

**ZONING BOARD OF APPEALS  
GWINNETT JUSTICE & ADMINISTRATION CENTER  
75 Langley Drive, Lawrenceville, GA 30046  
HEARING DATE: May 8, 2012  
PUBLIC HEARING AT 6:30 P.M.**

<b>CASE NUMBER</b>	<b>ZVR2012-00027</b>
<b>APPLICANT</b>	JOHN BASDEO
<b>LOCATION</b>	1301 COUNTRY DOWNS DR, NORCROSS
<b>ZIP CODE</b>	30093
<b>ZONING</b>	RM
<b>MRN (DIST,LL,PARCEL)</b>	R6187 098
<b>PROPOSED DEVELOPMENT</b>	SINGLE FAMILY DWELLING ADDITION
<b>VARIANCE TYPE</b>	SIDE SETBACK ENCROACHMENT
<b>VARIANCE REQUEST</b>	ENCROACHMENT OF 5 FT INTO THE 10 FT SIDE YARD SETBACK
<b>COMMISSION DISTRICT</b>	1

<b>CASE NUMBER</b>	<b>ZVR2012-00032</b>
<b>APPLICANT</b>	MAGDALENO RAMOS
<b>LOCATION</b>	6188 JOSEPHINE RD, DORAVILLE
<b>ZIP CODE</b>	30340
<b>ZONING</b>	R75
<b>MRN (DIST,LL,PARCEL)</b>	R6246B 066
<b>PROPOSED DEVELOPMENT</b>	BUILDING ADDITION
<b>VARIANCE TYPE</b>	SIDE SETBACK ENCROACHMENT
<b>VARIANCE REQUEST</b>	ENCROACHMENT OF 7 FT INTO THE 10 FT SIDE YARD SETBACK
<b>COMMISSION DISTRICT</b>	2

<b>CASE NUMBER</b>	<b>ZVR2012-00033</b>
<b>APPLICANT</b>	STEVE WESTER
<b>LOCATION</b>	3035 CENTERVILLE HWY, SNELLVILLE
<b>ZIP CODE</b>	30039
<b>ZONING</b>	C2
<b>MRN (DIST,LL,PARCEL)</b>	R6031 006
<b>PROPOSED DEVELOPMENT</b>	GROUND SIGN
<b>VARIANCE TYPE</b>	GROUND SIGN QUANTITY INCREASE
<b>VARIANCE REQUEST</b>	ALLOW TWO GROUND SIGNS ON A SINGLE ROAD FRONTAGE
<b>COMMISSION DISTRICT</b>	3

<b>CASE NUMBER</b>	<b>ZVR2012-00034</b>
<b>APPLICANT</b>	AMY HILLMAN
<b>LOCATION</b>	5025 WINTER CHAPEL RD, DORAVILLE
<b>ZIP CODE</b>	30360
<b>ZONING</b>	C2

**MRN (DIST,LL,PARCEL)** R6280 018  
**PROPOSED DEVELOPMENT** WALL SIGN  
**VARIANCE TYPE** WALL SIGN AREA INCREASE  
**VARIANCE REQUEST** INCREASE ALLOWABLE SIGN AREA ON FRONT  
ELEVATION FROM 100 SQ. FT. TO 260 SQ. FT.  
**COMMISSION DISTRICT** 2

**CASE NUMBER** **ZVR2012-00035**  
**APPLICANT** AMY HILLMAN  
**LOCATION** 5025 WINTER CHAPEL RD, DORAVILLE  
**ZIP CODE** 30360  
**ZONING** C2  
**MRN (DIST,LL,PARCEL)** R6280 018  
**PROPOSED DEVELOPMENT** WALL SIGN  
**VARIANCE TYPE** WALL SIGN AREA INCREASE  
**VARIANCE REQUEST** INCREASE AGGREGATE TOTAL OF WALL  
SIGNAGE FROM 200 SQ. FT. TO 300 SQ. FT.  
**COMMISSION DISTRICT** 2

**CASE NUMBER** **ZVR2012-00036**  
**APPLICANT** ALEJANDRO VEGA  
**LOCATION** 6229 JOSEPHINE RD, DORAVILLE  
**ZIP CODE** 30340  
**ZONING** R75  
**MRN (DIST,LL,PARCEL)** R6246B 085  
**PROPOSED DEVELOPMENT** ACCESSORY STRUCTURE OR USE  
**VARIANCE TYPE** ACCESSORY STRUCTURE SETBACK  
ENCROACHMENT  
**VARIANCE REQUEST** ENCROACHMENT OF 3 FT INTO THE 5 FT  
ACCESSORY STRUCTURE SETBACK  
**COMMISSION DISTRICT** 2

**CASE NUMBER** **ZVR2012-00037**  
**APPLICANT** DAVID NEPHAN  
**LOCATION** 1472 KIMWOOD CT, LAWRENCEVILLE  
**ZIP CODE** 30043  
**ZONING** R140  
**MRN (DIST,LL,PARCEL)** R7025 018  
**PROPOSED DEVELOPMENT** ACCESSORY STRUCTURE OR USE  
**VARIANCE TYPE** ACCESSORY STRUCTURE OR USE YARD  
LOCATION  
**VARIANCE REQUEST** ALLOW AN ACCESSORY STRUCTURE  
(DETACHED GARAGE) TO BE LOCATED IN A  
SIDE YARD  
**COMMISSION DISTRICT** 4

**CASE NUMBER** **ZVR2012-00038**  
**APPLICANT** FRANK TURNER  
**LOCATION** 1325 AUBURN RD, DACULA  
**ZIP CODE** 30019  
**ZONING** C2

**MRN (DIST,LL,PARCEL)**  
**PROPOSED DEVELOPMENT**  
**VARIANCE TYPE**  
**VARIANCE REQUEST**

R2001 413  
OFFICE  
PARKING PERCENTAGE  
INCREASE FRONT YARD PARKING  
PERCENTAGE MORE THAN 20% IN AN  
OVERLAY DISTRICT

**COMMISSION DISTRICT**

3

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
ZONING VARIANCE ANALYSIS**

CASE NUMBER : **ZVR2012-00027**  
ZONING : RM  
LOCATION : 1301 COUNTRY DOWNS DR, NORCROSS  
MAP NUMBER : R6187 098  
PROPOSED DEVELOPMENT : SINGLE FAMILY DWELLING ADDITION  
VARIANCE REQUESTED : ENCROACHMENT OF 5 FT INTO THE 10 FT SIDE  
YARD SETBACK  
COMMISSION DISTRICT : (I) LASSETER

APPLICANT: JOHN BASDEO  
1301 COUNTRY DOWNS DR  
NORCROSS, GA 30093

CONTACT: JOHN BASDEO PHONE: 404.647.3119

OWNER: JOHN BASDEO  
1301 COUNTRY DOWNS DR  
NORCROSS, GA 30093

**ZONING HISTORY:**

The subject property is a 0.33 acre RM (developed as R-75) zoned lot with an existing single-family dwelling located on the corner of Singleton Road and Country Downs Drive in the Country Downs subdivision. The adjacent lots are zoned RM with single-family dwellings.

**DEPARTMENT ANALYSIS:**

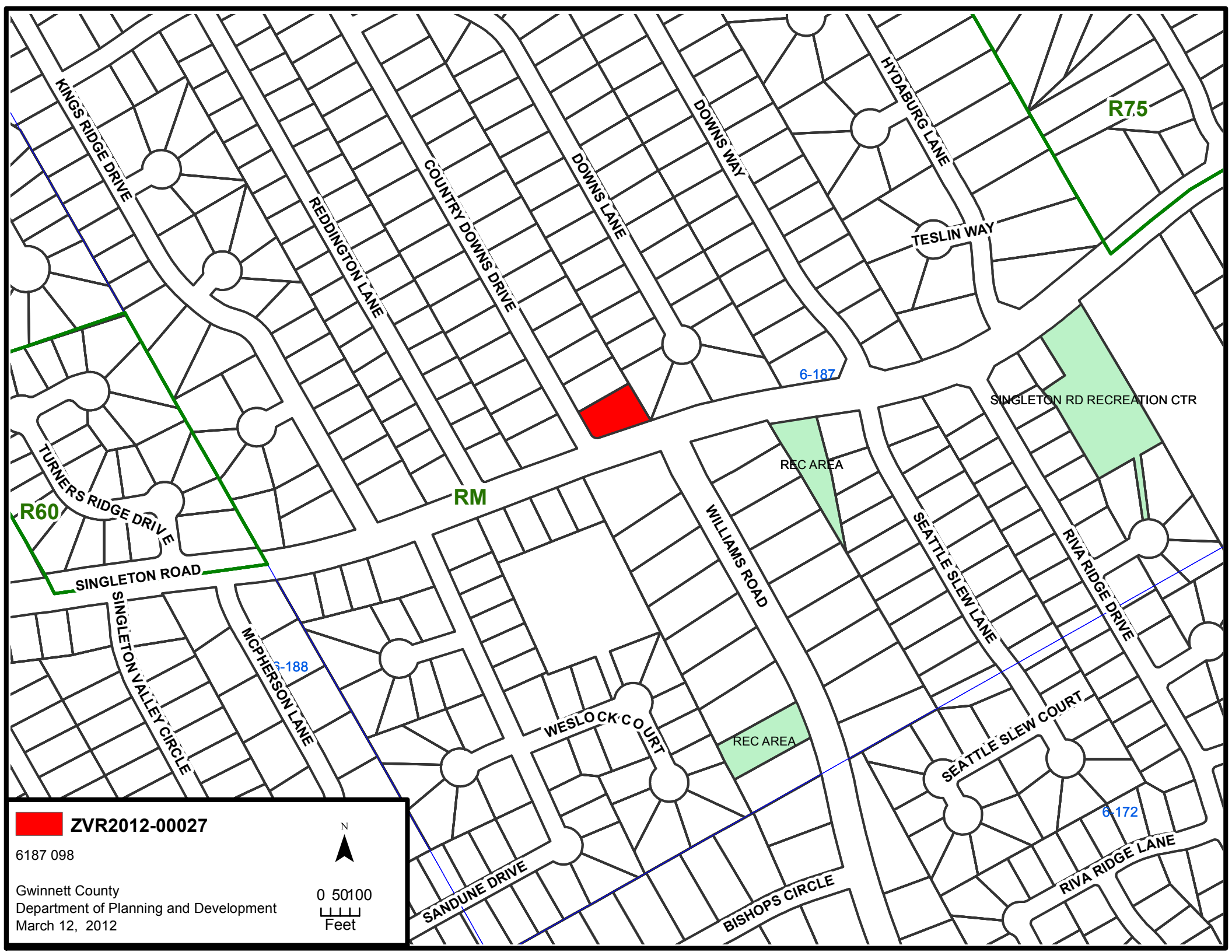
The applicant is seeking approval of a variance to encroach 5 ft. into the 10 ft. side yard setback for an attached carport. The applicant constructed a carport unaware that a building permit was required. The letter of intent states that slab and carport help improve drainage of the lot. The applicant has provided a letter of approval from the adjacent neighbor stating that they do not have objection to this variance request.

This application is the result of an officer generated case with the Code Enforcement Unit (CEU2012-01445).

This application was tabled on April 10, 2012 to the May 8, 2012 meeting.

Should the Board consider approval of this request, staff would suggest the following condition:

- I. The applicant shall obtain all necessary permits including compliance with applicable building and construction codes for fire-resistance-rated construction within 30 days of the variance action.**



 ZVR2012-00027

6187 098

Gwinnett County  
Department of Planning and Development  
March 12, 2012



**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
ZONING VARIANCE ANALYSIS**

CASE NUMBER : **ZVR2012-00032**  
ZONING : R75  
LOCATION : 6188 JOSEPHINE RD, DORAVILLE  
MAP NUMBER : R6246B 066  
PROPOSED DEVELOPMENT : BUILDING ADDITION  
VARIANCE REQUESTED : ENCROACHMENT OF 7 FT INTO THE 10 FT SIDE  
YARD SETBACK  
COMMISSION DISTRICT : (2) HOWARD

APPLICANT: MAGDALENO RAMOS  
6188 JOSEPHINE RD.  
DORAVILLE, GA 30340

CONTACT: MAGDALENO RAMOS PHONE: 678.414.9815

OWNER: MAGDALENO RAMOS  
6188 JOSEPHINE RD.  
DORAVILLE, GA 30340

**ZONING HISTORY:**

The subject property is a 0.17 acre R-75 zoned lot with an existing single-family dwelling located in the Liberty Heights subdivision. The adjacent lots are zoned R-75 with single-family dwellings.

**DEPARTMENT ANALYSIS:**

The applicant is seeking approval of a variance to encroach 7 ft. into the 10 ft. side yard setback for an attached carport. The applicant constructed a carport unaware that a building permit was required. The letter of intent states that the carport will protect their vehicles from weather conditions. The applicant has provided letters of approval from adjacent neighbors that do not object to the encroachment.

This application is the result of an officer generated case with the Code Enforcement Unit (CEU2012-01479).

Should the Board consider approval of this request, staff would suggest the following condition:

- I. The applicant shall obtain all necessary permits including compliance with applicable building and construction codes for fire-resistance-rated construction within 30 days of the variance action.**



DEBORAH DRIVE

SUSAN LANE

JOSEPHINE ROAD

JANE ROAD

EDWARD STREET

ASH STREET

HILLSIDE DRIVE

PARK ROAD

RUFUS PLACE

PENDLEY STREET  
BUTTON GWINNET

R75

M1

R60

M2

6-246

6-221

 ZVR2012-00032

6246B066



0 50 100  
Feet

Gwinnett County  
Department of Planning and Development  
April 4, 2012

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
ZONING VARIANCE ANALYSIS**

CASE NUMBER : **ZVR2012-00033**  
 ZONING : C2  
 LOCATION : 3035 CENTRVILLE HWY, SNELLVILLE  
 MAP NUMBER : R6031 006  
 PROPOSED DEVELOPMENT : GROUND SIGN  
 VARIANCE REQUESTED : ALLOW TWO GROUND SIGNS ON A SINGLE  
 ROAD FRONTAGE  
 COMMISSION DISTRICT : (3) BEAUDREAU

APPLICANT: DENYSE COMPANIES  
 4521 INDUSTRIAL ACCESS RD  
 DOUGLASVILLE, GA 30134

CONTACT: STEVE WESTER PHONE: 678.480.1558

OWNER: LVP EVERSON POINTE, LLC C/O RETAIL PLANNING  
 35 JOHNSON FERRY RD  
 MARIETTA, GA 30068

**ZONING HISTORY:**

The subject property is a 7 acre C-2 zoned (per REZ1997-00125) tract with an existing shopping center located at the intersection of Centerville Highway and Everson Road. The adjacent tracts are zoned C-2 with existing commercial and retail shopping centers. This property is located within the Centerville Highway overlay district.

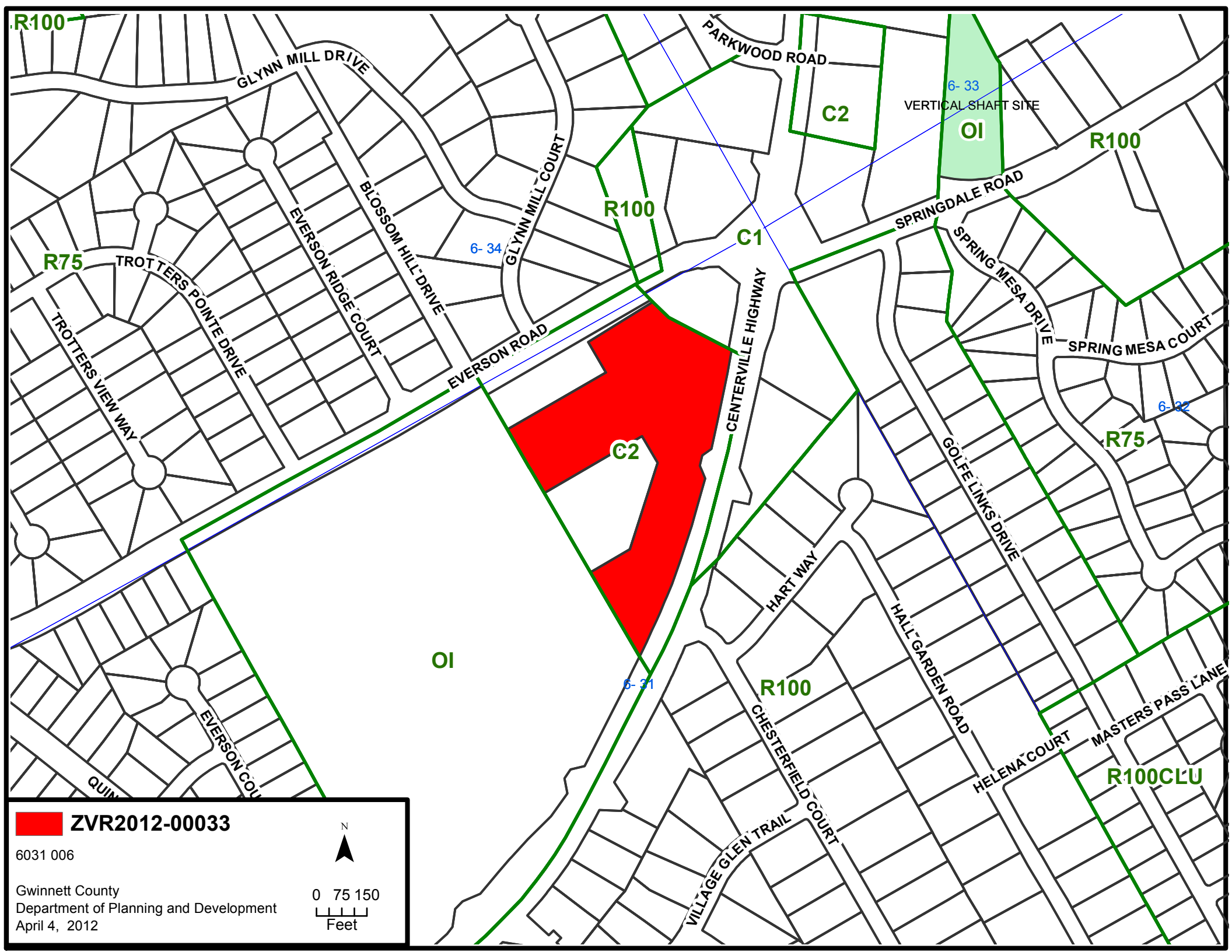
**DEPARTMENT ANALYSIS:**

The applicant is seeking approval of a variance to allow two ground signs on a single road frontage. The letter of intent states the proposed sign will allow maximum exposure and help guide customers to the appropriate location. The proposed sign meets the current height and setback guidelines of the Gwinnett County Sign Ordinance.

The Gwinnett County Sign Ordinance allows one ground sign per single road frontage with a maximum 150 sq. ft. allowed for a commercial center with 55,600 sq. ft.

Should the Board consider approval of this request, staff would suggest the following conditions:

- 1. Signs shall comply shall be consistent with the architectural features of the buildings.**
- 2. The proposed ground sign shall not be located in any stormwater or utility easements.**



R100

GLYNN MILL DRIVE

PARKWOOD ROAD

6-33  
VERTICAL SHAFT SITE

OI

R100

C2

R100

C1

SPRINGDALE ROAD

SPRING MESA DRIVE

R75

6-34

GLYNN MILL COURT

EVERSON ROAD

SPRING MESA COURT

6-22

R75

C2

CENTERVILLE HIGHWAY

GOLFE LINKS DRIVE

OI

6-31

R100

HART WAY

HALL GARDEN ROAD

MASTERS PASS LANE

R100CLU

**ZVR2012-00033**

6031 006

Gwinnett County  
Department of Planning and Development  
April 4, 2012

N

0 75 150  
Feet

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
ZONING VARIANCE ANALYSIS**

CASE NUMBER : **ZVR2012-00034**  
ZONING : C2  
LOCATION : 5025 WINTERS CHAPEL RD, DORAVILLE  
MAP NUMBER : R6280 018  
PROPOSED DEVELOPMENT : WALL SIGN  
VARIANCE REQUESTED : INCREASE ALLOWABLE SIGN AREA ON FRONT  
ELEVATION FROM 100 SQ. FT. TO 260 SQ. FT  
COMMISSION DISTRICT : (2) HOWARD

CASE NUMBER : **ZVR2012-00035**  
ZONING : C2  
LOCATION : 5025 WINTERS CHAPEL RD, DORAVILLE  
MAP NUMBER : R6280 018  
PROPOSED DEVELOPMENT : WALL SIGN  
VARIANCE REQUESTED : INCREASE AGGREGATE TOTAL OF WALL  
SIGNAGE FROM 200 SQ. FT. TO 300 SQ. FT.  
COMMISSION DISTRICT : (2) HOWARD

APPLICANT: WALMART STORES EAST, LP BY THP LAW FIRM, LLP  
311 ALBERTA TERRACE, NE  
ATLANTA, GA 30305

CONTACT: AMY L. HILLMAN PHONE: 404.948.1064

OWNER: ELIOT PROPERTIES, A GEORGIA GENERAL PARTNERSHIP C/O M&P  
SHOPPING CENTERS  
5025 WINTERS CHAPEL RD  
DUNWOODY, GA 30360

**ZONING HISTORY:**

The subject property is a 4.56 acre C-2 zoned tract with an existing shopping center located on Winters Chapel Road partially within the Dekalb County limits. The adjacent tract is zoned RM-8 with existing apartments. The property is located within the Peachtree Corners Overlay district.

