mr. Pentecost and approved unanimously. 4-0

Having no further business the meeting was adjourned.

Eron Moore, Chairman

Bradford P Leonard, Director of
Planning and Zoning