



# GWINNETT COUNTY

DEPARTMENT OF PLANNING AND DEVELOPMENT

ONE JUSTICE SQUARE

446 West Crogan Street, Lawrenceville, Georgia 30045

Phone: 678.518.6000 Fax: 678.518.6240

www.gwinnettcounty.com

## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00038**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ENCROACHMENT OF 21.6' INTO THE 35' FRONT YARD SETBACK

**Applicant Name:** KENNETH C FINLON

**Proposed Development:** SINGLE-FAMILY DWELLING

**Property Address:** 4024 SUDDERTH ROAD BUF

**MRN:** R7229 001

<b>Reading and Adoption:</b>	<b>MEMBERS</b>	<b>VOTE</b>
	JODIE ROSSER	Aye
	BRENT HALCOMB	Aye
	WAYNE KNOX	Aye
	MIKE ROYAL	Aye
	JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** BRENT HALCOMB

**Seconded By:** JOSEPH HUGHES

**Date of Action:** June 09, 2009

**Motion To:** Table

**Action Taken:** Tabled - New Hearing

**New Hearing Date:** July 14, 2009

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title: Development Review Manager**



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00052**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** REQUEST TO EXCEED 35% OF HARD SURFACE AREA IN A FRONT YARD

**Applicant Name:** FLORIAN D POP

**Proposed Development:** SINGLE-FAMILY DWELLING

**Property Address:** 1399 HARRIS ROAD LAW

**MRN:** R7056 392

<b>Reading and Adoption:</b>	<b>MEMBERS</b>	<b>VOTE</b>
	JODIE ROSSER	Aye
	BRENT HALCOMB	Aye
	WAYNE KNOX	Aye
	MIKE ROYAL	Aye
	JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** JOSEPH HUGHES

**Seconded By:** WAYNE KNOX

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

- Conditions:**
1. THE OWNER SHALL SUBMIT AN AS-BUILT RESIDENTIAL DRAINAGE PLAN (RDP) WITHIN 30 DAYS FOR APPROVAL BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT DEMONSTRATING THAT THE DEVELOPMENT OF THE PROPERTY HAS NOT CREATED AN ADVERSE IMPACT ON HARRIS ROAD.
  2. NO MORE THAN 6 VEHICLES SHALL BE ALLOWED OUTSIDE THE DWELLING AND SHOULD BE PARKED ON A HARD SURFACE, COMPLYING WITH ALL COUNTY REQUIREMENTS.
  3. NO BUSINESS ACTIVITY SHALL TAKE PLACE ON THE PROPERTY.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00057**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** INCREASE GROUND SIGN HEIGHT FROM 5 FEET TO 9.83 FEET AT A 3 FOOT SETBACK

**Applicant Name:** WILLIAM BYRD

**Proposed Development:** AUTOMOTIVE CAR WASH

**Property Address:** 4175 JIMMY CARTER BOULEVARD NOR

**MRN:** R6143 178

**Reading and Adoption:** **MEMBERS** **VOTE**

JODIE ROSSER	Aye
BRENT HALCOMB	Aye
WAYNE KNOX	Aye
MIKE ROYAL	Aye
JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** WAYNE KNOX

**Seconded By:** BRENT HALCOMB

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

- Conditions:**
1. THE APPLICANT SHALL OBTAIN ALL REQUIRED PERMITS WITHIN 30 DAYS OF THE VARIANCE ACTION AND ALL CONSTRUCTION SHALL BE COMPLETED WITHIN 120 DAYS OF THE ISSUANCE OF A BUILDING PERMIT.
  2. A LANDSCAPE PLAN SHALL BE SUBMITTED AND APPROVED BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT PRIOR TO THE ISSUANCE OF A SIGN PERMIT.
  3. AT SUCH TIME AS THE EXISTING SIGN SHALL BE REMOVED, REPLACED OR ABANDONED FOR 30 DAYS, VARIANCE SHALL TERMINATE AND ANY SUBSEQUENT SIGNAGE OF THE PROPERTY SHALL ADHERE TO CURRENT SIGN ORDINANCE REQUIREMENTS.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00058**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ALLOW GRAVEL PARKING IN LIEU OF PAVED SURFACE PARKING

**Applicant Name:** R JAMES HALSEMA

**Proposed Development:** RELIGIOUS WORSHIP FACILITY

**Property Address:** 695 BEAVER RUIN ROAD LIL

**MRN:** R6158 004A

<b>Reading and Adoption:</b>	<b>MEMBERS</b>	<b>VOTE</b>
	JODIE ROSSER	Aye
	BRENT HALCOMB	Aye
	WAYNE KNOX	Aye
	MIKE ROYAL	Aye
	JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** WAYNE KNOX

**Seconded By:** JOSEPH HUGHES

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

**Conditions:** 1. THE GRAVEL PARKING SHALL BE ALLOWED FOR A PERIOD OF 12 MONTHS. AT THE END OF THE 12 MONTHS, THE PARKING LOT SHALL EITHER BE PAVED OR REMOVED. THE APPLICANT ALSO HAS THE OPTION OF FILING A NEW VARIANCE REQUEST AT THAT TIME FOR AN ADDITIONAL 12 MONTHS.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title: Development Review Manager**



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00059**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ALLOW THE KEEPING OF LIVESTOCK IN A RESIDENTIAL ZONING DISTRICT ON 0.98 ACRES

**Applicant Name:** ALCIRA NINETT TEXIDOR

**Proposed Development:** SINGLE-FAMILY DWELLING

**Property Address:** 122 LESTER WOODS COURT LAW

**MRN:** R6131A440

**Reading and Adoption:** **MEMBERS** **VOTE**

JODIE ROSSER	Aye
BRENT HALCOMB	Aye
WAYNE KNOX	Aye
MIKE ROYAL	Aye
JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** WAYNE KNOX