**DEPARTMENT ANALYSIS:**

The applicant is seeking approval of two variances. The first variance request (ZVR2012-00034) is to increase the square footage of signage allowed per elevation from 100 sq. ft. to 260 sq. ft. The second variance (ZVR2012-00035) is to increase aggregate total of wall signage from 200 sq. ft. to 300 sq. ft. The applicant's letter of intent states that they are redeveloping a portion of the shopping center as a Wal-Mart Neighborhood Market and that due to the distance the

building is setback from the right of way this increase will allow the sign optimal visibility while maintaining the architectural scale of the building design.

The Gwinnett County Sign Ordinance allows a maximum total of 100 sq. ft. per any one elevation with an aggregate total of 200 sq. ft. for all building elevations.

Should the Board consider approval of this request, staff would recommend the following conditions:

- 1. The increase in wall sign square footage shall be for the front elevation only.**
- 2. The total aggregate square footage for all wall signage shall be 300 sq. ft.**

DeKalb County

FIRE STATION (FUTURE)

O1

M1

C2

R75

LAKEVIEW LANE

WINTERS CHAPEL ROAD

CLEARLAKE COURT

C2

6-280

WINTER TRAIL ROAD

NORTHERN PLACE

MUKLUK COURT

WINTERBROOK COURT

RM8

M1

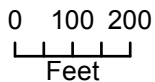
C2

RA200

 ZVR2012-00034 & ZVR2012-00035

6280 018

N



Gwinnett County  
Department of Planning and Development  
April 4, 2012

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
ZONING VARIANCE ANALYSIS**

CASE NUMBER : **ZVR2012-00036**  
ZONING : R75  
LOCATION : 6229 JOSEPHINE RD, DORAVILLE  
MAP NUMBER : R6246B 085  
PROPOSED DEVELOPMENT : ACCESSORY STRUCTURE OR USE  
VARIANCE REQUESTED : ENCROACHMENT OF 3 FT INTO THE 5 FT  
ACCESSORY STRUCTURE SETBACK  
COMMISSION DISTRICT : (2) HOWARD

APPLICANT: ALEJANDRO VEGA  
60 PARKCREEK CT.  
ROSWELL, GA 30076

CONTACT: ALEJANDRO VEGA PHONE: 404.597.8276

OWNER: ALEJANDRO VEGA  
60 PARKCREEK CT.  
ROSWELL, GA 30076

**ZONING HISTORY:**

The subject property is a 0.17 acre R-75 zoned lot with an existing single-family dwelling located in the Liberty Heights subdivision. The adjacent lots are zoned R-75 with single-family dwellings.

**DEPARTMENT ANALYSIS:**

The applicant is seeking approval of a variance to allow a 3 ft. encroachment into the 5 ft. accessory structure setback for a storage shed. The letter of intent states that the applicant purchased the house with the storage shed in its current location. The applicant has provided a letter from the adjacent neighbor stating they do not object to the location of the shed.

This application is the result of an officer generated case with the Code Enforcement Unit (CEU2012-01462).

Should the Board consider approval of this request, staff would suggest the following condition:

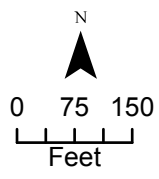
- I. The applicant shall obtain all necessary permits including compliance with applicable building and construction codes for fire-resistance-rated construction within 30 days of the variance action.**



 **ZVR2012-00036**

6246B085

Gwinnett County  
Department of Planning and Development  
April 4, 2012



**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
ZONING VARIANCE ANALYSIS**

CASE NUMBER : **ZVR2012-00037**  
ZONING : R140  
LOCATION : 1472 KIMWOOD CT, LAWRENCEVILLE  
MAP NUMBER : R7025 018  
PROPOSED DEVELOPMENT : ACCESSORY STRUCTURE OR USE  
VARIANCE REQUESTED : ALLOW AN ACCESSORY STRUCTURE (DETACHED  
GARAGE) TO BE LOCATED IN A SIDE YARD  
COMMISSION DISTRICT : (4) HEARD

APPLICANT: DAVID NEPHAN  
278 THORNHILL DR  
BRASELTON, GA 30517

CONTACT: DAVID NEPHAN PHONE: 770.527.7624

OWNER: CINDY & MITCH CONNORS  
1472 KIMWOOD CT  
LAWRENCEVILLE, GA 30043

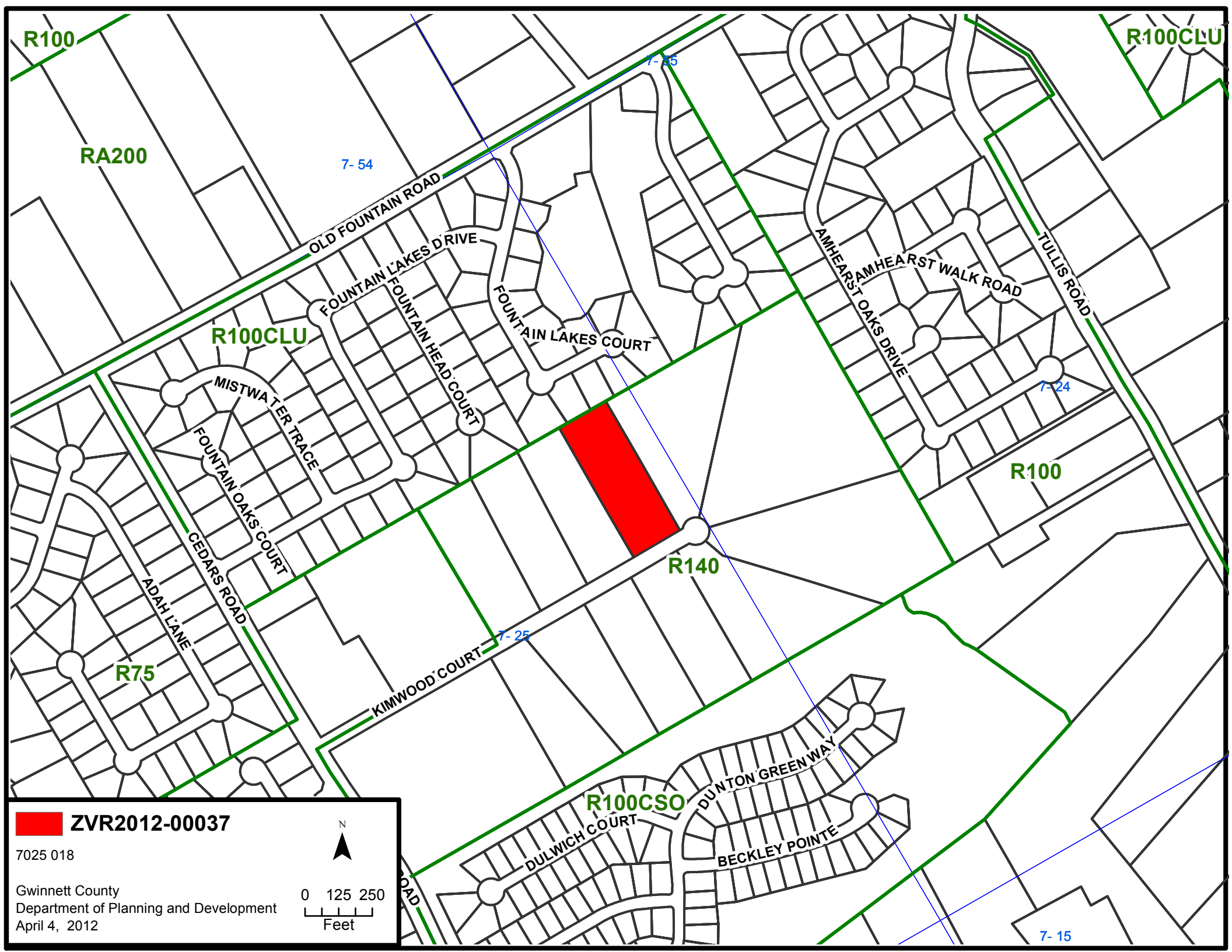
**ZONING HISTORY:**

The subject property is a 2.25 acre R-140 zoned tract with an existing single-family dwelling located in the Kimbrel Acres subdivision. The adjacent tracts are R-140 with single-family dwellings.

**DEPARTMENT ANALYSIS:**

The applicant is seeking approval of a variance to allow an accessory structure (detached garage) to be located in side yard. The letter of intent states the proposed detached garage will be used for personal storage. The applicant also states the proposed detached garage is to replace an existing structure in the same location.

This variance request is the result of a building permit application for the proposed accessory structure.



R100

R100CLU

RA200

7-54

7-55

R100CLU

7-24

R100


R140

7-25

R75

R100CSO

7-15

 **ZVR2012-00037**

7025 018

Gwinnett County  
Department of Planning and Development  
April 4, 2012

0 125 250  
Feet

N

**GWINNETT COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
ZONING VARIANCE ANALYSIS**

CASE NUMBER : **ZVR2012-00038**  
ZONING : C2  
LOCATION : 1325 AUBURN RD, DACULA  
MAP NUMBER : R2001 413  
PROPOSED DEVELOPMENT : PARKING PERCENTAGE  
VARIANCE REQUESTED : INCREASE FRONT YARD PARKING PERCENTAGE  
MORE THAN 20% IN AN OVERLAY DISTRICT  
COMMISSION DISTRICT : (3) BEAUDREAU

APPLICANT: KATIEFRANKS ENTERPRISES  
4536 NELSON BROGDON BLVD, BLDG A  
BUFORD, GA 30518

CONTACT: FRANK TURNER PHONE: 404.307.1199

OWNER: KATIEFRANKS ENTERPRISES  
4536 NELSON BROGDON BLVD, BLDG A  
BUFORD, GA 30518

**ZONING HISTORY:**

The subject property is an undeveloped 0.71 acre C-2 zoned tract located within the Georgia Highway 124/ 324/Hamilton Mill Overlay District. The adjacent tracts are zoned C-2 with an existing day care center and convenience store on South and an undeveloped tract to the North.

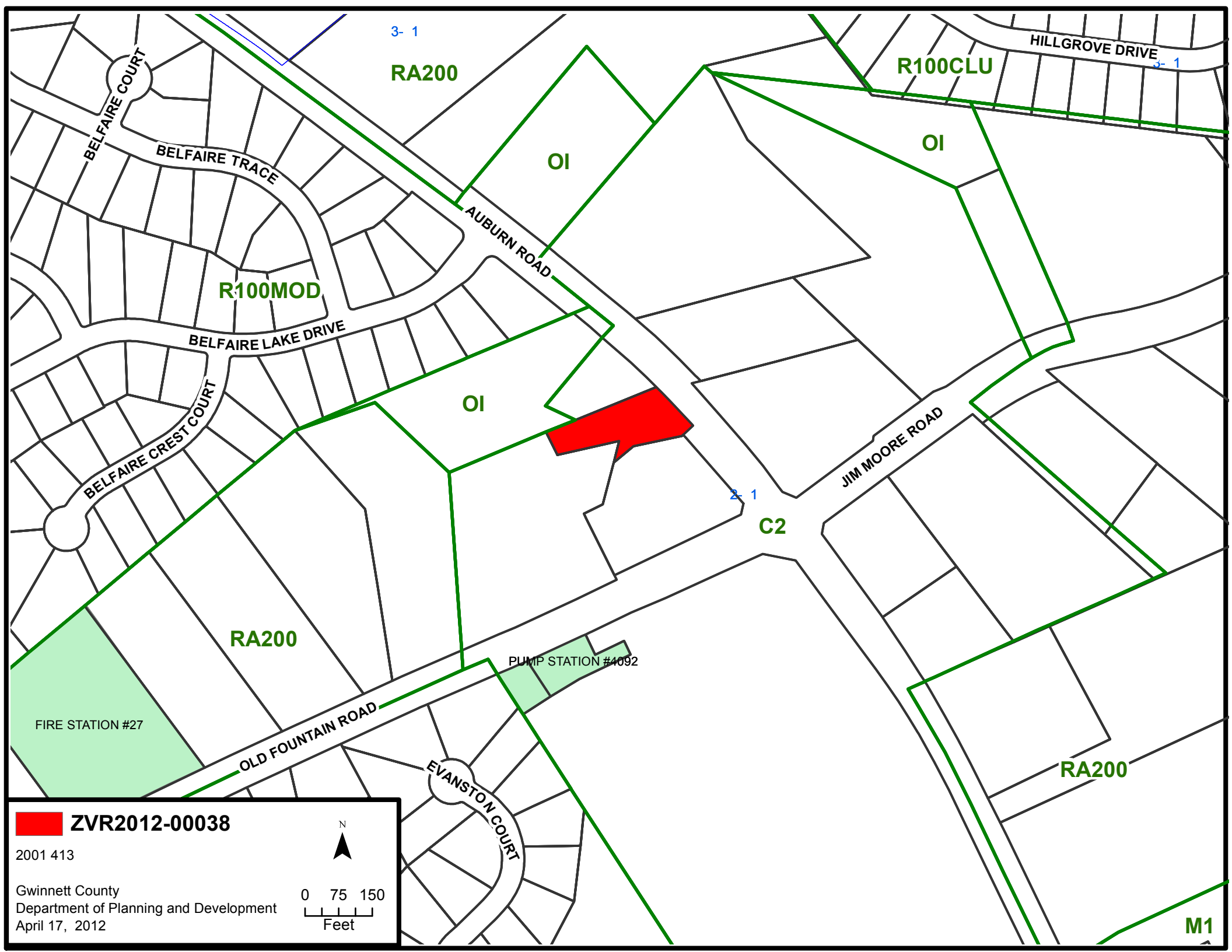
**DEPARTMENT ANALYSIS:**

The applicant is seeking approval of a variance to increase front yard parking percentage more than 20% in an overlay district. The applicant is requesting 100% of the parking spaces to be located in the front yard for a proposed dental office. The applicant's justification states that due to the lot configuration and design limitations there is not enough space to construct an access road to the rear of the property. The Zoning Resolution requires freestanding buildings in an Overlay District containing 7,500 gross square feet of space or less shall provide no more than 20% of parking areas in the front of building(s) and be limited to no more than one double row of parking. No more than 20% of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).

This variance request is the result of a Development Permit application.

Should the Board consider approval of this request, staff would suggest the following condition:

- I. The final site plan shall be subject to review and approval of the Director of Planning and Development prior to the issuance of development permit.**



3-1

RA200

R100CLU

HILLGROVE DRIVE

3-1

OI

OI

R100MOD

OI

C2

JIM MOORE ROAD

RA200

PUMP STATION #4092

FIRE STATION #27

OLD FOUNTAIN ROAD

EVANSTON COURT

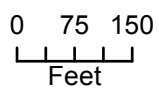
RA200

 ZVR2012-00038

2001 413



Gwinnett County  
Department of Planning and Development  
April 17, 2012



M1

Department of Planning and Development

446 West Crogan Street • Lawrenceville, GA 30046-2440  
 (tel) 678.518.6000  
 www.gwinnettcountry.com



gwinnettcountry.com

**Variance Application from the Zoning Resolution  
 (Both Zoning Board of Appeals & Administrative)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please **TYPE** or **PRINT** and sign in **BLUE** ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>Magdaleno Ramos</u>	Name <u>Magdaleno Ramos</u>
Address(all correspondence will be mailed to this address): <u>6188 Josephine rd.</u>	Address <u>6188 Josephine rd.</u>
City <u>Doraville</u>	City <u>Doraville</u>
State <u>GA</u> Zip <u>30340</u>	State <u>GA</u> Zip <u>30340</u>
Phone <u>678 414 9858</u>	Phone <u>678 414 9815</u>
Contact Person Name: <u>Magdaleno Ramos</u> Phone: <u>678 414 9815</u>	
Email Address: _____	
Applicant is the (please check or circle one of the following):	
<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 6188 Josephine rd.  
 Subdivision or Project Name Liberty Heights Lot & Block Lot 125; Block 11<sup>th</sup> unit four  
 District, Land Lot, & Parcel (MRN) 6th Dist. land lot 245  
 Proposed Development Open Garage  
 Building Permit Number (if construction has begun) BLD \_\_\_\_\_  
 Variance Requested Building permit encroachment of 3ft into the side yard setback

- Please attach a **LETTER OF INTENT** explaining the proposed use and the justification or hardship for this variance.

Case No. ZVR2012-00032

\*\*\*\*\*

**Applicant Certification**

\*\*\*\*\*

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



Magdalena Ramos 2/29/12  
Signature of Applicant Date

Magdalena Ramos  
Typed or Printed Name & Title

Consuelo Morales 2/29/12  
Signature of Notary Public Date

\*\*\*\*\*

**Property Owner Certification**

\*\*\*\*\*

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



Magdalena Ramos 2/29/12  
Signature of Property Owner Date

Magdalena Ramos  
Typed or Printed Name & Title

Consuelo Morales 2/29/12  
Signature of Notary Public Date

\*\*\*\*\*

**Planning & Development Use Below Only**

\*\*\*\*\*

Date Received: 3/26/12 Received By: SCOOK MRN: 102463006

Zoning District: P75 Hearing Date (if applicable): 5/8/12 Commission District: 2

Variance Type: Setback Encroachment Code Section: 28.1401

Related Cases & Applicable Conditions: CEU2012-01479

Variance Description: Encroachment of 7 Ft into the 10 FT.  
Side yard Setback

# Department of Planning & Development

I am requesting you to permit the vehicle cover on the side of the house. I did not know I needed permission to build an open cover. I apologize for this inconvenience,

sincerely  
Magdalena Ramos

Department of Planning and Development

446 West Crogan Street • Lawrenceville, GA 30046-2440  
(tel) 678.518.6000  
www.gwinnettcounty.com



gwinnettcounty

**VARIANCE CONSENT FORM**

PROPERTY OWNER: MAGDALENO RAMOS

PROPERTY ADDRESS: 6188 JOSEPHINE

SUBDIVISION NAME: LIBERTY HEIGHTS

LAND LOT(S): 6 DISTRICT: 246 SECTION/UNIT: B

LOT NUMBER: 6188 BLOCK: 6246B066

BRIEF DESCRIPTION OF VARIANCE REQUEST: Request is to permit  
vehicular cover on side of residence.

ABUTTING PROPERTY OWNERS:

PROPERTY ADDRESS: 6184 JOSEPHINE ROAD

SUBDIVISION: LIBERTY HEIGHTS

AS OWNER OF LOT: 6184, BLOCK: 6246B065

I/WE HAVE NO OBJECTIONS TO THE GRANTING OF THE VARIANCE REQUESTED.

SHANNON FOWLER  
PRINTED NAME OF OWNER

Shannon Fowler  
SIGNATURE OF OWNER

Magdaleno Ramos  
PRINTED NAME OF OWNER

Magdaleno Ramos  
SIGNATURE OF OWNER

FEB 28, 2012  
DATE

\*\*\*\*\*

**FOR INTERNAL USE ONLY**

DATE RECEIVED: \_\_\_\_\_ BY: \_\_\_\_\_ VARIANCE CASE NUMBER: \_\_\_\_\_



**VARIANCE CONSENT FORM**

PROPERTY OWNER: MAGDALENO RAMOS

PROPERTY ADDRESS: 6188 JOSEPHINE

SUBDIVISION NAME: LIBERTY HEIGHTS

LAND LOT(S): 6 DISTRICT: 246 SECTION/UNIT: B

LOT NUMBER: 6192 BLOCK: 6246B067

BRIEF DESCRIPTION OF VARIANCE REQUEST: Request is to permit  
vehicular COVER on side of home.

