

GWINNETT COUNTY BOARD OF COMMISSIONERS

LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY TO ADD A NEW SECTION 1605A (VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY") AND TO AMEND THE DEFINITION OF THE TERM "FAMILY"

READING AND ADOPTION: September 20, 2005

At the regular meeting of the Gwinnett County Board of Commissioners held in the Commission Meeting Room, 75 Langley Drive, Lawrenceville, Georgia.

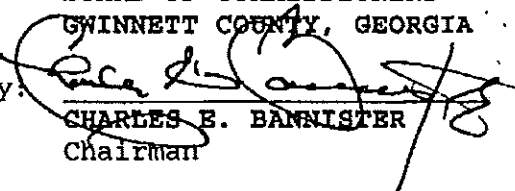
	Present	Vote
Charles E. Bannister, Chairman	Yes	Aye
Lorraine A. Green, District 1	Yes	Ayc
Bert Nasuti, District 2	Yes	Ayc
Michael A. Beaudreau, District 3	Yes	Ayc
Kevin Kenerly, District 4	Yes	Ayc

On motion of Comm. Beaudreau, which carried 5-0, the following Ordinance was adopted:


AN ORDINANCE TO AMEND THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY TO ADD A NEW SECTION 1605A (VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY") AND TO AMEND THE DEFINITION OF THE TERM "FAMILY"

BE IT RESOLVED this the 20<sup>th</sup> day of September, 2005.

BOARD OF COMMISSIONERS  
GWINNETT COUNTY, GEORGIA

By:   
CHARLES E. BANNISTER  
Chairman

ATTEST:  
  
BRENDA MADDOX, County Clerk (SEAL)

APPROVED AS TO FORM:  
  
VAN STEPHENS  
Chief Assistant County Attorney

GWINNETT COUNTY BOARD OF COMMISSIONERS

AN ORDINANCE TO AMEND THE 1985 ZONING RESOLUTION OF GWINNETT COUNTY TO ADD A NEW SECTION 1605A (VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY") AND TO AMEND THE DEFINITION OF THE TERM "FAMILY"

BE IT ORDAINED that the definition of the term "family" contained in Article III of the 1985 Zoning Resolution of Gwinnett County is hereby deleted in its entirety and the following language is inserted in lieu thereof:

FAMILY. A group of not more than eight persons occupying a single dwelling unit. A group consisting of more than eight persons may apply for a variance from this provision in accordance with Section 1605A. Enforcement of the definition of the term "family" shall commence with a written notice of violation provided to the owner of the premises and shall be delivered personally or by first class mail to the owner's address as listed in the Tax Assessor's records at least ten days prior to citation.

BE IT FURTHER ORDAINED that a new Section 1605A is added to the 1985 Zoning Resolution of Gwinnett County to read as follows:

Section 1605A. VARIANCES FROM THE DEFINITION OF THE TERM "FAMILY":

The Director of the Department of Planning and Development, or his designee, shall have the power to hear and decide requests for variances from the definition of the term "family" if all persons who will occupy the residential dwelling are related by blood or marriage. To facilitate these administrative variances, the Director of the Department of Planning and Development, or his designee, shall be authorized to develop procedures for consideration of such administrative variances. There shall be no fee for applications for administrative variances from the definition of the term "family".

The Zoning Board of Appeals shall have the power to hear and decide requests for variances from the definition of the term "family" when such requests are submitted by groups who are not all related by blood or marriage. Such variances may be granted in cases of unnecessary hardship upon a finding by the Zoning Board of Appeals that:

- A. There are extraordinary or exceptional conditions pertaining to the group in question, and relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Resolution; and

- i. The residential dwelling contains at least five hundred square feet of bedroom space;
- ii. The residential dwelling is served by public water and sewer service;
- iii. The residential dwelling is located on a lot having an area of at least one-half acre; and
- iv. The residential dwelling lot contains paved parking area of no less than 1,200 square feet.

In response to the needs of victims of Hurricane Katrina, any fee to initiate a variance request to the Zoning Board of Appeals pursuant to this Section shall be waived for applications filed on or before November 21, 2005.

Any and all provisions of the Code of Ordinances of Gwinnett County in conflict with the provisions of this Ordinance are hereby repealed.

THIS ORDINANCE IS ADOPTED by the Board of Commissioners of Gwinnett County, Georgia this the 20<sup>th</sup> day of September, 2005.

ATTEST,

Brenda Maddox  
 BRENDA MADDOX  
 County Clerk (SEAL)

BOARD OF COMMISSIONERS  
 GWINNETT COUNTY, GEORGIA

By Charles E. Bannister  
 CHARLES E. BANNISTER / Chairman

APPROVED AS TO FORM:

Van Stephens  
 VAN STEPHENS  
 Chief Assistant County Attorney