**ABUTTING PROPERTY OWNERS:**

PROPERTY ADDRESS: 6192 Josephine RD

SUBDIVISION: Liberty heights

AS OWNER OF LOT: 6192, BLOCK: 6246B067

I/WE HAVE NO OBJECTIONS TO THE GRANTING OF THE VARIANCE REQUESTED.

X JUSTIN PATE  
PRINTED NAME OF OWNER

X [Signature]  
SIGNATURE OF OWNER

Magdalena Ramos  
PRINTED NAME OF OWNER

[Signature]  
SIGNATURE OF OWNER

2/28/2012  
DATE

\*\*\*\*\*

**FOR INTERNAL USE ONLY**

DATE RECEIVED: \_\_\_\_\_ BY: \_\_\_\_\_ VARIANCE CASE NUMBER: \_\_\_\_\_

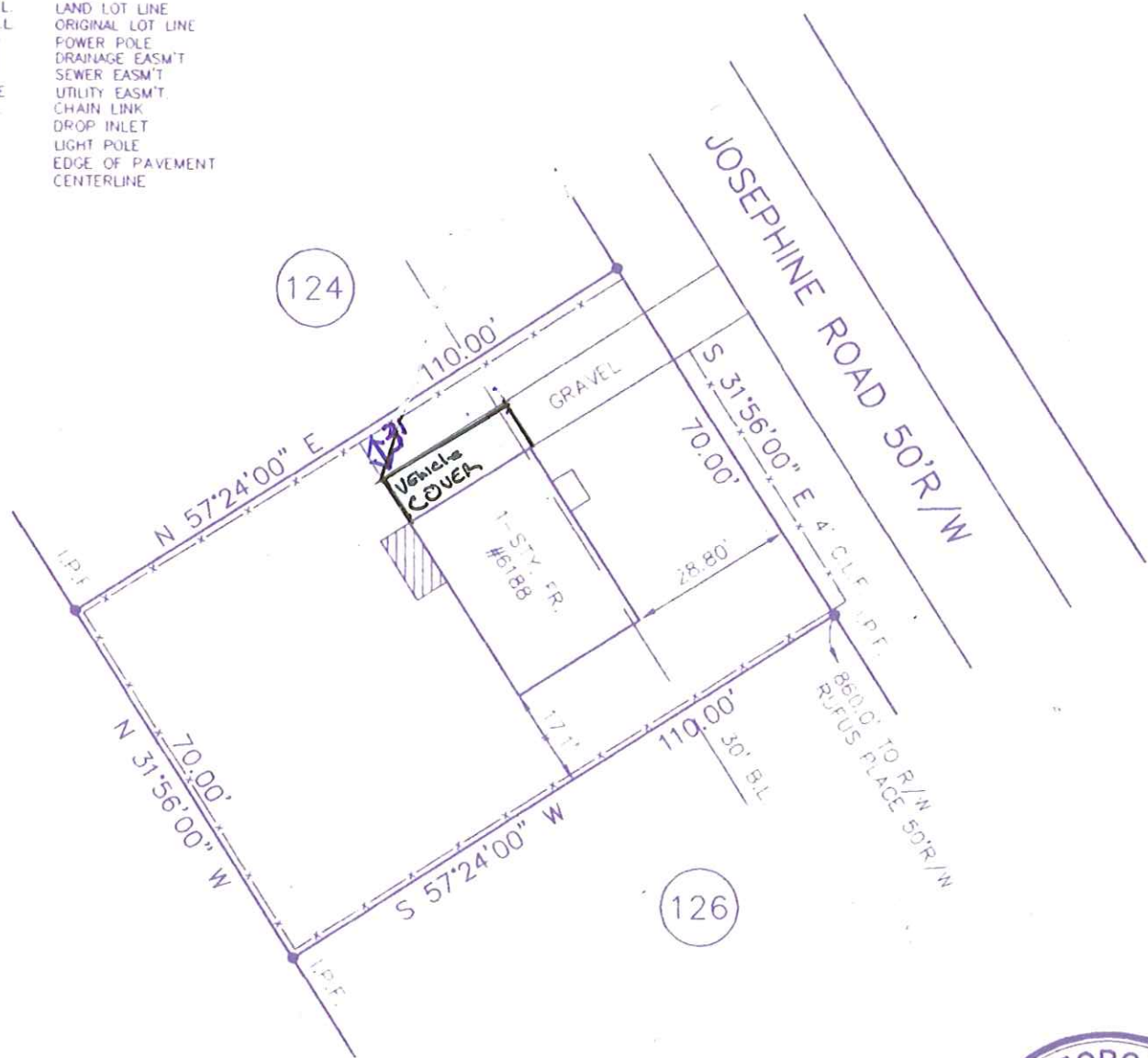
MM18959

THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES & DEPARTURES & FOUND ACCURATE TO WITHIN ONE FOOT IN 50,000+ FEET.

THIS PROPERTY DOES NOT LIE IN A F.I.R.M. 100 YEAR FLOOD HAZARD AREA ACCORDING TO THE F.I.R.M. FLOOD PLAIN MAPS.

NOTE: FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE OR STRUCTURE.

- LEGEND
- I.P.S. IRON PIN SET (1/2" RE. BAR)
  - R.B.F. RE. BAR FOUND
  - O.T.F. OPEN TOP FOUND
  - C.T.F. CRIMP TOP FOUND
  - J.B. JUNCTION BOX
  - R/W RIGHT-OF-WAY
  - BL BUILDING LINE
  - PL PROPERTY LINE
  - CB CATCH BASIN
  - HW HEADWALL
  - M.H. MANHOLE
  - X- FENCE
  - LLL LAND LOT LINE
  - OLL ORIGINAL LOT LINE
  - PP POWER POLE
  - DE DRAINAGE EASMT
  - SE SEWER EASMT
  - U/E UTILITY EASMT
  - CL CHAIN LINK
  - DI DROP INLET
  - LP LIGHT POLE
  - EP EDGE OF PAVEMENT CENTERLINE



SURVEY FOR  
**MAGDALENO RAMOS**  
 LOT 125 BLOCK "I" UNIT FOUR  
 SUBDIVISION: LIBERTY HEIGHTS  
 LAND LOT 246 6th DIST.  
 GWINNETT COUNTY, GEORGIA  
 SCALE: 1" = 30' DECEMBER 18, 1998  
 REC. IN PLAT BOOK G , PG. 15




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.  
*O. Eugene Kay*

**SURVEY CONCEPTS, INC.**

3675 HEWATT COURT \* SUITE B  
 SNELLVILLE, GEORGIA 30039

FAX (770)736-4623

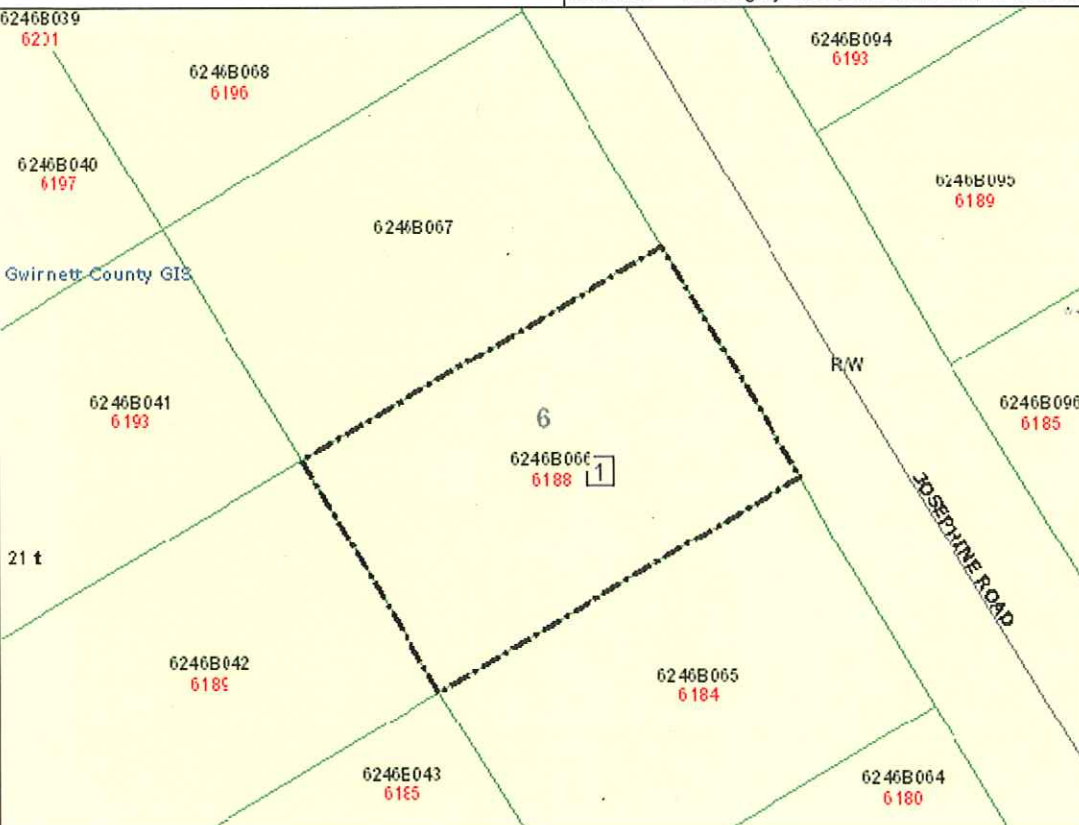
(770) 736-7666



**Gwinnett County GIS Map**

Contact  
 Name: Gwinnett County ITS - GIS  
 Telephone: 770-822-8036  
 Website: www.gwinnettcounty.com  
 Email: gisoffice@gwinnettcounty.com  
 Address: 75 Langley Drive, Lawrenceville, GA 30046



Map Printed On April 04, 2012

Legend

Administrative Area Layers	
<input type="checkbox"/>	City Limits
City	
CITY_NAME	
<input type="checkbox"/>	AUBURN
<input type="checkbox"/>	BERKELEY LAKE
<input type="checkbox"/>	BRASELTON
<input type="checkbox"/>	BUFORD
<input type="checkbox"/>	DACULA
<input type="checkbox"/>	DULUTH
<input type="checkbox"/>	GRAYSON
<input type="checkbox"/>	LAWRENCEVILLE
<input type="checkbox"/>	LILBURN
<input type="checkbox"/>	LOGANVILLE
<input type="checkbox"/>	NORCROSS
<input type="checkbox"/>	REST HAVEN
<input type="checkbox"/>	SNELLVILLE
<input type="checkbox"/>	SUGAR HILL
<input type="checkbox"/>	SUWANEE
<input type="checkbox"/>	Landlot District
<input type="checkbox"/>	County Boundary
<input type="checkbox"/>	Adjacent Counties

Parcel Layers	
Land Parcels	
<input type="checkbox"/>	<all other values>
ParcelType	
<input type="checkbox"/>	Condo

Main Layers	
<input type="checkbox"/>	Street Centerlines

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Department of Planning and Development

446 West Crogan Street • Lawrenceville, GA 30046-2440  
 (tel) 678.518.6000  
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gwinnettcounty

**Variance Application from the Zoning Resolution  
 (Both Zoning Board of Appeals & Administrative)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please **TYPE** or **PRINT** and sign in **BLUE** ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>DENYSE COMPANIES</u>	Name <u>LVP Everson Pointe, LLC % Retail Planning</u>
Address(all correspondence will be mailed to this address): <u>4521 INDUSTRIAL ACCESS RD</u>	Address <u>35 JOHNSON FERRY RD</u>
City <u>DOUGLASVILLE</u>	City <u>MARIETTA</u>
State <u>GA</u> Zip <u>30134</u>	State <u>GA</u> Zip <u>30068</u> <u>30067</u>
Phone <u>770-942-0688</u>	Phone <u>770-956-8383</u>
Contact Person Name: <u>STEVE WESTER</u> Phone: <u>678-480-1558</u>	
Email Address: <u>swester@denyseco.com</u>	
Applicant is the (please check or circle one of the following):	
<input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 3035 CENTERVILLE HWY SNELLVILLE GA

Subdivision or Project Name EVERSON POINTE Lot & Block \_\_\_\_\_

District, Land Lot, & Parcel (MRN) 60TH District, Land Lot 31, Parcel 6031 006

Proposed Development \_\_\_\_\_

Building Permit Number (if construction has begun) BLD \_\_\_\_\_

Variance Requested APPLICANT REQUEST PERMISSION TO INSTALL A SECOND MONUMENT SIGN (PER DRAWING) AT SECONDARY ENTRANCE ON CENTERVILLE HWY.

- Please attach a **LETTER OF INTENT** explaining the proposed use and the justification or hardship for this variance.

Case No. 24R 2012-00033

\*\*\*\*\*

**Applicant Certification**

\*\*\*\*\*

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

Notary Seal



Steven C. Wester 3/26/2012  
Signature of Applicant Date

STEVEN C. WESTER 3/17/2012  
Typed or Printed Name & Title

Heather Taylor 3/26/2012  
Signature of Notary Public Date

\*\*\*\*\*

**Property Owner Certification**

\*\*\*\*\*

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

Notary Seal

Karmen Haub As Managing Agent 3/23/12  
Signature of Property Owner Date

Karmen Haub, Managing Agent  
Typed or Printed Name & Title

Wanda Burden 3/23/12  
Signature of Notary Public Date

\*\*\*\*\*

**Planning & Development Use Below Only**

\*\*\*\*\*

Date Received: 03.28.2012 Received By: MMS MRN: 6.031 405

Zoning District: C-2 Hearing Date (if applicable): 05.08.12 Commission District: 3

Variance Type: GROUND SIGN QUANTITY INCREASE Code Section: SO 86-114A

Related Cases & Applicable Conditions: NON-RESIDENTIAL GROUND SIGN QUANTITY.

REZ 1997-00125

Variance Description: ALLOW TWO GROUND SIGNS ON A SINGLE ROAD FRONTAGE

Case No. ZVR 2012 - 00033

**DENYSE**  
C O M P A N I E S  
SIGNS • LIGHTING • ARCHITECTURAL

LETTER OF INTENT

3.28.12

Applicant seeks a variance to allow placing a secondary monument sign on Centerville Hwy. This new sign is needed to insure maximum exposure to oncoming traffic approaching the secondary entrance to the development. It will act as an identifier for the secondary entrance and allow proper branding for the center and its major tenants.

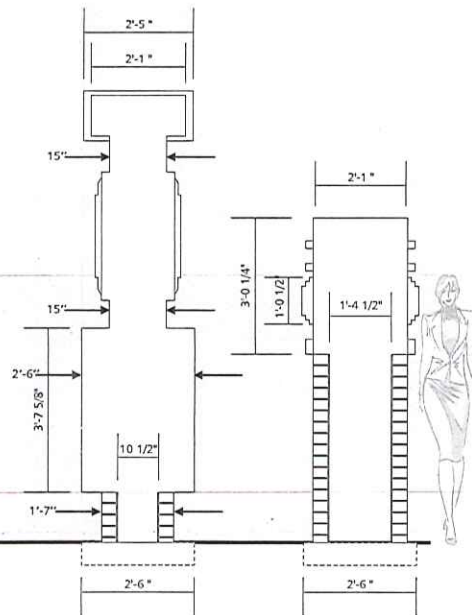
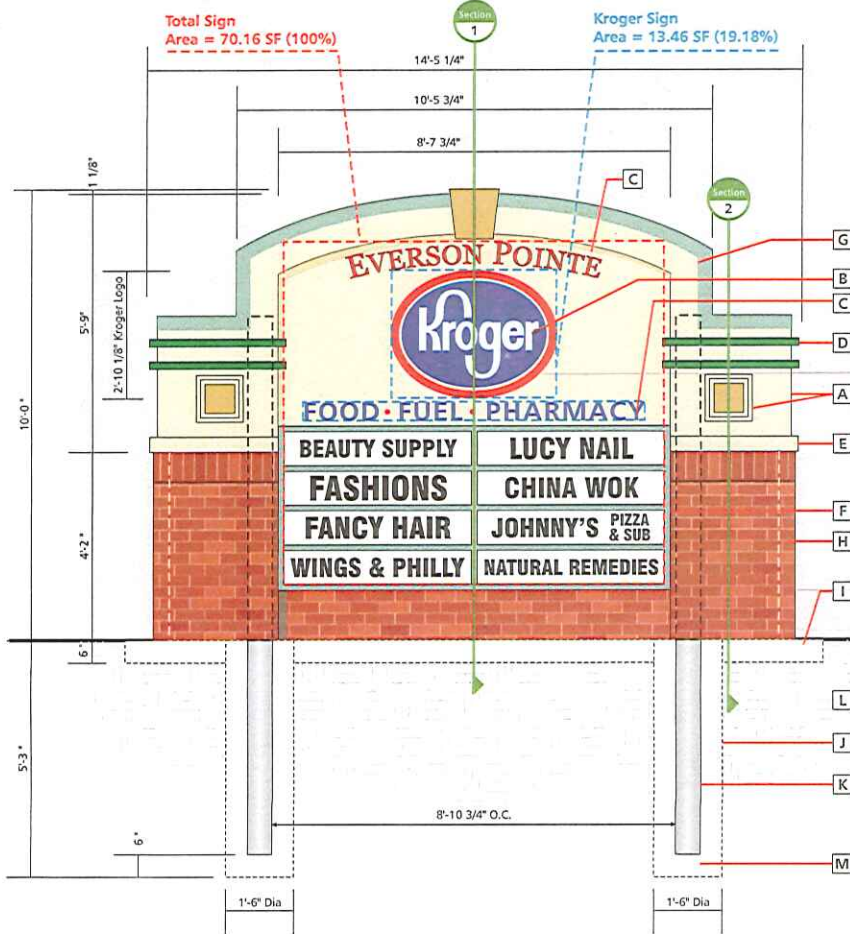
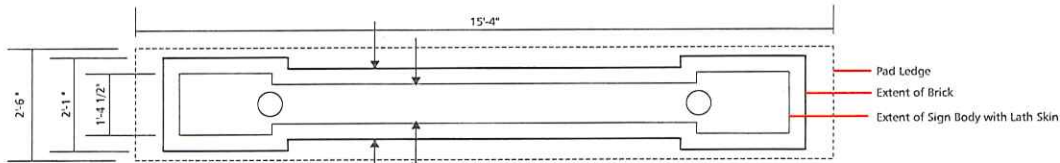
Thank you,



Steve Wester

DeNyse Companies

678.480.1558



Front  
 Scale: 3/8" = 1'-0"

**Colors & Finishes**

Colors shown here may not exactly match manufacturers color chart swatch or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve DeNyse color samples or color specifications

- C-1  TBD
- C-2  TBD
- C-3  TBD
- C-4  TBD
- C-5  TBD
- C-6  TBD
- C-7  TBD

**Construction Specifications**

- A Aluminum Fabricated Sign Body with EIFS Texture Finish
- B Kroger Logo to be Painted Pan Formed Sign Face, Internally Illuminated
- C Routed & Backed with Acrylic, Internally Illuminated
- D 2" Aluminum Tube Trim
- E 4 x 2" Aluminum Rect Tube Trim
- F Tenant Panels Area, 1 1/2" Retainers and 1 1/2" Aluminum Dividers and Flat Acrylic Faces
- G Masked Paint Break
- H Brick Over Lath Skin, Standard 4 1/4" Offset is Shown Here
- I Brick Pad Foundation for Ledge
- J Concrete Pier Foundation 3000 PSI
- K Standard Steel Pipe 6" ID .280" wall, Section Modulus 8.5
- L Undisturbed Soil
- M Steel suspended above bottom of excavation at least 6" to prevent moisture from penetrating foundation

**General Notes and Specifications**

Max Sign Area Allowed: 150 | Max Height: 10  
 Designed Sign Area: 70.16 Sq Ft (boxed all)  
 Application: exterior  
 Service and Installation Access: thru access panels  
**FINAL ELECTRICAL HOOK UP BY OTHERS**  
 Electrical Requirements: 120 volt 60 hz  
 Connection Type: permanent continuous operation  
 One (1) 20 amp Dedicated Branch Circuit(s) w/ ground bonding wire back to panel box required for proper operation of GFI equipped transformers  
 Wire Size: 12 awg / conduit size: 1/2"  
 Circuit #1 Max. Line Current: tbd  
 Designed Wind Speed: 90 MPH

Inspected & labeled in accordance with UL Standard for Electric Signs installed using UL listed parts & methods of installation in accordance with Article 600 of the NEC and other applicable local codes. This includes proper grounding & bonding.

This lighted product may contain Fluorescent, Neon, HID lamps or components that use Mercury in them. Dispose of these lamps & components according to the laws of the authority having jurisdiction.

- ⊗ Disconnect switch(s) UL & ID labels
- ✓ Vent - 2" Dia. Louvered



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 www.denyseco.com

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**Management Company**

Retail Planning

**Property Name & Address**

Everson Pointe  
 3035 Centerville HWY  
 Snellville GA

**Bid Number**

50707

**Project Manager**

DK

**Designer**

JB

**Date**

5.12.2011

**Revision Date**

0	5.12.2011 jb
	7.5.2011 jb
	12.2.2011 jb
	12.27.2011 JB

**Design Time**

4


**Customer Approval**

**Filename**

Multi Tenant 1 v5

- Concept
- Preliminary
- Production



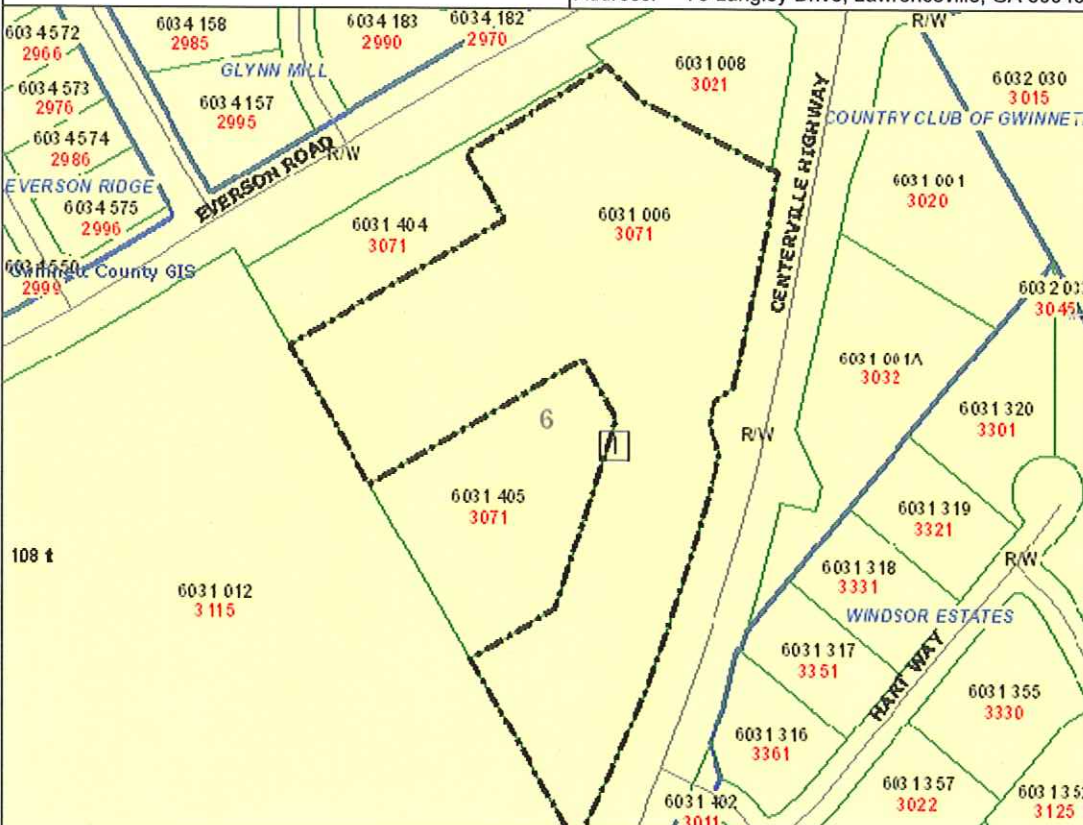


**Gwinnett County GIS Map**

ZVR2012-00033

**Contact**  
 Name: Gwinnett County ITS - GIS  
 Telephone: 770-822-8036  
 Website: www.gwinnettcounty.com  
 Email: gisoffice@gwinnettcounty.com  
 Address: 75 Langley Drive, Lawrenceville, GA 30046



Map Printed On March 28, 2012

**Legend**

<b>Administrative Area Layers</b>	
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	City Limits
<b>City</b>	
<span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	AUBURN
<span style="background-color: #d9ead3; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	BERKELEY LAKE
<span style="background-color: #f4cccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	BRASELTON
<span style="background-color: #fce4d6; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	BUFORD
<span style="background-color: #f4cccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	DACULA
<span style="background-color: #d9ead3; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	DULUTH
<span style="background-color: #f4cccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	GRAYSON
<span style="background-color: #d9ead3; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	LAWRENCEVILLE
<span style="background-color: #f4cccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	LILBURN
<span style="background-color: #fce4d6; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	LOGANVILLE
<span style="background-color: #f4cccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	NORCROSS
<span style="background-color: #d9ead3; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	REST HAVEN
<span style="background-color: #f4cccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	SNELLVILLE
<span style="background-color: #fce4d6; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	SUGAR HILL
<span style="background-color: #f4cccc; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	SUWANEE
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Landlot District
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	County Boundary
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Adjacent Counties
<b>Parcel Layers</b>	
<b>Land Parcels</b>	
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	<all other values>
<b>ParcelType</b>	
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Condo
<b>Main Layers</b>	
<span style="border-bottom: 1px solid black; display: inline-block; width: 10px;"></span>	Street Centerlines
<span style="border-bottom: 1px solid black; display: inline-block; width: 10px;"></span>	Subdivisions

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**Department of Planning and Development**

446 West Crogan Street • Lawrenceville, GA 30046-2440  
 (tel) 678.518.6000  
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**Variance Application from the Zoning Resolution  
 (Both Zoning Board of Appeals & Administrative)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please **TYPE** or **PRINT** and sign in **BLUE** ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
<b>Name</b> <u>Walmart Stores East, LP by THP Law Firm, LLP</u>	<b>Name</b> <u>Eliot Properties, a Georgia General Partnership</u>
<b>Address</b> (all correspondence will be mailed to this address): <u>THP Law Firm, LLP, attn: Amy L. Hillman, Esq.</u> <u>311 Alberta Terrace, NE</u>	<b>Address</b> <u>% M&amp;P Shopping Centers</u> <u>5025 Winters Chapel Road</u>
<b>City</b> <u>Atlanta</u>	<b>City</b> <u>Dunwoody</u>
<b>State</b> <u>GA</u> <b>Zip</b> <u>30305</u>	<b>State</b> <u>GA</u> <b>Zip</b> <u>30360</u>
<b>Phone</b> <u>404-948-1064</u>	<b>Phone</b> <u>770-698-0403</u>
<b>Contact Person Name:</b> <u>Amy L. Hillman</u> <b>Phone:</b> <u>404-948-1064</u>	
<b>Email Address:</b> <u>ahillman@thplawfirm.com</u>	
<b>Applicant is the (please check or circle one of the following):</b>	
<input type="checkbox"/> <b>Property Owner</b> <input type="checkbox"/> <b>Owner's Agent</b> <input checked="" type="checkbox"/> <b>Contract Purchaser</b>	

**Address of Property** 5025 Winters Chapel Road

**Subdivision or Project Name** Winter Village Shopping Center **Lot & Block** 280LL 6th District

**District, Land Lot, & Parcel (MRN)** 6th, 280 and 6280-018 Tax Parcel R6280 018

**Proposed Development** Redevelopment of Retail Anchor Store

**Building Permit Number (if construction has begun) BLD** N/A

**Variance Requested** (1) increase the square footage of signage allowed per elevation to 260 square feet, and

(2) increase the total/aggregate square footage of signage allowed to 300 square feet for the building.

- Please attach a **LETTER OF INTENT** explaining the proposed use and the justification or hardship for this variance.

Case No. 2VR 2012-00034

\*\*\*\*\*  
**Applicant Certification**  
\*\*\*\*\*

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



[Signature] 3/30/12  
Signature of Applicant Date

Counsel for WalMart Stores East, LP  
Typed or Printed Name & Title

[Signature] 3.30.2012  
Signature of Notary Public Date

\*\*\*\*\*  
**Property Owner Certification**  
\*\*\*\*\*

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



[Signature] 3/30/12  
Signature of Property Owner Date

MARK L. LIGHT - AGENT FOR ELIOT PROPERTIES  
Typed or Printed Name & Title

[Signature] 3.30.2012  
Signature of Notary Public Date

\*\*\*\*\*  
**Planning & Development Use Below Only**  
\*\*\*\*\*

Date Received: 03.30.2012 Received By: SLC MRN: 6280018

Zoning District: C-2 Hearing Date (if applicable): 05.08.12 Commission District: 2

Variance Type: WALL SIGN AREA INCREASE Code Section: SO 86-114A

Related Cases & Applicable Conditions: PEACHTREE CORNERS OVERLAY  
BRD 2011-00003 ; Rez 1977-00049 ; ZVR 2011-00068 ; 00069

Variance Description: INCREASE ALLOWABLE SIGN AREA  
ON FRONT ELEVATION FROM 100 SQ FT TO 260 SQ FT.

Case No. ZVR 2012-00034



Amy L. Hillman, Esq.  
ahillman@thplawfirm.com  
tel: 404.948.1064  
fax: 404.948.1033

March 30, 2012

Gwinnett County Zoning Board of Appeals  
c/o Ms. Kathy Holland, Director  
Gwinnett County Development Division  
One Justice Square  
446 West Crogan Street  
Lawrenceville, Georgia 30046

Re: **JUSTIFICATION AND LETTER OF INTENT**  
Application for Sign Variance

Wal-Mart Stores East, LP, (the "Applicant")  
Renovation of existing retail store for a Wal-Mart Neighborhood Market to be located within an existing shopping center located at 5025 Winters Chapel Road, Dunwoody, Georgia 30360, (the "Property").

Dear Ms. Holland:

Attached please find a Gwinnett County Variance Application and required supporting materials for variances related to building signage. First, the Applicant requests an increase in the allowable building wall signage on a single façade from 100 square feet to 260 square feet. Secondly, the Applicant requests an increase in total allowable wall signage from 200 square feet to 300 square feet. Variance is request pursuant to Section 86-114(A)(5) of the Gwinnett County Sign Ordinance (the "Sign Ordinance") and Section 1315(4)(B) of the 1985 Zoning Resolution of Gwinnett County (the "Zoning Ordinance").

These variances are requested to support the redevelopment of a portion of the existing shopping center on the Property for use as a Wal-Mart Neighborhood Market. Both variances are largely necessitated by existing conditions on this redevelopment site, to include visibility from the adjacent roadway and the fact that the proposed pharmacy drive through is not visible from the public roadway. The Property is an irregularly shaped parcel with the building located toward the rear of the lot. Site constraints including distance from the adjacent public street and the limited size of allowable signage reduces the visibility and clearness of the signage, creating potential conflict for passing motorists. Moreover, since the

proposed development is part of an existing center, the signage as proposed by the Applicant is a more appropriate scale and more in keeping with the existing signage within the shopping center, while still moving closer toward the Peachtree Corners Overlay District aesthetic. The Applicant's response to specific variance criteria is attached hereto as Exhibit "A".

The renovation of the Property as proposed is a desirable outcome. The proposed use of the Property will provide a stable economic anchor for the shopping center and enable certain development improvements which will impact in a positive way the current landscape of the shopping center. It will provide a convenient source of fresh food where none currently exists. The requested variances are necessary to allow the project to move forward toward the safe and orderly redevelopment of a vacant store in an existing shopping center. The Applicant's request represents the minimum necessary to afford relief. Accordingly, the Applicant respectfully requests the Board's approval.

Enclosed are all submittal materials required for a Gwinnett County Variance Application. Please contact me directly should you have questions or require further information.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Amy L. Hillman', written in a cursive style.

Amy L. Hillman, Esq.

Enclosures

# EXHIBIT A

The Applicant responds to specific variance criteria pursuant to Section 86-120 of the Sign Ordinance as follows:

1. Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area.

The existing shopping center is set back from an irregular intersection creating difficulty in terms of visibility. The building facade is partially obscured by out parcel development from certain approaches and the proposed pharmacy drive through is not visible from the right of way, which requires additional signage so that the public will know that pharmacy services are available and where within the shopping center they are located.

2. The applicant would be deprived of rights that are commonly enjoyed by others similarly situated.

As this is a redevelopment project, the Applicant's proposed signage, even with the requested variance, will be a smaller percentage of the building façade than other stores within the center. Visibility is critical to the success of this redevelopment project and will benefit all stores within the shopping center. To disallow the proposed variance would deprive the Applicant of clear visibility from the public roadway which is enjoyed by all other tenants of the shopping center.

3. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated.

Granting the proposed variances would allow the Applicant to enjoy rights already enjoyed by other tenants of the shopping center, while at the same time moving toward the aesthetic of the Peachtree Corners Overlay District.

4. The exceptional circumstances are not the result of action by the Applicant.

The Applicant is working in the confines of an existing center which predates the Sign Ordinance and overly district requirements.

5. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.

The requested sign package is the minimum necessary to afford relief. It should be noted that there is an appreciable amount of negative space in the Applicant's logo which contributes to an increase in the amount of signage for purposes of the box drawn to calculate measurements, however due to the negative space, even with the increased square footage of signage, the overall impact is less than it otherwise would be.

6. Granting of the variance would not violate more than one standard of this article.

The Applicant's request deals only with allowable wall signage and therefore only implicates one aspect of the Sign Ordinance.

7. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

It is the Applicant's opinion and belief that granting the variance will assist the travelling motorist by more clearly identifying the proposed store in safe, readable scale for cars travelling along the adjacent roadway.

# TATUM HILLMAN HICKERSON & POWELL

A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW

311 ALBERTA TERRACE  
ATLANTA, GEORGIA 30305

TELEPHONE 404.948.1064  
FACSIMILE 404.948.1033  
E-MAIL AHILLMAN@THPLAWFIRM.COM  
WWW.THPLAWFIRM.COM

AMY L. HILLMAN

March 30, 2012

## VIA HAND DELIVERY

Gwinnett County Zoning Board of Appeals  
c/o Ms. Kathy Holland, Director  
Gwinnett County Development Division  
One Justice Square, 1st Floor, Suite 150  
446 West Crogan Street  
Lawrenceville, Georgia 30046

Re: **PRESERVATION OF RIGHTS**  
Application for Sign Variance

Wal-Mart Stores East, LP, (the "Applicant")  
Renovation of existing retail store for a Wal-Mart Neighborhood Market to be  
located within an existing shopping center located at 5025 Winters Chapel Road,  
Dunwoody, Georgia 30360, (the "Property").

Honorable Members of the Zoning Board of Appeals:

Please add this letter to the file of the above application in order to preserve the rights of my client Wal-Mart Stores East, LP.

The Applicant has demonstrated compliance with all applicable Gwinnett County laws and standards regarding the submittal of its application and as well as compliance with the spirit and intent of the sign ordinance and zoning ordinance. The purpose of this Application is to allow for (1) an increase in the allowable building wall signage on a single façade from 100 square feet to 260 square feet and (2) an increase in total allowable wall signage from 200 square feet to 300 square feet.

The portions of the Gwinnett County Zoning Ordinance and Sign Ordinance (collectively, the "Ordinances") as applied to the subject property which classify or may classify the Property so as to prohibit the variance as requested by the Applicant, either are or would be unconstitutional in that they would unreasonably impair the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia, Article I Section III, Paragraph I of the Constitution of

March 30, 2012  
Page 2 of 3

Georgia, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Application of the Ordinances to the Property which restricts its use other than as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of property and valuable property interests in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States by unreasonably denying an economically viable use of its land while not substantially advancing legitimate state interests.

A proper balancing of the interests and considerations outlined in the Ordinances and in particular the variance criteria yields the inevitable conclusion that a denial of this variance application would constitute an unreasonable and extreme hardship upon the Property and the Applicant, without remotely advancing the public health, safety and welfare. Indeed, given the improvements the Applicant proposes, these police power objectives are best served by approval of this Application. Consequently, a denial thereof would constitute an arbitrary and capricious act by the County without any rational basis therefore, and an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia, Article I Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Zoning Board of Appeals to approve this Application would unconstitutionally discriminate in an arbitrary, capricious and unreasonable manner, between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any conditions imposed on the Property which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property and ability to fulfill the approved development of the Property would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Finally, a denial of this variance application would constitute an unreasonable and unconstitutional restraint of free speech in violation of the First Amendment to the United States Constitution as applicable to the State through the Equal Protection Clause of the Fourteenth Amendment.

The proposed Application presents the County with an opportunity for a proven member of the retail community to invest in the improvement of a shopping center which is in need of revitalization. There will be no adverse impact to neighborhoods or other tenants of the shopping

Zoning Board of Appeals  
c/o Gwinnett County Planning Department

March 30, 2012  
Page 3 of 3

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Very truly yours,

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Amy L. Hillman, Esq.  
For Tatum Hillman Hickerson & Powell, LLP



Walmart 

SGA Design Group, P.C. 

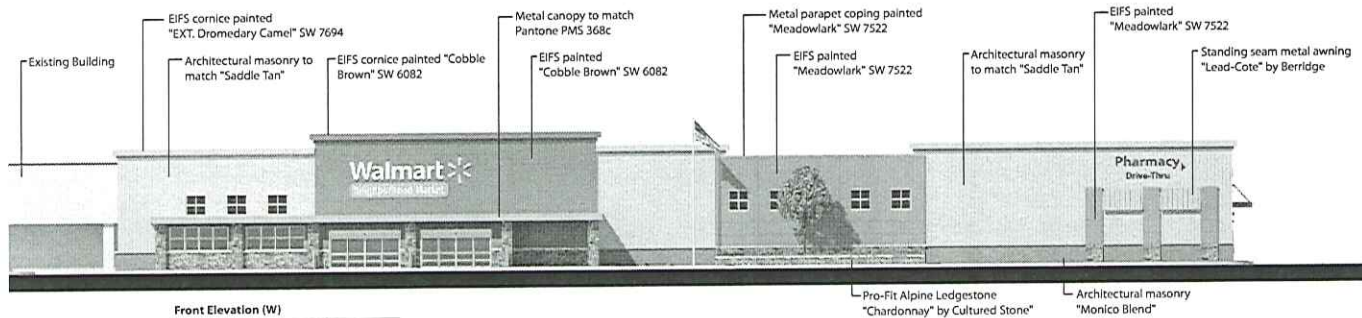
March 29, 2012

Dunwoody, Georgia #3070 - New Store Neighborhood Market

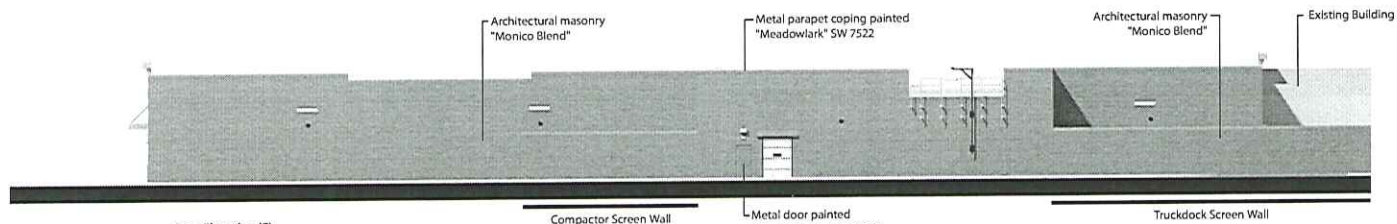
Christopher B. Goble, Architect  
Georgia Registration No. RA011152

Perspective

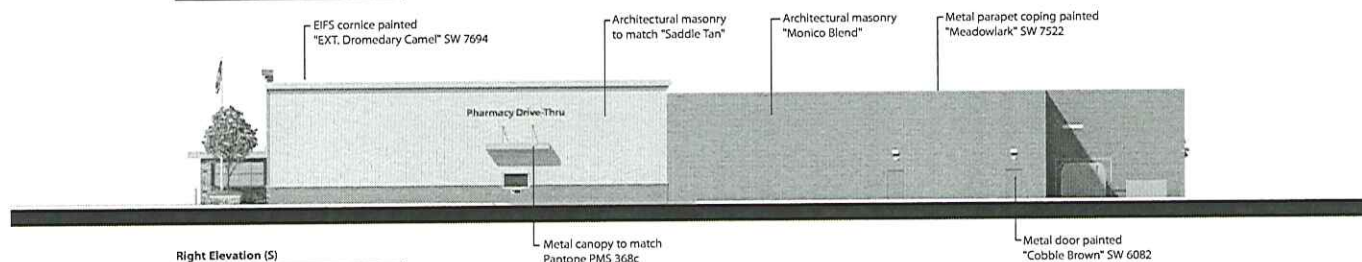
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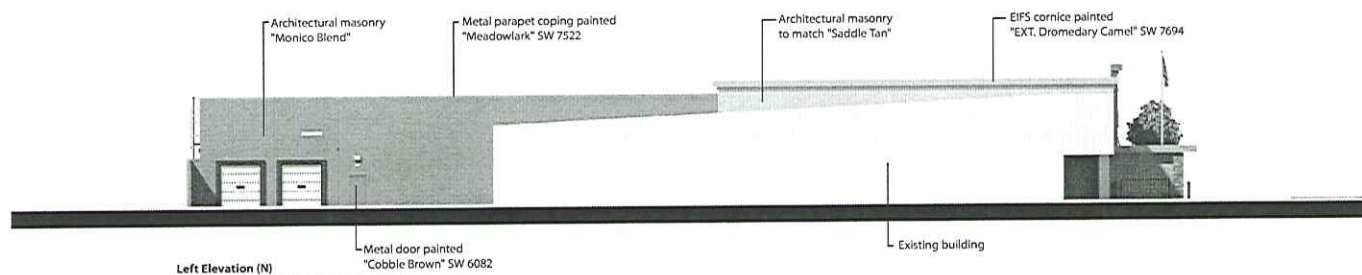
Front Elevation (W)






Rear Elevation (E)



Right Elevation (S)



Left Elevation (N)

Sign	Qty.	Height	Area (S.F.)	Total S.F.
Walmart 	1	7'-11"	188.24	188.24
Pharmacy Drive-Thru 	1	4'-7 1/4"	62.68	62.68
Pharmacy Drive-Thru 	1	1'-6"	39.00	39.00
<b>Total Building Signage</b>			<b>291.12</b>	



SGA Design Group, P.C. 

March 29, 2012

Dunwoody, Georgia #3070 - New Store Neighborhood Market


Christopher B. Goble, Architect  
Georgia Registration No. RA011138

Elevations





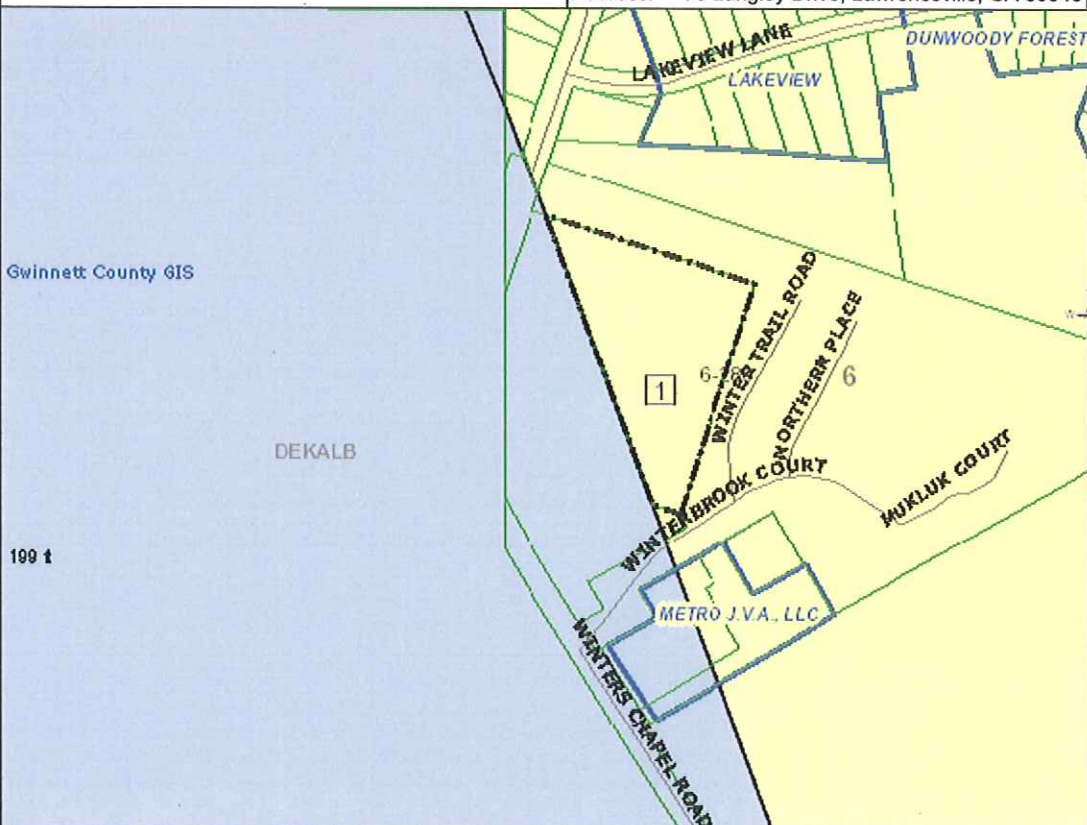




**Gwinnett County GIS Map**

Contact  
 Name: Gwinnett County ITS - GIS  
 Telephone: 770-822-8036  
 Website: www.gwinnettcounty.com  
 Email: gisoffice@gwinnettcounty.com  
 Address: 75 Langley Drive, Lawrenceville, GA 30046



Gwinnett County GIS  
DEKALB  
199 1  
LAKEVIEW LANE  
LAKEVIEW  
DUNWOODY FOREST  
WINTER TRAIL ROAD  
WINTER BROOK COURT  
NORTHERN PLACE  
WUKLUK COURT  
METRO J.V.A. LLC  
WINTERS CROVEL ROAD

Map Printed On April 02, 2012

Legend

Administrative Area Layers	
□	City Limits
City	
CITY_NAME	
■	AUBURN
■	BERKELEY LAKE
■	BRASELTON
■	BUFORD
■	DACULA
■	DULUTH
■	GRAYSON
■	LAWRENCEVILLE
■	LILBURN
■	LOGANVILLE
■	NORCROSS
■	REST HAVEN
■	SNELLVILLE
■	SUGAR HILL
■	SUWANEE
□	Landlot District
■	County Boundary
■	Adjacent Counties
Parcel Layers	
Land Parcels	
□	<all other values>
ParcelType	
□	Condo
□	Subdivisions
Main Layers	
—	Street Centerlines

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**Department of Planning and Development**

446 West Crogan Street • Lawrenceville, GA 30046-2440  
 (tel) 678.518.6000  
 www.gwinnettcountry.com



gwinnettcountry

**Variance Application from the Zoning Resolution  
 (Both Zoning Board of Appeals & Administrative)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please **TYPE** or **PRINT** and sign in **BLUE** ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
<b>Name</b> <u>Walmart Stores East, LP by THP Law Firm, LLP</u>	<b>Name</b> <u>Eliot Properties, a Georgia General Partnership</u>
<b>Address</b> (all correspondence will be mailed to this address): <u>THP Law Firm, LLP, attn: Amy L. Hillman, Esq.</u> <u>311 Alberta Terrace, NE</u>	<b>Address</b> <u>% M&amp;P Shopping Centers</u> <u>5025 Winters Chapel Road</u>
<b>City</b> <u>Atlanta</u>	<b>City</b> <u>Dunwoody</u>
<b>State</b> <u>GA</u> <b>Zip</b> <u>30305</u>	<b>State</b> <u>GA</u> <b>Zip</b> <u>30360</u>
<b>Phone</b> <u>404-948-1064</u>	<b>Phone</b> <u>770-698-0403</u>
<b>Contact Person Name:</b> <u>Amy L. Hillman</u> <b>Phone:</b> <u>404-948-1064</u>	
<b>Email Address:</b> <u>ahillman@thplawfirm.com</u>	
<b>Applicant is the (please check or circle one of the following):</b>	
<input type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Contract Purchaser	

**Address of Property** 5025 Winters Chapel Road

**Subdivision or Project Name** Winter Village Shopping Center **Lot & Block** 280LL 6th District

**District, Land Lot, & Parcel (MRN)** 6th, 280 and 6280-018 Tax Parcel R6280 018

**Proposed Development** Redevelopment of Retail Anchor Store

**Building Permit Number (if construction has begun) BLD** N/A

**Variance Requested** (1) increase the square footage of signage allowed per elevation to 260 square feet, and  
(2) increase the total/aggregate square footage of signage allowed to 300 square feet for the building.

- Please attach a **LETTER OF INTENT** explaining the proposed use and the justification or hardship for this variance.

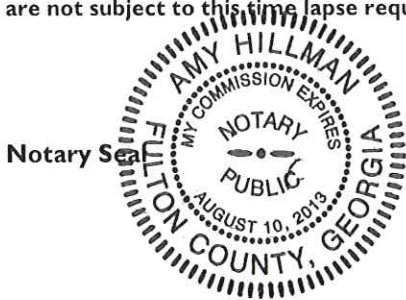
Case No. LVR 2012 -00035

\*\*\*\*\*

**Applicant Certification**

\*\*\*\*\*

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



[Signature] 3/30/12  
Signature of Applicant Date

Counsel for Walmart Stores East, LP  
Typed or Printed Name & Title

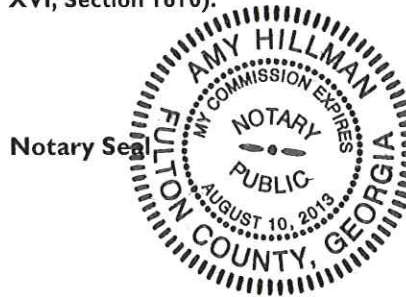
[Signature] 3.30.2012  
Signature of Notary Public Date

\*\*\*\*\*

**Property Owner Certification**

\*\*\*\*\*

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



[Signature] 3/30/12  
Signature of Property Owner Date

MARK L. LIGHT - AGENT OF EUD Properties  
Typed or Printed Name & Title

[Signature] 3.30.2012  
Signature of Notary Public Date

\*\*\*\*\*

**Planning & Development Use Below Only**

\*\*\*\*\*

Date Received: 03.30.2012 Received By: SLC MRN: 6280 018

Zoning District: C-2 Hearing Date (if applicable): 05.08.12 Commission District: 2

Variance Type: WALL SIGN AGGREGATE AREA INCREASE Code Section: SO86-114A

Related Cases & Applicable Conditions: PEACHTREE CORNERS OVERLAY  
REC 1977-00049; BRD 2011-00003; ZVR 2011-00068; 00069

Variance Description: INCREASE AGGREGATE TOTAL OF  
WALL SIGNAGE FROM 200 SQ. FT. TO 300 SQ. FT.

Case No. ZVR 2012 - 00035



Amy L. Hillman, Esq.  
ahillman@thplawfirm.com  
tel: 404.948.1064  
fax: 404.948.1033

March 30, 2012

Gwinnett County Zoning Board of Appeals  
c/o Ms. Kathy Holland, Director  
Gwinnett County Development Division  
One Justice Square  
446 West Crogan Street  
Lawrenceville, Georgia 30046

Re: **JUSTIFICATION AND LETTER OF INTENT**  
Application for Sign Variance

Wal-Mart Stores East, LP, (the "Applicant")  
Renovation of existing retail store for a Wal-Mart Neighborhood Market to be located within an existing shopping center located at 5025 Winters Chapel Road, Dunwoody, Georgia 30360, (the "Property").

Dear Ms. Holland:

Attached please find a Gwinnett County Variance Application and required supporting materials for variances related to building signage. First, the Applicant requests an increase in the allowable building wall signage on a single façade from 100 square feet to 260 square feet. Secondly, the Applicant requests an increase in total allowable wall signage from 200 square feet to 300 square feet. Variance is request pursuant to Section 86-114(A)(5) of the Gwinnett County Sign Ordinance (the "Sign Ordinance") and Section 1315(4)(B) of the 1985 Zoning Resolution of Gwinnett County (the "Zoning Ordinance").

These variances are requested to support the redevelopment of a portion of the existing shopping center on the Property for use as a Wal-Mart Neighborhood Market. Both variances are largely necessitated by existing conditions on this redevelopment site, to include visibility from the adjacent roadway and the fact that the proposed pharmacy drive through is not visible from the public roadway. The Property is an irregularly shaped parcel with the building located toward the rear of the lot. Site constraints including distance from the adjacent public street and the limited size of allowable signage reduces the visibility and clearness of the signage, creating potential conflict for passing motorists. Moreover, since the

proposed development is part of an existing center, the signage as proposed by the Applicant is a more appropriate scale and more in keeping with the existing signage within the shopping center, while still moving closer toward the Peachtree Corners Overlay District aesthetic. The Applicant's response to specific variance criteria is attached hereto as Exhibit "A".

The renovation of the Property as proposed is a desirable outcome. The proposed use of the Property will provide a stable economic anchor for the shopping center and enable certain development improvements which will impact in a positive way the current landscape of the shopping center. It will provide a convenient source of fresh food where none currently exists. The requested variances are necessary to allow the project to move forward toward the safe and orderly redevelopment of a vacant store in an existing shopping center. The Applicant's request represents the minimum necessary to afford relief. Accordingly, the Applicant respectfully requests the Board's approval.

Enclosed are all submittal materials required for a Gwinnett County Variance Application. Please contact me directly should you have questions or require further information.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Amy L. Hillman', with a stylized, cursive flourish extending to the right.

Amy L. Hillman, Esq.

Enclosures

# EXHIBIT A

The Applicant responds to specific variance criteria pursuant to Section 86-120 of the Sign Ordinance as follows:

1. Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area.

The existing shopping center is set back from an irregular intersection creating difficulty in terms of visibility. The building facade is partially obscured by out parcel development from certain approaches and the proposed pharmacy drive through is not visible from the right of way, which requires additional signage so that the public will know that pharmacy services are available and where within the shopping center they are located.

2. The applicant would be deprived of rights that are commonly enjoyed by others similarly situated.

As this is a redevelopment project, the Applicant's proposed signage, even with the requested variance, will be a smaller percentage of the building façade than other stores within the center. Visibility is critical to the success of this redevelopment project and will benefit all stores within the shopping center. To disallow the proposed variance would deprive the Applicant of clear visibility from the public roadway which is enjoyed by all other tenants of the shopping center.

3. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated.

Granting the proposed variances would allow the Applicant to enjoy rights already enjoyed by other tenants of the shopping center, while at the same time moving toward the aesthetic of the Peachtree Corners Overlay District.

4. The exceptional circumstances are not the result of action by the Applicant.

The Applicant is working in the confines of an existing center which predates the Sign Ordinance and overly district requirements.

5. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.

The requested sign package is the minimum necessary to afford relief. It should be noted that there is an appreciable amount of negative space in the Applicant's logo which contributes to an increase in the amount of signage for purposes of the box drawn to calculate measurements, however due to the negative space, even with the increased square footage of signage, the overall impact is less than it otherwise would be.

6. Granting of the variance would not violate more than one standard of this article.

The Applicant's request deals only with allowable wall signage and therefore only implicates one aspect of the Sign Ordinance.

7. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

It is the Applicant's opinion and belief that granting the variance will assist the travelling motorist by more clearly identifying the proposed store in safe, readable scale for cars travelling along the adjacent roadway.

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AMY L. HILLMAN

March 30, 2012

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March 30, 2012  
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The proposed Application presents the County with an opportunity for a proven member of the retail community to invest in the improvement of an shopping center which is in need of revitalization. There will be no adverse impact to neighborhoods or other tenants of the shopping

Zoning Board of Appeals  
c/o Gwinnett County Planning Department

March 30, 2012  
Page 3 of 3

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Amy L. Hillman, Esq.  
For Tatum Hillman Hickerson & Powell, LLP



SGA Design Group, P.C. 

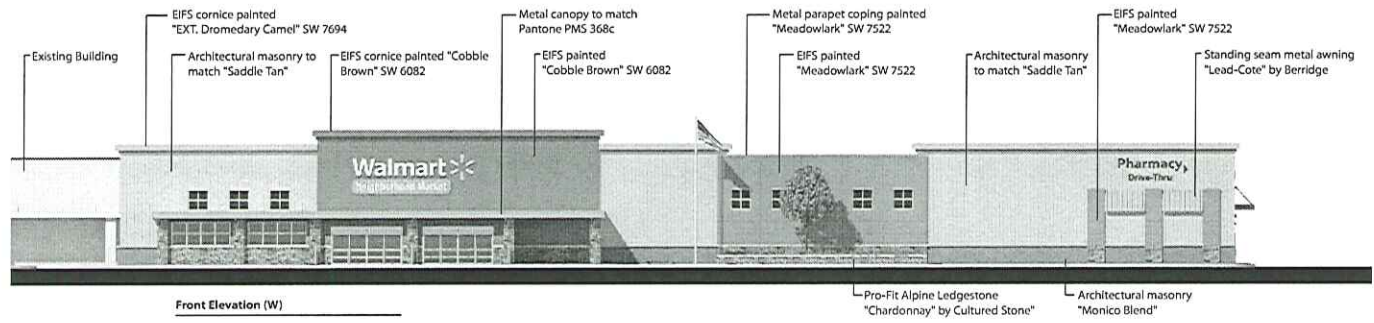
March 29, 2012

Dunwoody, Georgia #3070 - New Store Neighborhood Market

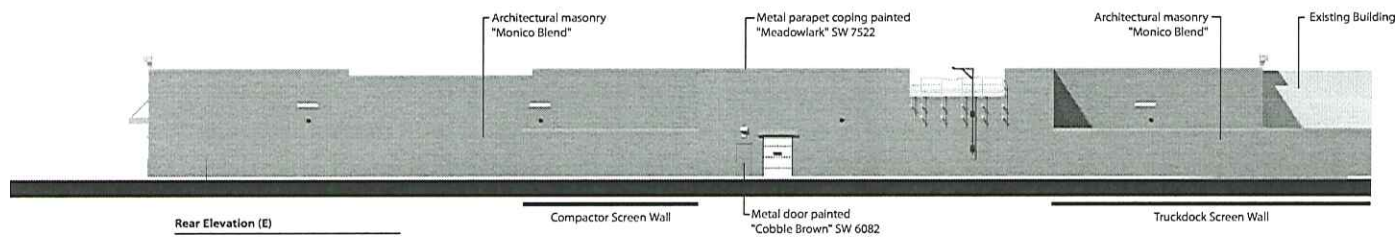
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Georgia Registration No. RA011158

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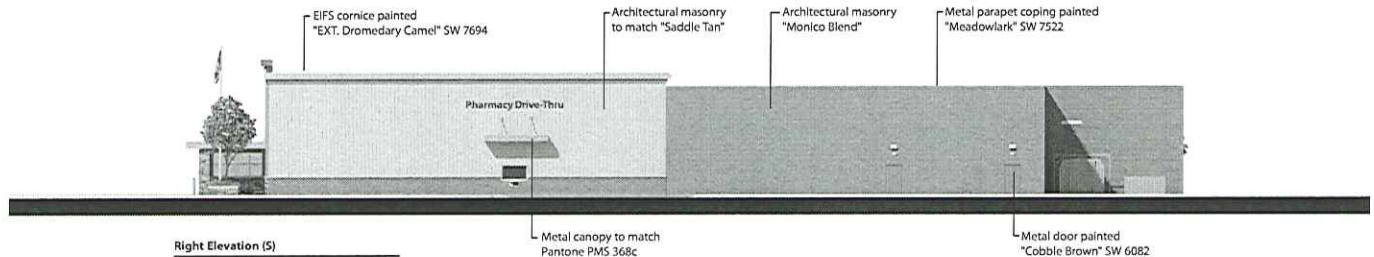
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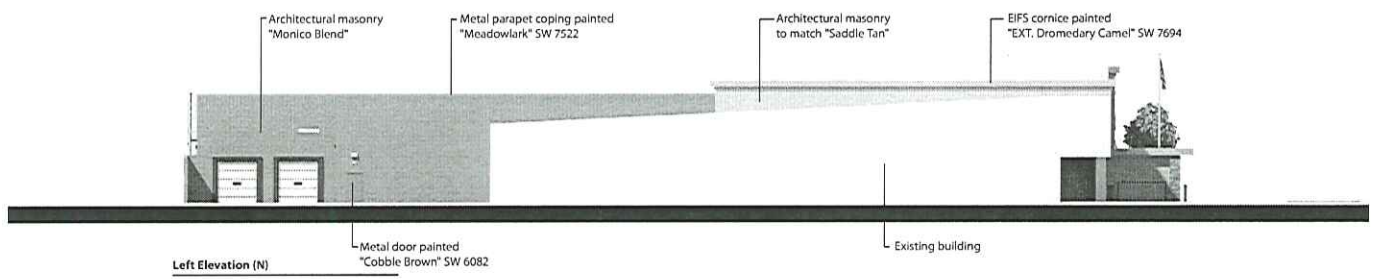
Front Elevation (W)





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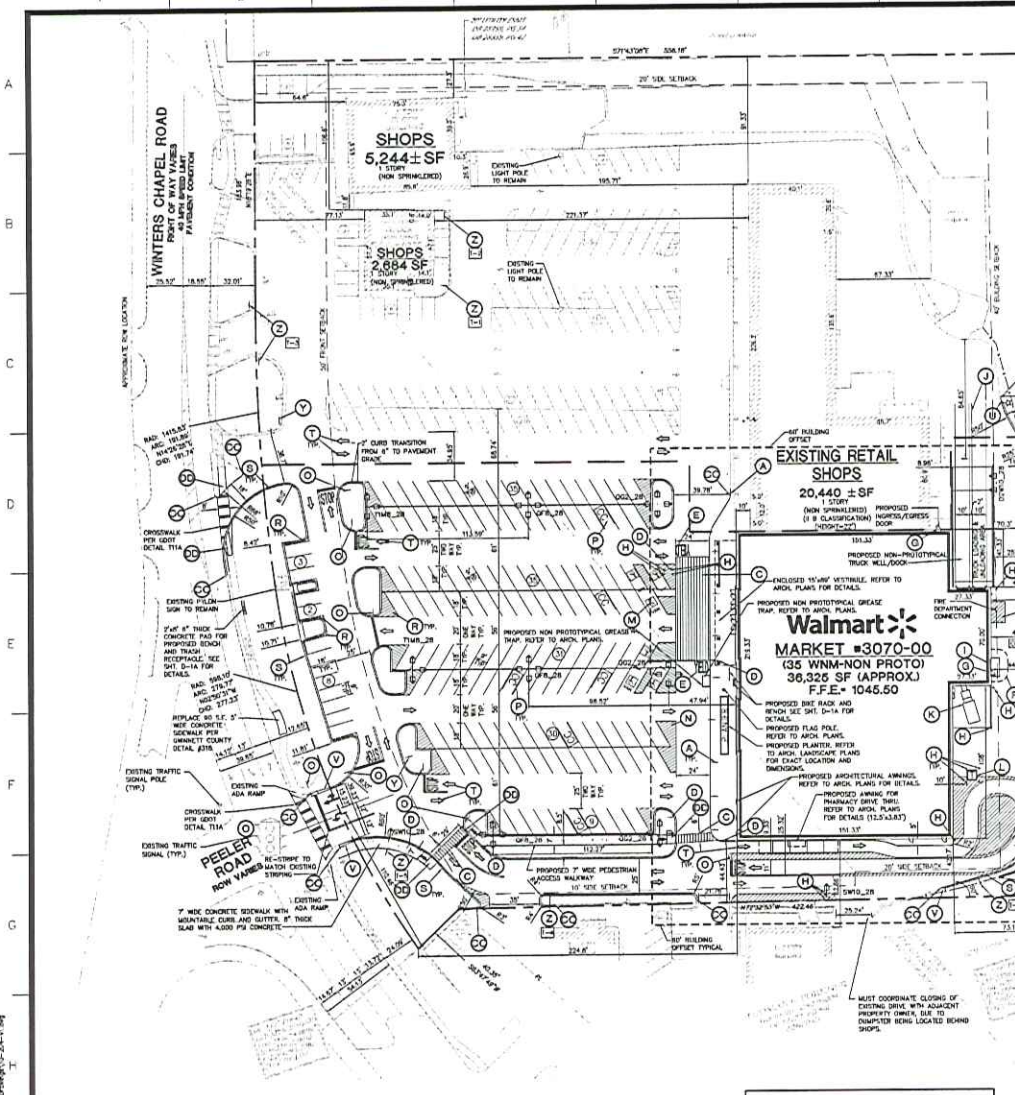


Left Elevation (N)

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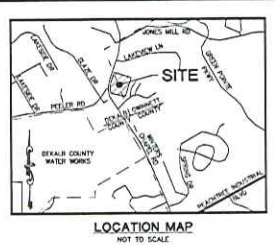


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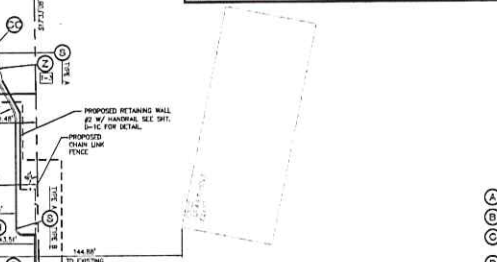


### COMMERCIAL DEVELOPMENT PERMIT DATA

GENERAL			
DEVELOPMENT TYPE	GROCEERY/RETAIL		
ZONING	C-2		
PROJECT DATA			
TOTAL AREA (ACRES)	2.08 ± AC.		
TOTAL IMPROVEMENTS AREA (ACRES)	2.08 AC.		
PARKING SPACES			
TOTAL PROPOSED SPACES	272		
PROPOSED PARKING SPACES (HANDICAPPED)	71 (2.6%)		
PROPOSED PARKING SPACES (TOTAL)	201		
BUILDING DATA			
BUILDING TO BE DEMOLISHED	EXISTING FLOOR AREA (SQ FT)	NEW BUILDING AREA (SQ FT)	TOTAL FLOOR AREA (SQ FT)
1	10,000	10,000	20,000
BANTARY SERVICE			
TYPE	RES		
MIN. HEIGHT (FEET) PROPOSED	MIN. HEIGHT (FEET) EXISTING		
15	15		
OWNER	DEVELOPER		
WALMART	WALMART		



- ### GWINNETT COUNTY NOTES
- EACH BUILDING AND ITS RELATIVE LOCATION TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2008 INTERNATIONAL BUILDING CODE WITH GEORGIA STATE ADAPTMENTS (IBC) WITH REGARDS TO THE HEIGHT AND AREA REQUIREMENTS OF THE TABLE 503 AND THE RESISTANCE AND AREASIAL STABILIZATION REQUIREMENTS OF IBC TABLE 601 AND BE BASED ON OCCUPANCY GROUP CLASSIFICATION AND TYPE OF CONSTRUCTION.
  - CONSTRUCTION DOCUMENTS FOR EACH PRE-MANUFACTURED BUILDING SHALL BE REVIEWED AND APPROVED BY THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (DCDA) INDICATING COMPLIANCE WITH THE INTERNATIONAL BUILDING CODE (2003 IBC) AND IBC TABLE 601 (2003 IBC) PRIOR TO ISSUANCE OF A BUILDING PERMIT.
  - A SEPARATE BUILDING PERMIT SHALL BE OBTAINED PRIOR TO CONSTRUCTION FOR EACH SITE RETAINING WALL (WHICH EITHER EXCEEDS 4 FEET IN HEIGHT OR WHICH HAS A MAXIMUM SLOPE GREATER THAN 1 FOOT VERTICAL TO 3 FEET HORIZONTAL) AND FOR EACH EXISTING FOUND WALL (EAW) IN ACCORDANCE WITH GWINNETT COUNTY DISTRICT ENGINEER SECTION 10.11.1. A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED BY GWINNETT COUNTY BUILDING INSPECTORS SECTION FOR ALL WALLS PERTAINING TO THIS PROJECT PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY CURB STRUCTURE ON THE SITE AND PRIOR TO APPROVAL OF THE FINAL SUBMISSION PLAN.
  - SEE SHEET C-1 FOR ADDITIONAL GWINNETT COUNTY SPECIFIC NOTES.
  - WALL ON PROPERTY LINE (PRELIMINARY) SEPARATING WALMART FROM EXISTING RETAIL SHOPS MUST BE 3 HOUR WALL PER TABLE 704.4.



### GWINNETT COUNTY MINIMUM YARD AND HEIGHT REQUIREMENTS

ZONING	PERMIT YARD LOCAL STREET	PERMIT YARD THROUGHWAY	REAR YARD	REAR YARD MINIMUM HEIGHT	REAR YARD MINIMUM HEIGHT	HURTLER
REQUIRED C-2	30' R/W	50' R/W	10'	10'	3 FEET	75' 10'
PROPOSED C-2	30' R/W	50' R/W	10'	10'	3 FEET	75' 10'

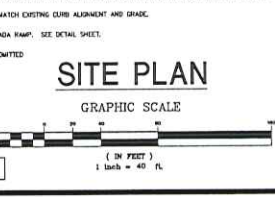
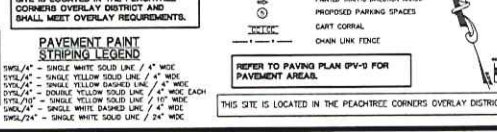
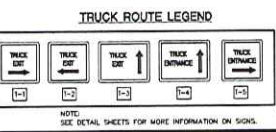
**OWNER:**  
M&P SHOPPING CENTERS  
6020A WINTERS CHAPEL RD  
DUNWOODY, GA 30386  
PHONE: (770) 888-0403  
CONTACT: JEREMY ROSENTHAL

**DEVELOPER:**  
WAL-MART STORES EAST, LP.  
2001 S.E. 10TH STREET  
BENTONVILLE, AR 72716-0550  
PHONE: (479) 273-4000

**GWINNETT COUNTY DOT IS NOT ON THE ONE-CALL SYSTEM. CALL 770-882-7474 WHEN LOCATING UTILITIES FOR CONSTRUCTION.**

**SITE IS LOCATED IN THE PEACHTREE CORNERS OVERLAY DISTRICT AND SHALL MEET OVERLAY REQUIREMENTS.**

**ALERT TO CONTRACTOR:**  
ALL WM GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.



Georgia 811  
Utility Marking Services  
Call 1-800-4-A-ROOT

### Landscape Schedule

Symbol	Qty	Label	Arrangement	LF	Description	Art. Mtds.	Art. Lumps	80% Reting
1	3	002_2R	GROUP	0.783	3-CANUSM974ACLODF @ 1-CANUSM974ACLODF 25 ft pole on 3 ft base	687	4320	N.A.
2	3	003_2R	4 @ 90 DEGREES	0.783	4-CANUSM974ACLODF 25ft pole on 3ft base	645	4320	82-113-03
3	2	TIMAL_2R	3 @ 90 DEGREES	0.783	3-CANUSM974ACLODF 25ft pole on 3ft base	480	3240	84-112-02
4	2	0010_2R	ROTATED OPTICS	0.783	1-CANUSM974ACLODF @ 1-CANUSM974ACLODF 25 ft pole on 3 ft base	374	2260	82-01-02
5	1	0011_2R	SINGLE	0.783	1-CANUSM974ACLODF 25 ft pole on 3 ft base	160	1000	80-01-02
6	1	0012_2R	SINGLE	0.783	1-CANUSM974ACLODF 25 ft pole on 3 ft base	187	1260	82-01-02

**Wolverton & Associates**  
Consulting Engineers + Land Surveyors  
616 Southeast Freeway, Suite 100, Atlanta, Georgia 30307  
Phone: (404) 525-0800  
www.wolvertonassociates.com



WINTER VILLAGE SUBDIVISION LAND LOT 260, 8TH DISTRICT, PARCEL #6280-018


**Project Title:**  
Walmart Neighborhood Market #3070-00  
5025 WINTERS CHAPEL RD - PARCEL #6280-018  
CITY OF DUNWOODY (PEELER) GWINNETT COUNTY, GA  
BY: WAL-MART STORES EAST, LP.  
BENTONVILLE, AR

REVISIONS	BY
1	JGB

DATE: 10/4/11  
SCALE: 1" = 40'  
JOB NO.: 10-204  
SHEET NUMBER: C-1



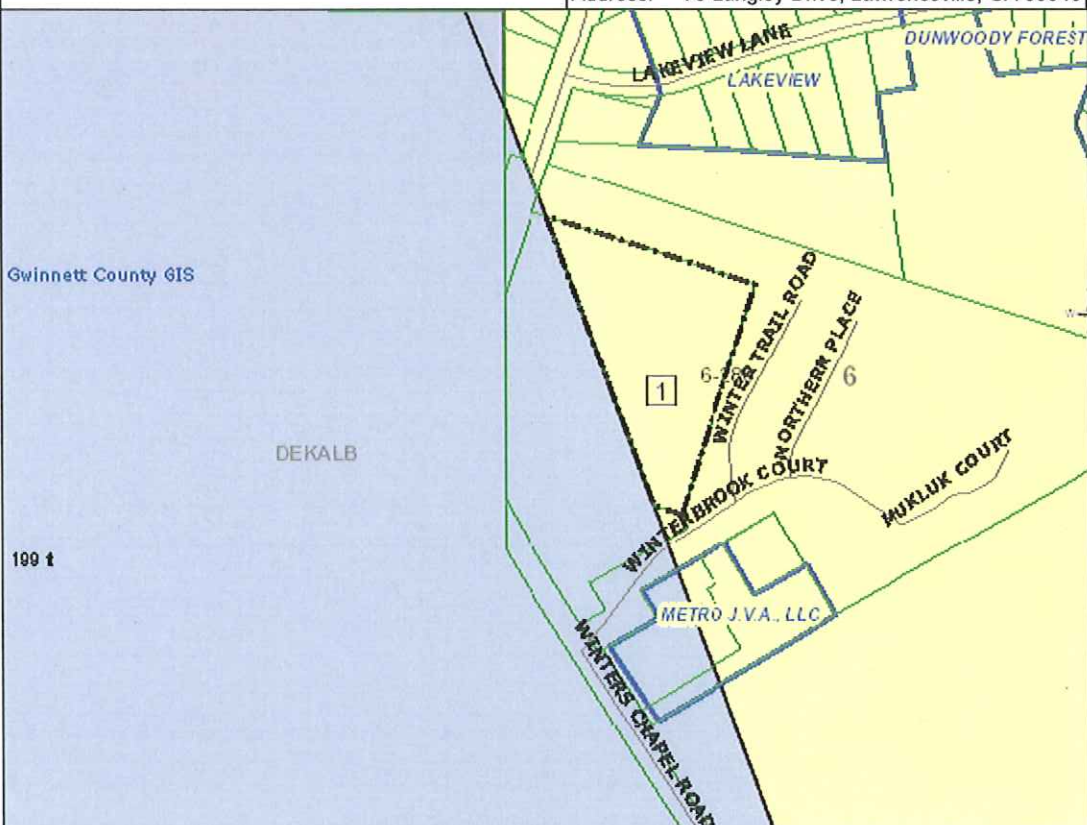




**Gwinnett County GIS Map**

Contact  
 Name: Gwinnett County ITS - GIS  
 Telephone: 770-822-8036  
 Website: www.gwinnettcounty.com  
 Email: gisoffice@gwinnettcounty.com  
 Address: 75 Langley Drive, Lawrenceville, GA 30046



Map Printed On April 02, 2012

**Legend**

<b>Administrative Area Layers</b>	
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	City Limits
<b>City</b>	
<span style="background-color: yellow; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	AUBURN
<span style="background-color: #f0e68c; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	BERKELEY LAKE
<span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	BRASELTON
<span style="background-color: #d2b48c; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	BUFORD
<span style="background-color: #d3d3d3; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	DACULA
<span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	DULUTH
<span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	GRAYSON
<span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	LAWRENCEVILLE
<span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	LILBURN
<span style="background-color: #f0e68c; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	LOGANVILLE
<span style="background-color: #f0e68c; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	NORCROSS
<span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	REST HAVEN
<span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	SNELLVILLE
<span style="background-color: #9370db; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	SUGAR HILL
<span style="background-color: #f0e68c; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	SUWANEE
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Landlot District
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	County Boundary
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Adjacent Counties
<b>Parcel Layers</b>	
<b>Land Parcels</b>	
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	<all other values>
<b>ParcelType</b>	
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Condo
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Subdivisions
<b>Main Layers</b>	
<span style="border-bottom: 1px solid black; display: inline-block; width: 10px;"></span>	Street Centerlines

Copyright Gwinnett County GIS

Disclaimer See Terms

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Department of Planning and Development

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 (tel) 678.518.6000  
 www.gwinnettcountry.com



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**Variance Application from the Zoning Resolution  
 (Both Zoning Board of Appeals & Administrative)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please **TYPE** or **PRINT** and sign in **BLUE** ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>Alejandro Vega</u>	Name <u>Alejandro Vega</u>
Address (all correspondence will be mailed to this address): <u>60 Parkcreek Ct.</u>	Address <u>60 Parkcreek Ct.</u>
City <u>Roswell</u>	City <u>Roswell</u>
State <u>GA</u> Zip <u>30076</u>	State <u>Georgia</u> Zip <u>30076</u>
Phone <u>404-597-8276</u>	Phone <u>404-597-8276</u>
Contact Person Name: <u>Alejandro Vega</u> Phone: <u>404-597-8276</u>	
Email Address: <u>alexprnt@comcast.net</u>	
Applicant is the (please check or circle one of the following):	
<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 6229 Josephine Rd Doraville GA 30340

Subdivision or Project Name Liberty Heights Lot & Block 106 H

District, Land Lot, & Parcel (MRN) 6th, 246, R 624 6 B 085

Proposed Development \_\_\_\_\_

Building Permit Number (if construction has begun) BLD \_\_\_\_\_

Variance Requested \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- Please attach a **LETTER OF INTENT** explaining the proposed use and the justification or hardship for this variance.

Case No. ZVR2012-80034

\*\*\*\*\*

**Applicant Certification**

\*\*\*\*\*

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

Alejandro Vega 4-2-2012  
Signature of Applicant Date

Alejandro Vega Owner  
Typed or Printed Name & Title

[Signature] 4/2/2012  
Signature of Notary Public Date



\*\*\*\*\*

**Property Owner Certification**

\*\*\*\*\*

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

Alejandro Vega 4-2-2012  
Signature of Property Owner Date

Alejandro Vega owner  
Typed or Printed Name & Title

[Signature] 4/2/2012  
Signature of Notary Public Date



\*\*\*\*\*

**Planning & Development Use Below Only**

\*\*\*\*\*

Date Received: 4/2/12 Received By: SCool MRN: 6246885

Zoning District: R75 Hearing Date (if applicable): 5/8/12 Commission District: 2

Variance Type: Accessory Structure Setback encroachment Code Section: ZK 1401

Related Cases & Applicable Conditions: CEU2012-01402

Variance Description: encroachment of 3FT into the 5 FT accessory structure setback

4-2-2012

# Letter of Intent

to Zoning Board of Appeals:

I Alejandro Vega Owner of Property located at  
6229 Josephine Rd Doraville, GA. 30340

I own this Property for about 10 years and  
it has a Shed that was already built when I bought  
my Property, according to my neighbor across the street  
that shed it has been there for more than 30 years

I Request permission to keep it and hope you really  
consider my Petition.

Sincerely Alejandro Vega

Department of Planning and Development



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**VARIANCE CONSENT FORM**

PROPERTY OWNER: Alejandro Vega  
PROPERTY ADDRESS: 6229 Josephine Rd Doraville GA 30340  
SUBDIVISION NAME: Liberty Heights  
LAND LOT(S): 246 DISTRICT: 6th SECTION/UNIT: four  
LOT NUMBER: 106 BLOCK: H  
BRIEF DESCRIPTION OF VARIANCE REQUEST: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABUTTING PROPERTY OWNERS:

PROPERTY ADDRESS: 6229 Josephine Rd Doraville GA 30340  
SUBDIVISION: Liberty Heights  
AS OWNER OF LOT: 106, BLOCK: H

I/WE HAVE NO OBJECTIONS TO THE GRANTING OF THE VARIANCE REQUESTED.

Alejandro Vega  
PRINTED NAME OF OWNER

Alejandro Vega  
SIGNATURE OF OWNER

\_\_\_\_\_  
PRINTED NAME OF OWNER

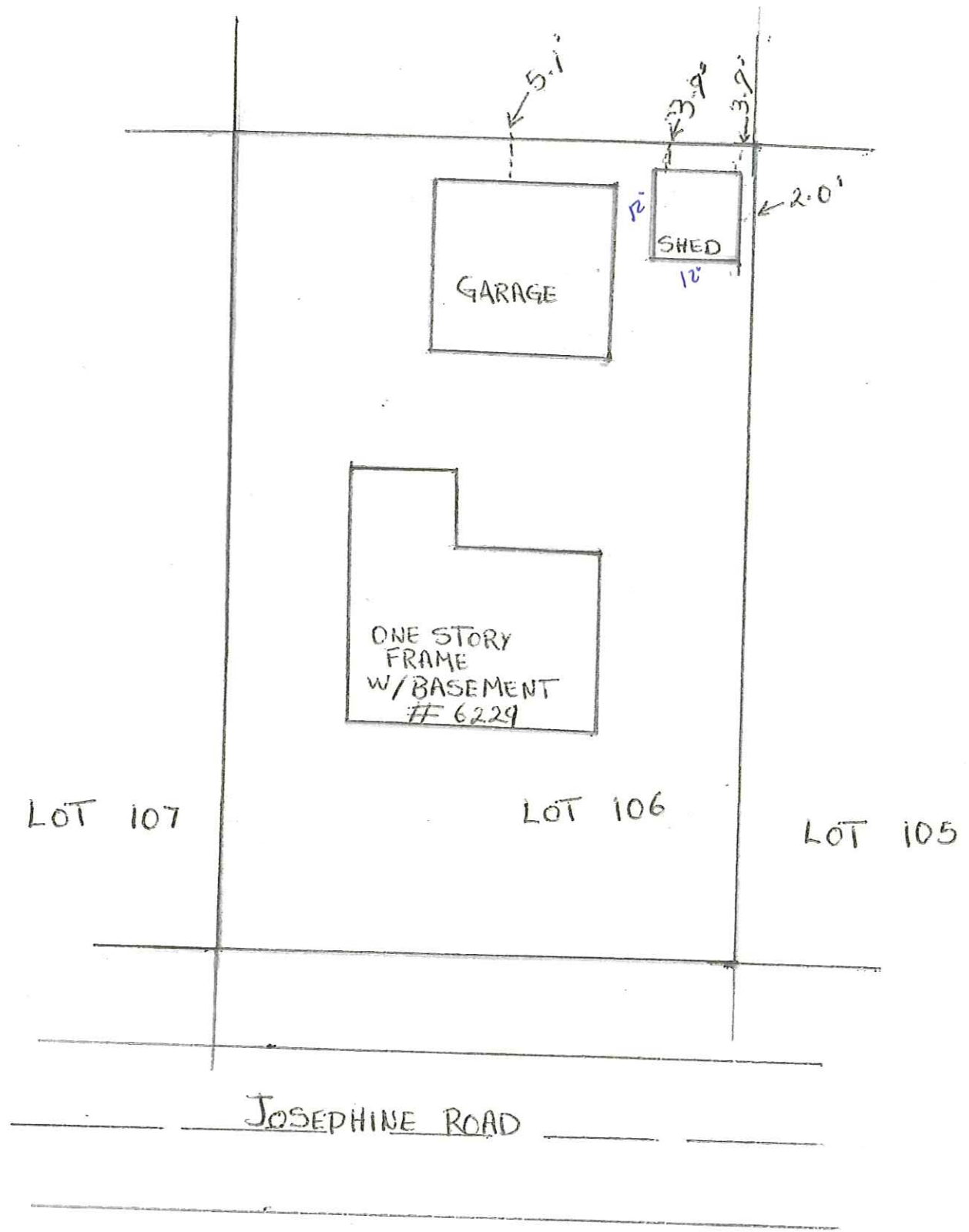
\_\_\_\_\_  
SIGNATURE OF OWNER

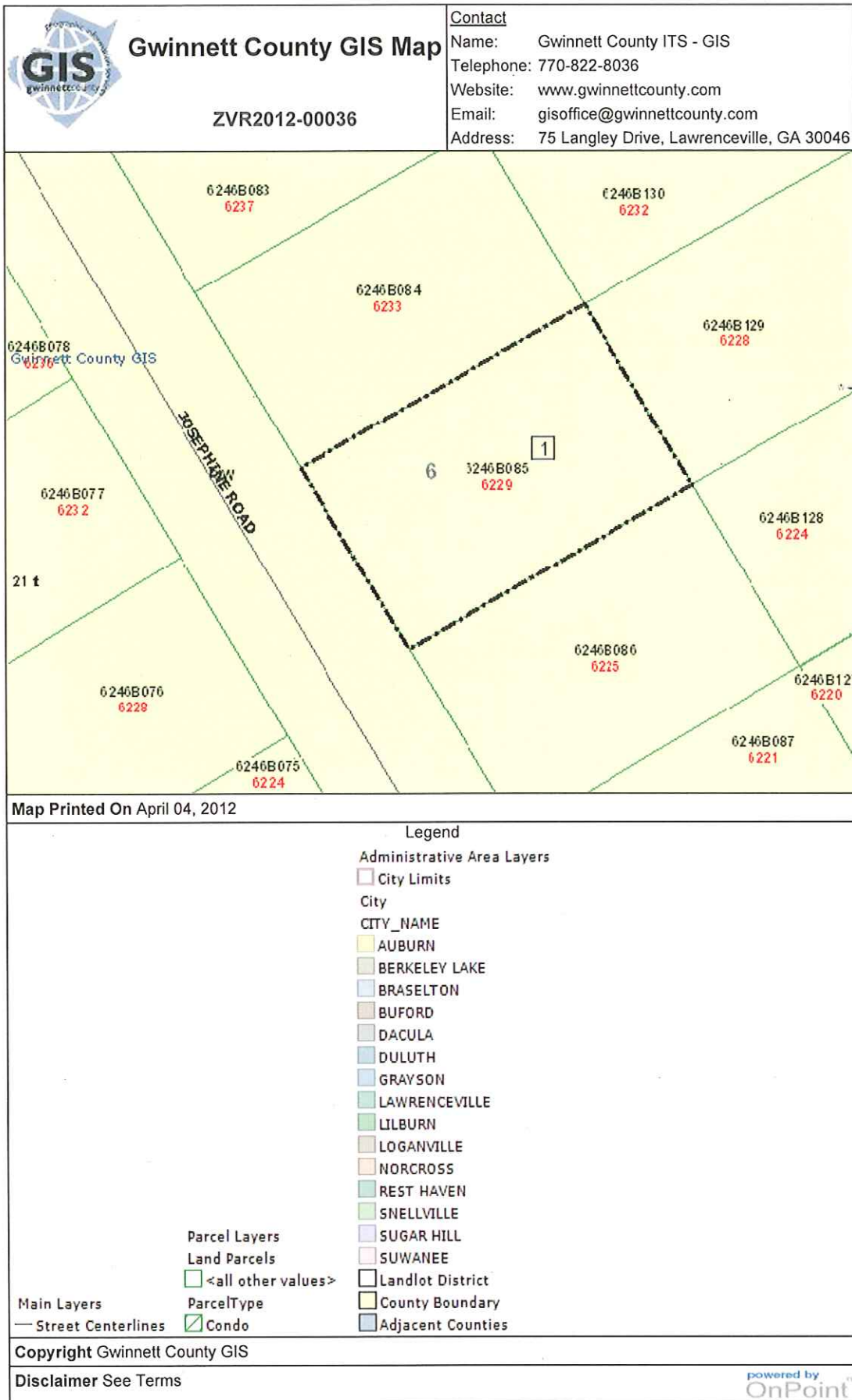
\_\_\_\_\_  
DATE

\*\*\*\*\*

**FOR INTERNAL USE ONLY**

DATE RECEIVED: \_\_\_\_\_ BY: \_\_\_\_\_ VARIANCE CASE NUMBER: \_\_\_\_\_





Department of Planning and Development



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**Variance Application from the Zoning Resolution  
 (Both Zoning Board of Appeals & Administrative)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please **TYPE** or **PRINT** and sign in **BLUE** ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>DAVID NEPHOU</u>	Name <u>Cindy &amp; Mitch Connors</u>
Address(all correspondence will be mailed to this address): <u>278 Thornhill DR</u>	Address <u>1472 Kimwood Ct.</u>
<u>BRAZELTON GA</u>	City <u>Lawrenceville</u>
City _____	State <u>GA</u> Zip <u>30043</u>
State <u>GA</u> Zip <u>30517</u>	Phone <u>770-813-3045</u>
Phone <u>770-527-17624</u>	
Contact Person Name: <u>DAVE NEPHOU</u> Phone: <u>770-527-17624</u>	
Email Address: <u>DAVENEP278@gmail.com</u>	
Applicant is the (please check or circle one of the following):	
<input type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 1472 Kimwood Court, Lawrenceville, GA 30043

Subdivision or Project Name Kimberl Acres Lot & Block 13 A

District, Land Lot, & Parcel (MRN) 7th District, Land Lot 25,

Proposed Development \_\_\_\_\_

Building Permit Number (if construction has begun) BLD \_\_\_\_\_

Variance Requested allow DETACHED GARAGE to be built on SIDE of house

- Please attach a **LETTER OF INTENT** explaining the proposed use and the justification or hardship for this variance.

Case No. 2VR 2012-00037

\*\*\*\*\*

**Applicant Certification**

\*\*\*\*\*

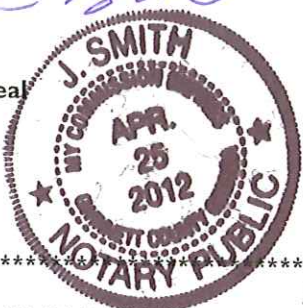
The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).

*Paul Nylan*

*Paul Nylan*  
Signature of Applicant

*4-2-2012*  
*4-2-2012*  
Date

Notary Seal



*DAVID NEPHEW*  
Typed or Printed Name & Title

*CONTRACTOR*

*[Signature]*  
Signature of Notary Public

*4/2/2012*  
Date

\*\*\*\*\*

**Property Owner Certification**

\*\*\*\*\*

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



*[Signature]*  
Signature of Property Owner

*3-27-12*  
Date

*Cindy Lee Connors*  
Typed or Printed Name & Title

*[Signature]*  
Signature of Notary Public

*3-27-12*  
Date

\*\*\*\*\*

**Planning & Development Use Below Only**

\*\*\*\*\*

Date Received: *04-02-2012* Received By: *MMS* MRN: *7,025 018,*

Zoning District: *R-140* Hearing Date (if applicable): *05.08.12* Commission District: *4.*

Variance Type: *ACCESSORY STRUCTURE OR USE YARD LOCATION* Code Section: *ZR0600 ACCESSORY STRUCTURE OR USES.*

Related Cases & Applicable Conditions: *RE2 1978-00117*

Variance Description: *ALLOW AN ACCESSORY STRUCTURE (DETACHED GARAGE) TO BE LOCATED IN A SIDE YARD.*

Case No. *2VR 2012-00037.*

## LETTER OF INTENT

The purpose of this letter is to inform the Department of Planning and Development the intended use of a 36x45 garage wanting to be constructed on our property located at 1472 Kimwood Court Lawrenceville, Georgia 30043.

There is currently an existing structure that does not meet our needs due to the fact it is too small and is not weather resistant. The planned garage will be used for the purpose of storing a pontoon boat, an enclosed cargo trailer, and possibly vehicles during inclement weather. This building is strictly for personal use and will not be used to store any commercial equipment or vehicles. Thank you for your consideration.



Cindy Lee Connors

Department of Planning and Development

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(tel) 678.518.6000  
www.gwinnettcountry.com



gwinnettcountry

**VARIANCE CONSENT FORM**

PROPERTY OWNER: Cindy & Mitch Connors  
PROPERTY ADDRESS: 1472 Kimwood Ct Lawrenceville 30043  
SUBDIVISION NAME: Kimberl Acres  
LAND LOT(S): 25 DISTRICT: 7<sup>th</sup> SECTION/UNIT: One  
LOT NUMBER: 13 BLOCK: A  
BRIEF DESCRIPTION OF VARIANCE REQUEST: To expand the size of the existing garage in the existing place.

ABUTTING PROPERTY OWNERS:

PROPERTY ADDRESS: 1492 KIMWOOD CT  
SUBDIVISION: Kimberl Acres  
AS OWNER OF LOT: ~~12~~ 12, BLOCK: A

I/WE HAVE NO OBJECTIONS TO THE GRANTING OF THE VARIANCE REQUESTED.

Robert Wiechman  
PRINTED NAME OF OWNER

Robert Wiechman  
SIGNATURE OF OWNER

Jessie Wiechman  
PRINTED NAME OF OWNER

Jessie Wiechman  
SIGNATURE OF OWNER

3-28-12  
DATE

\*\*\*\*\*

**FOR INTERNAL USE ONLY**

DATE RECEIVED: \_\_\_\_\_ BY: \_\_\_\_\_ VARIANCE CASE NUMBER: \_\_\_\_\_

Department of Planning and Development

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**VARIANCE CONSENT FORM**

PROPERTY OWNER: Cindy & Mitch Connors

PROPERTY ADDRESS: 1472 Kimwood Ct Lawrenceville 30043

SUBDIVISION NAME: Kimberl Acres

LAND LOT(S): 25 DISTRICT: 7m SECTION/UNIT: one

LOT NUMBER: 13 BLOCK: A

BRIEF DESCRIPTION OF VARIANCE REQUEST: To expand the size of the existing garage in the existing location.

ABUTTING PROPERTY OWNERS:

PROPERTY ADDRESS: 1452 Kimwood Ct Lawrenceville 30043

SUBDIVISION: Kimberl Acres

AS OWNER OF LOT: 14, BLOCK: A

I/WE HAVE NO OBJECTIONS TO THE GRANTING OF THE VARIANCE REQUESTED.

Michael E. Martin  
PRINTED NAME OF OWNER

[Signature]  
SIGNATURE OF OWNER

PRINTED NAME OF OWNER

SIGNATURE OF OWNER

3-28-2012  
DATE

\*\*\*\*\*

**FOR INTERNAL USE ONLY**

DATE RECEIVED: \_\_\_\_\_ BY: \_\_\_\_\_ VARIANCE CASE NUMBER: \_\_\_\_\_

Department of Planning and Development

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(tel) 678.518.6000  
www.gwinnettcounty.com



gwinnettcounty

**VARIANCE CONSENT FORM**

PROPERTY OWNER: Cindy & Mitch Connors

PROPERTY ADDRESS: 1472 Kimwood Ct Lawrenceville, 30043

SUBDIVISION NAME: Kimbrel Acres

LAND LOT(S): 25 DISTRICT: 7th SECTION/UNIT: one

LOT NUMBER: 13 BLOCK: 1A

BRIEF DESCRIPTION OF VARIANCE REQUEST: To expand the size of the existing garage in the existing location.

ABUTTING PROPERTY OWNERS:

PROPERTY ADDRESS: ~~1472~~ 1471 Kimwood Ct Law. GA 30043

SUBDIVISION: Kimbrel Acres

AS OWNER OF LOT: \_\_\_\_\_, BLOCK: 1A

I/WE HAVE NO OBJECTIONS TO THE GRANTING OF THE VARIANCE REQUESTED.

Charles T Spell  
PRINTED NAME OF OWNER

Charles T Spell  
SIGNATURE OF OWNER

\_\_\_\_\_  
PRINTED NAME OF OWNER

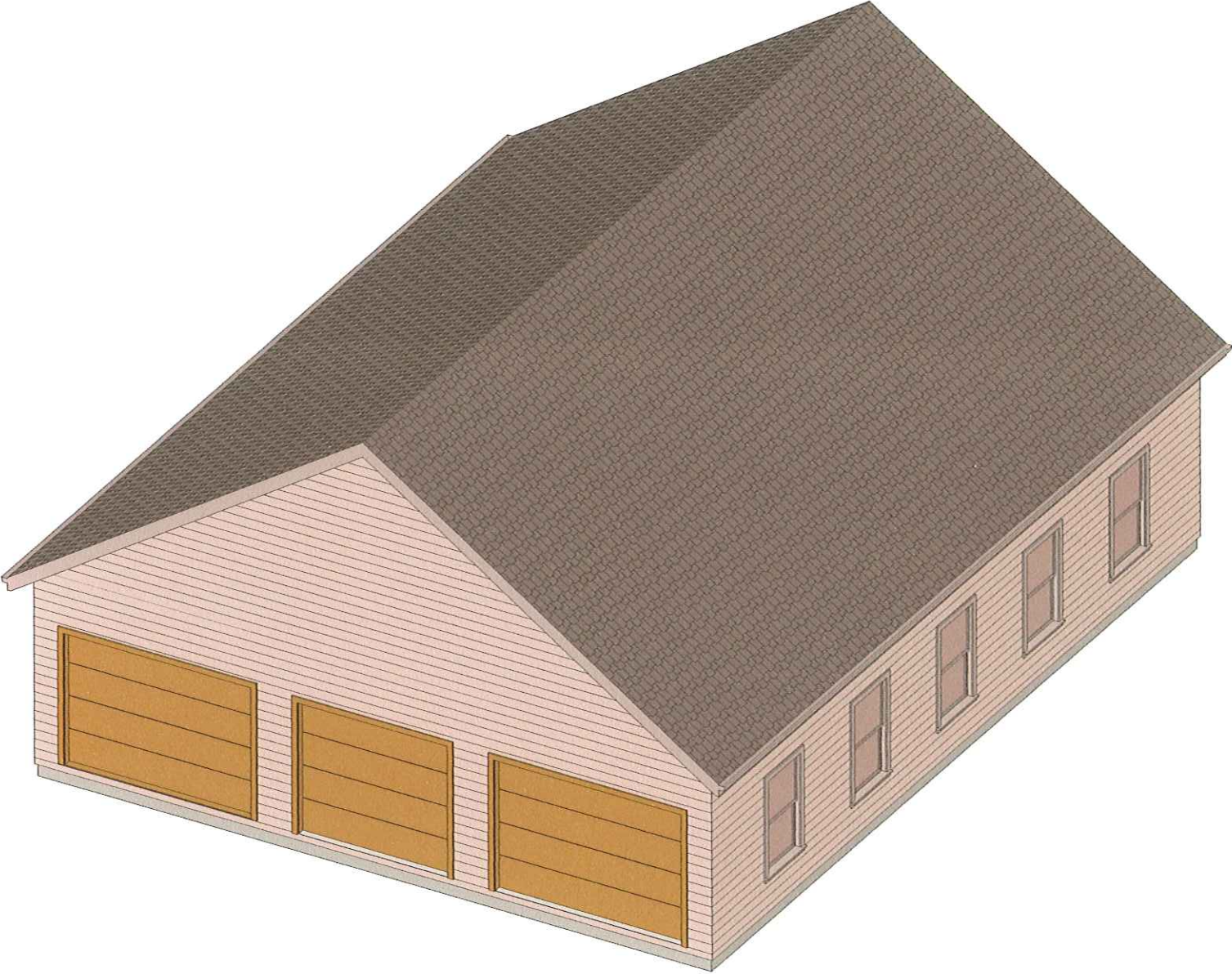
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SIGNATURE OF OWNER

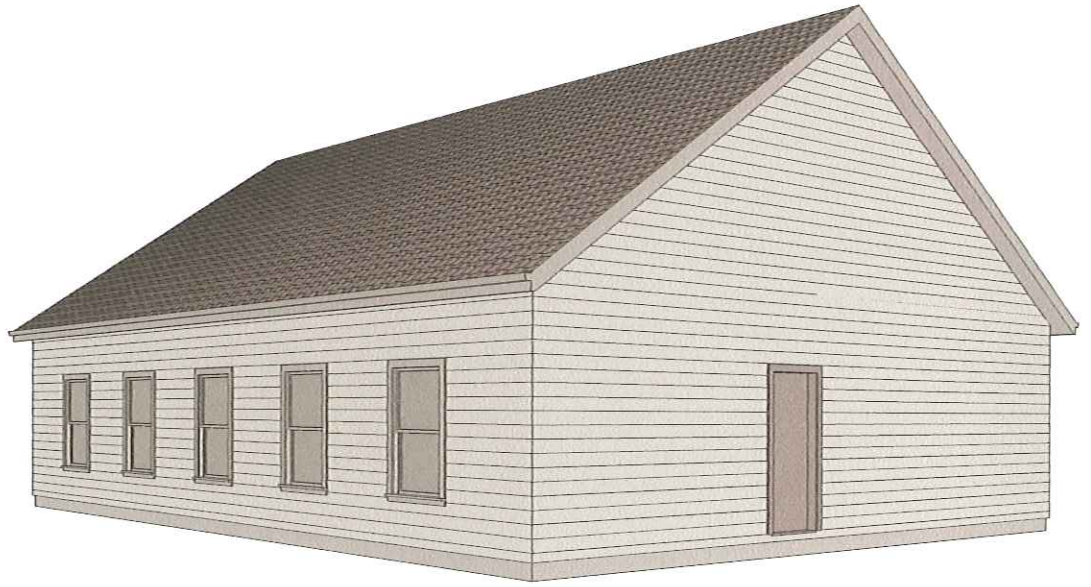
03-31-12  
DATE

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**FOR INTERNAL USE ONLY**

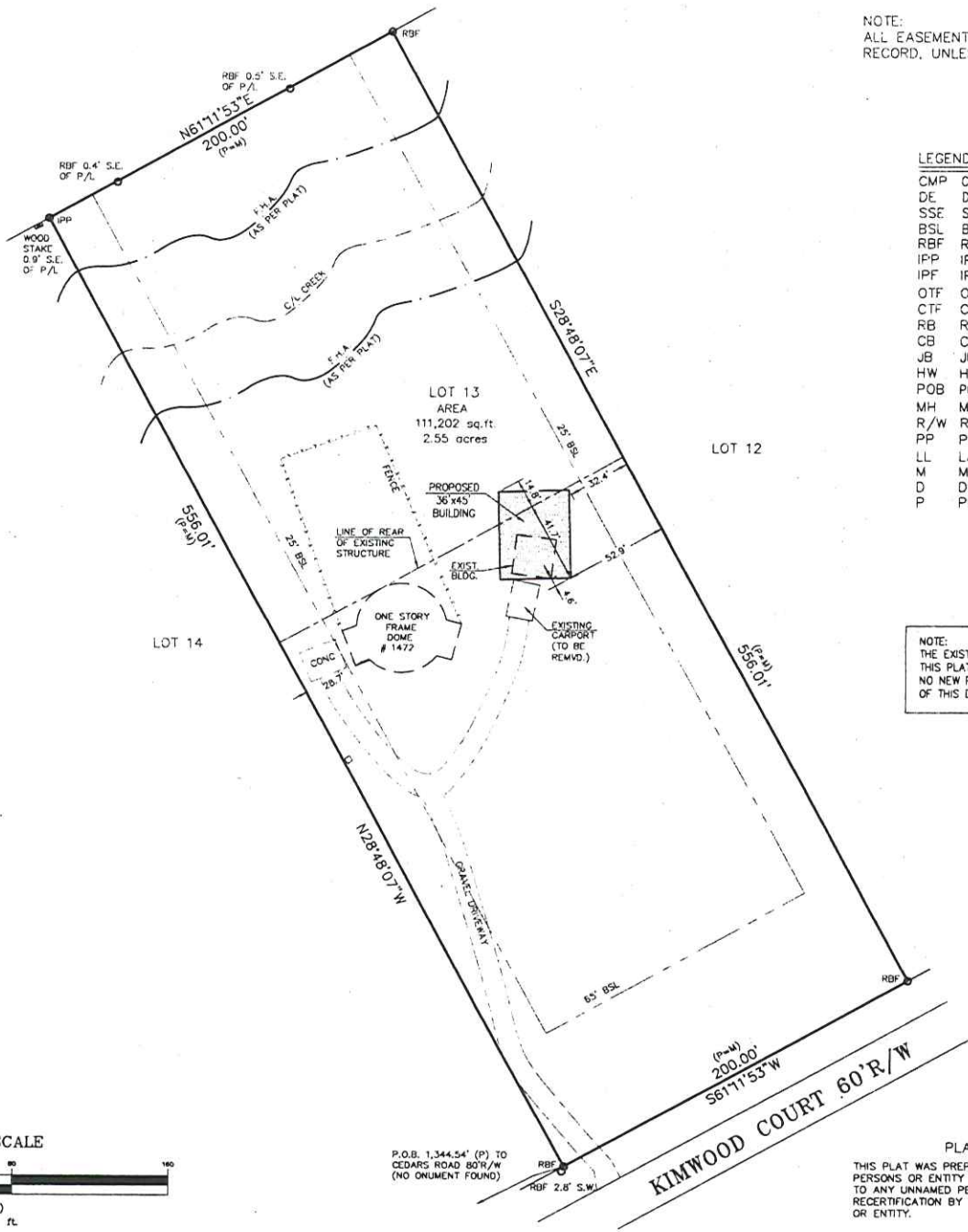
DATE RECEIVED: \_\_\_\_\_ BY: \_\_\_\_\_ VARIANCE CASE NUMBER: \_\_\_\_\_







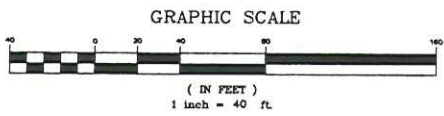




NOTE:  
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

- LEGEND**
- CMP CORRUGATED METAL PIPE
  - DE DRAINAGE EASEMENT
  - SSE SANITARY SEWER EASEMENT
  - BSL BUILDING SETBACK LINE
  - RBF REBAR FOUND
  - IPP IRON PIN PLACED
  - IPF IRON PIN FOUND
  - OTF OPEN TOP FOUND
  - CTF CRIMP TOP FOUND
  - RB REBAR
  - CB CATCH BASIN
  - JB JUNCTION BOX
  - HW HEAD WALL
  - POB POINT OF BEGINNING
  - MH MAN HOLE
  - R/W RIGHT-OF-WAY
  - PP POWER POLE
  - LL LAND LOT
  - M MEASURED
  - D DEED
  - P PLAT

NOTE:  
THE EXISTING IMPROVEMENTS SHOWN ON THIS PLAT WERE FIELD LOCATED 10/23/09. NO NEW FIELD WORK WAS DONE IN PREPARATION OF THIS DRAWING.



P.O.B. 1,344.54' (P) TO CEDARS ROAD 80'R/W (NO MONUMENT FOUND)

**PLAT CERTIFICATION NOTICE**  
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

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 THE LAW OF THE STATE OF GEORGIA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 15,000+ FEET, AN ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

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 THE LAW OF THE STATE OF GEORGIA.

**SOLAR LAND SURVEYING COMPANY**  
P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993  
TELEPHONE (770) 794-9055 FAX (770) 794-9052

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

ALL MATTERS PERTAINING TO TITLE ARE DELETED

**CINDY LEE CONNORS**  
7th STREET - SECTION  
BLOCK A  
UNIT ONE

LAND LOT 25  
LOT 13  
SUBDIVISION KIMBREL ACRES

FIELD DATE: 10/23/09  
DATE: 10/26/09  
SCALE: 1" = 40'

REVISION  
PER CLIENT COMMENTS  
DATE: 3/18/12

BY: PH

PLAT BOOK PAGE 282  
DEED BOOK PAGE

JOB # 12-1052



**Gwinnett County GIS Map**

ZVR2012-00037

Contact

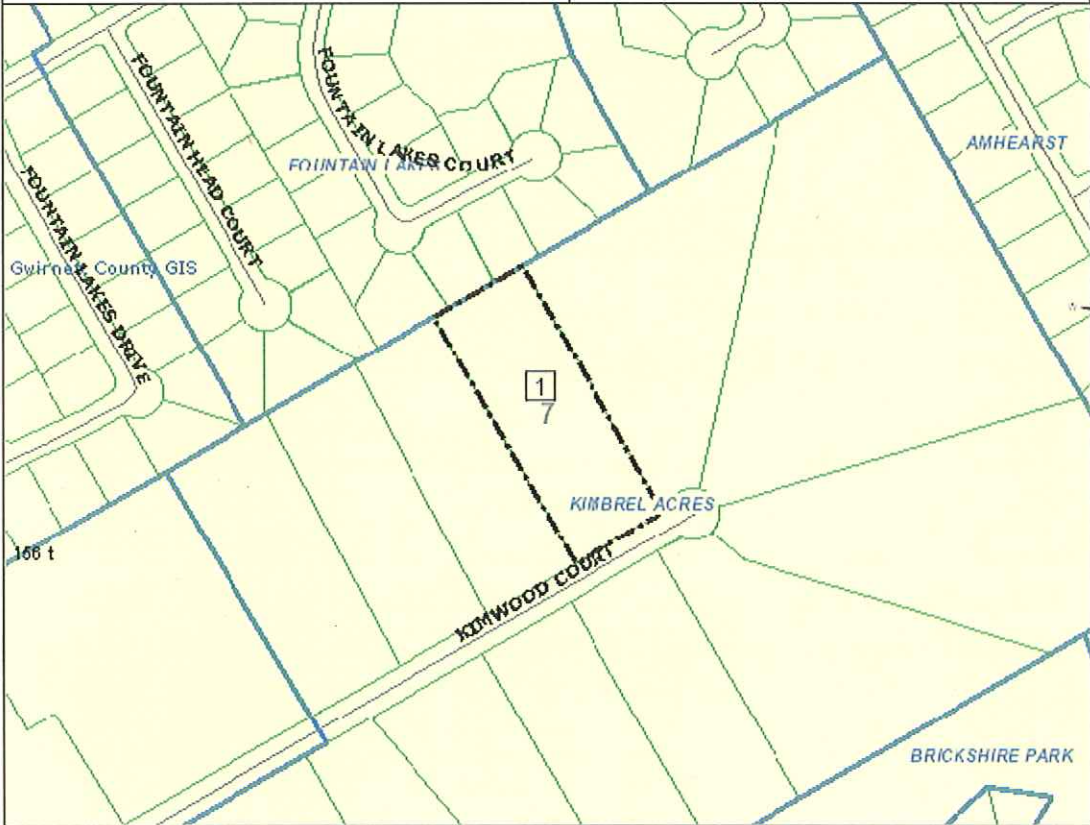
Name: Gwinnett County ITS - GIS

Telephone: 770-822-8036

Website: www.gwinnettcounty.com

Email: gisoffice@gwinnettcounty.com

Address: 75 Langley Drive, Lawrenceville, GA 30046



Map Printed On April 04, 2012

Legend	
<b>Administrative Area Layers</b>	
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	City Limits
<b>City</b>	
CITY_NAME	
<span style="background-color: yellow; width: 15px; height: 10px; display: inline-block;"></span>	AUBURN
<span style="background-color: #d3d3d3; width: 15px; height: 10px; display: inline-block;"></span>	BERKELEY LAKE
<span style="background-color: #add8e6; width: 15px; height: 10px; display: inline-block;"></span>	BRASELTON
<span style="background-color: #d2b48c; width: 15px; height: 10px; display: inline-block;"></span>	BUFORD
<span style="background-color: #c0c0c0; width: 15px; height: 10px; display: inline-block;"></span>	DACULA
<span style="background-color: #6495ed; width: 15px; height: 10px; display: inline-block;"></span>	DULUTH
<span style="background-color: #6495ed; width: 15px; height: 10px; display: inline-block;"></span>	GRAYSON
<span style="background-color: #66c2a5; width: 15px; height: 10px; display: inline-block;"></span>	LAWRENCEVILLE
<span style="background-color: #90ee90; width: 15px; height: 10px; display: inline-block;"></span>	LILBURN
<span style="background-color: #d2b48c; width: 15px; height: 10px; display: inline-block;"></span>	LOGANVILLE
<span style="background-color: #f4a460; width: 15px; height: 10px; display: inline-block;"></span>	NORCROSS
<span style="background-color: #66c2a5; width: 15px; height: 10px; display: inline-block;"></span>	REST HAVEN
<span style="background-color: #90ee90; width: 15px; height: 10px; display: inline-block;"></span>	SNELLVILLE
<span style="background-color: #d3d3d3; width: 15px; height: 10px; display: inline-block;"></span>	SUGAR HILL
<span style="background-color: #f0f0f0; width: 15px; height: 10px; display: inline-block;"></span>	SUWANEE
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Landlot District
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	County Boundary
<span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Adjacent Counties
<b>Parcel Layers</b>	
<b>Land Parcels</b>	
<span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	<all other values>
<b>ParcelType</b>	
<span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span>	Condo
<span style="border: 1px solid blue; display: inline-block; width: 10px; height: 10px;"></span>	Subdivisions
<b>Main Layers</b>	
<span style="border-bottom: 1px solid black; display: inline-block; width: 20px;"></span>	Street Centerlines

Copyright Gwinnett County GIS

Disclaimer See Terms



Department of Planning and Development

446 West Crogan Street • Lawrenceville, GA 30046-2440  
 (tel) 678.518.6000  
 www.gwinnettcountry.com



gwinnettcountry

Variance Application from the Zoning Resolution  
 (Both Zoning Board of Appeals & Administrative)

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines & Information. Please **TYPE** or **PRINT** and sign in **BLUE** ink. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>KATIE FRANKS ENTERPRISES</u>	Name <u>same as Applicant</u>
Address (all correspondence will be mailed to this address): <u>4536 NELSON BROWDON BLVD</u> <u>BUILDING A</u>	Address _____
City <u>BUFORD</u>	City _____
State <u>GA</u> Zip <u>30518</u>	State _____ Zip _____
Phone <u>770-932-0091</u>	Phone _____
Contact Person Name: <u>FRANK TURNER</u> Phone: <u>404-307-1199</u>	
Email Address: <u>Frank@legacyacademy.com</u>	
Applicant is the (please check or circle one of the following): <input checked="" type="checkbox"/> Property Owner      [ ] Owner's Agent      [ ] Contract Purchaser	

Address of Property 1325 AUBURN ROAD

Subdivision or Project Name Dacula Dental Office Lot & Block \_\_\_\_\_

District, Land Lot, & Parcel (MRN) 2-001-413

Proposed Development Office Building

Building Permit Number (if construction has begun) BLD \_\_\_\_\_

Variance Requested Applicant Requests a Variance From the zoning requirement in 1315.2, 3.C. to allow parking for the proposed office to exist in front of the building, with no more than one double row of parking, consisting of 100% of the required parking spaces

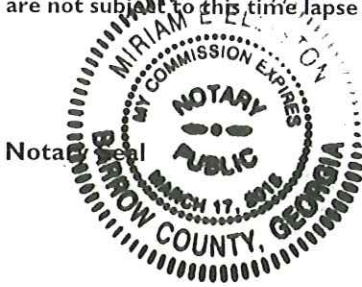
- Please attach a **LETTER OF INTENT** explaining the proposed use and the justification or hardship for this variance.

Case No. ZVR 2012-00038

\*\*\*\*\*

**Applicant Certification**

The undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or any portion thereof shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



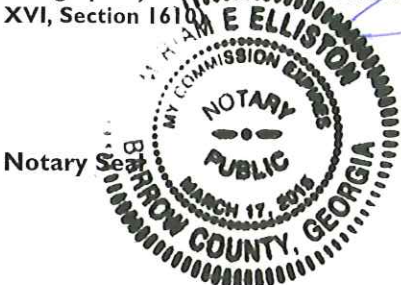
Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Typed or Printed Name & Title \_\_\_\_\_  
Signature of Notary Public \_\_\_\_\_ Date 4/12/12

\*\*\*\*\*

**Property Owner Certification**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of variance affecting the same land, or any portion thereof, shall not be acted upon within 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from the date of the last action by the Zoning Board of Appeals (Article XVII, Section 1707, Paragraph 2). Authorized administrative variances are not subject to this time lapse requirement (Article XVI, Section 1610).



Signature of Property Owner \_\_\_\_\_ Date 4/12/12

Typed or Printed Name & Title \_\_\_\_\_  
Signature of Notary Public \_\_\_\_\_ Date 4/12/12

\*\*\*\*\*

**Planning & Development Use Below Only**

Date Received: 04.12.2012 Received By: M.M.S MRN: 2.001.413

Zoning District: C-2 Hearing Date (if applicable): 05.08.12 Commission District: 3

Variance Type: PARKING PERCENTAGE Code Section: ZR 1315.2.3.3C  
FRONT YARD PARKING PERCENT INCREASE

Related Cases & Applicable Conditions: REZ 1997-00058 ; GA HWY 124/324/ HAMILTON MILL OVERLAY DISTRICT

Variance Description: INCREASE FRONT YARD PARKING PERCENTAGE MORE THAN 20% IN AN OVERLAY DISTRICT

Case No. ZVR 2012-00038



April 12, 2012

Gwinnett County  
Department of Planning and Development  
446 West Crogan Street  
Lawrenceville, Georgia 30046

Re: Dacula Dental Office  
1325 Auburn Road

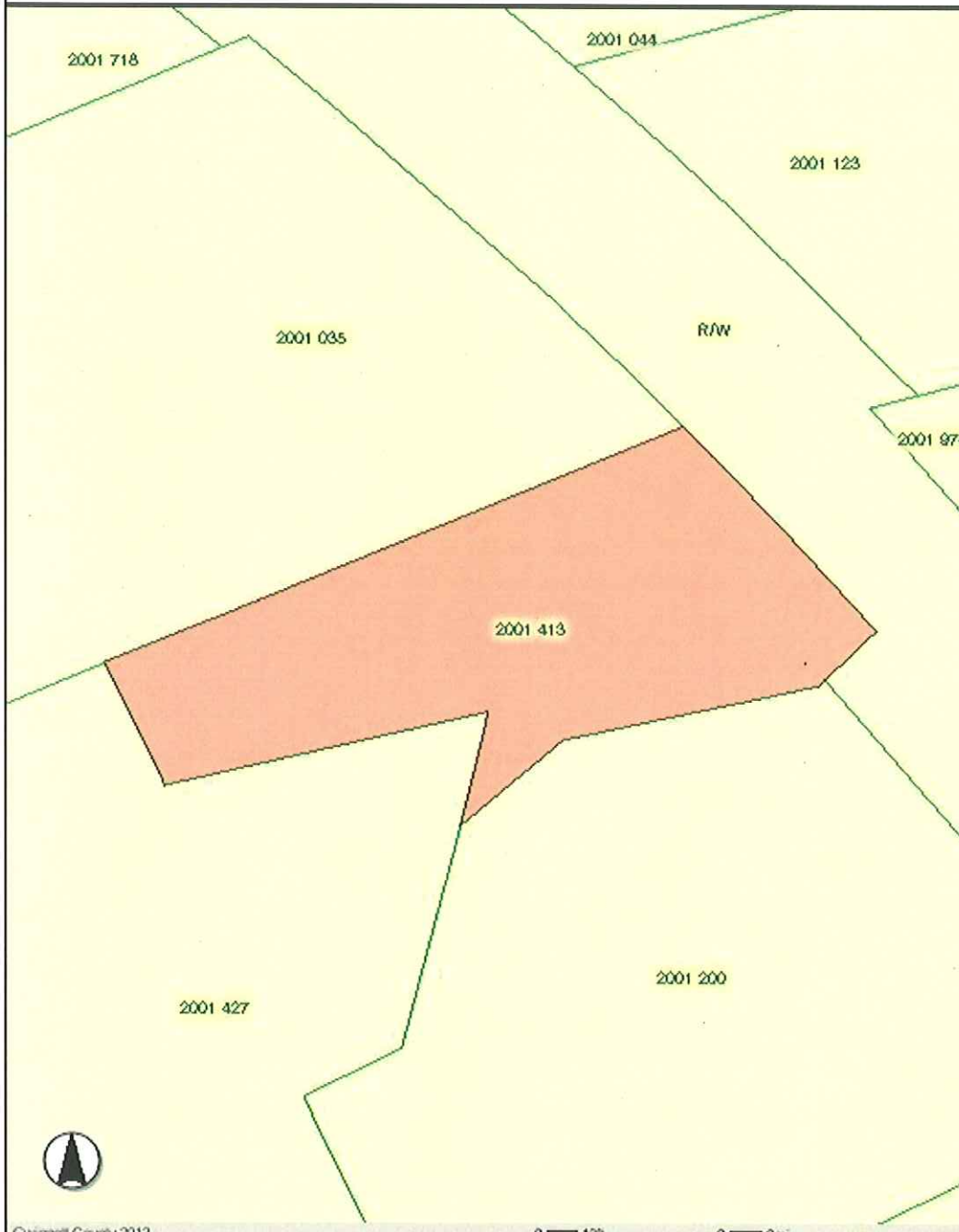
This letter of intent is submitted for KATIEFRANKS ENTERPRISES as required, with a Variance Application for the Dacula Dental Office. The requested variance from the Zoning Resolution section 1315.2, 3.C. is necessary to allow for all parking for the proposed facility to be constructed in front of the building. The parking will be limited to one double row of parking. The width of the property is a restricting factor on the design, and there is not enough space to construct an access road to the rear of the property.

Sincerely,

John K Merder, PE  
President  
ESSENTIAL ENGINEERING SERVICES



# ZVR2012-00038



- Select Layer
- LAND PARCELS
- CITY LIMITS**
- AUBURN
- BERKELEY LAKE
- BRASELTON
- BUFORD
- DACULA
- DULUTH
- GRAYSON
- LAWRENCEVILLE
- ULBURN
- LOGANVILLE
- NORCROSS
- REST HAVEN
- SNELLVILLE
- SUGAR HILL
- SUWANEE
- COUNTY BOUNDARY

Gwinnett County 2012

0 13ft

0 0mi

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