**Seconded By:** JOSEPH HUGHES

**Date of Action:** June 09, 2009

**Motion To:** Deny

**Action Taken:** Denied

**Conditions:**

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00060**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ALLOW ACCESSORY STRUCTURE (CARPORT) IN A FRONT YARD

**Applicant Name:** WLADYSLAW WOJDYLA

**Proposed Development:** CARPORT

**Property Address:** 1890 NE JIMMY DODD ROAD BUF

**MRN:** R7334 122

<b>Reading and Adoption:</b>	<b>MEMBERS</b>	<b>VOTE</b>
	JODIE ROSSER	Aye
	BRENT HALCOMB	Aye
	WAYNE KNOX	Aye
	MIKE ROYAL	Aye
	JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** JOSEPH HUGHES

**Seconded By:** WAYNE KNOX

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

**Conditions:**

1. THE APPLICANT SHALL OBTAIN ALL REQUIRED PERMITS WITHIN 30 DAYS OF THE VARIANCE ACTION.
2. ALL CONSTRUCTION, INCLUDING FOOTINGS AND FOUNDATIONS SHALL COMPLY WITH ALL CURRENT BUILDING CODE REQUIREMENTS.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00061**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ALLOW GRAVEL PARKING AND CONNECTOR IN LIEU OF PAVED PARKING - OVERLAY DISTRICT

**Applicant Name:** DAN CURRY

**Proposed Development:** RELIGIOUS WORSHIP FACILITY

**Property Address:** 3594 CENTERVILLE HIGHWAY LIT

**MRN:** R6013 010

**Reading and Adoption:** **MEMBERS** **VOTE**

JODIE ROSSER	Aye
BRENT HALCOMB	Aye
WAYNE KNOX	Aye
MIKE ROYAL	Aye
JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** MIKE ROYAL

**Seconded By:** JOSEPH HUGHES

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

- Conditions:**
1. THE GRAVEL PARKING SHALL BE ALLOWED FOR A PERIOD OF 12 MONTHS. AT THE END OF 12 MONTHS, THE PARKING LOT SHALL EITHER BE PAVED OR REMOVED. THE APPLICANT ALSO HAS THE OPTION OF FILING A NEW VARIANCE REQUEST AT THAT TIME FOR AN ADDITIONAL 12 MONTHS.
  2. THE GRAVEL AREA SHALL NOT BE EXPANDED IN SIZE.
  3. THE GRAVEL CONNECTOR SHALL NOT BE USED AS AN ENTRANCE/EXIT ONTO LAUREL FALLS DRIVE.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager





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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00062**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ALLOW PARKING WITHIN THE FRONT YARD SETBACK AREA.

**Applicant Name:** SCHMITT ENGINEERING AND LAND SURVEY

**Proposed Development:** RELIGIOUS WORSHIP FACILITY

**Property Address:** 5970 THOMPSON MILL ROAD BRA

**MRN:** R3006 008

<b>Reading and Adoption:</b>	<b>MEMBERS</b>	<b>VOTE</b>
	JODIE ROSSER	Aye
	BRENT HALCOMB	Aye
	WAYNE KNOX	Aye
	MIKE ROYAL	Aye
	JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** JOSEPH HUGHES

**Seconded By:** JODIE ROSSER

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

- Conditions:**
1. THE PARKING SHALL BE IN GENERAL ACCORDANCE WITH THE SUBMITTED SITE PLAN DATED FEBRUARY 5, 2009.
  2. A LANDSCAPE PLAN SHALL BE SUBMITTED AND APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT PRIOR TO THE ISSUANCE OF A COMMERCIAL DEVELOPMENT PERMIT.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager





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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00063**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ALLOW LETTERING ON GAS CANOPY SIGNAGE TO BE ILLUMINATED VIA A SINGLE LIGHT BULB AS OPPOSED TO BEING INDIVIDUALLY LIT

**Applicant Name:** QUIKTRIP CORPORATION

**Proposed Development:** CONVENIENCE STORE

**Property Address:** 3490 CENTERVILLE HIGHWAY SNL

**MRN:** R6020 025

**Reading and Adoption:** **MEMBERS** **VOTE**

JODIE ROSSER	Aye
BRENT HALCOMB	Aye
WAYNE KNOX	Aye
MIKE ROYAL	Aye
JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** MIKE ROYAL

**Seconded By:** WAYNE KNOX

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

- Conditions:**
1. THE CANOPY SIGNAGE BE REVIEWED AND APPROVED BY THE DIRECTOR OF DEVELOPMENT PRIOR TO THE ISSUANCE OF A SIGN PERMIT.
  2. THE DUMPSTER SHALL BE SCREENED AS REQUIRED BY THE OVERLAY DISTRICT REQUIREMENTS.
  3. THE DUMPSTER GATE SHALL REMAIN CLOSED AND LOCKED, EXCEPT WHEN THE DUMPSTER IS BEING SERVICED.
  4. THE DUMPSTER ENCLOSURE SHALL BE SCREENED WITH LANDSCAPING APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT. TREES AND SHRUBS USED IN THE SCREENING SHALL BE THOSE LISTED WITHIN THE GWINNETT COUNTY BUFFER, LANDSCAPE AND TREE ORDINANCE.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00064**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ALLOW DUMPSTER TO BE LOCATED IN FRONT YARD IN AN OVERLAY DISTRICT

**Applicant Name:** QUIKTRIP CORPORATION

**Proposed Development:** CONVENIENCE STORE

**Property Address:** 3490 CENTERVILLE HIGHWAY SNL

**MRN:** R6020 025

<b>Reading and Adoption:</b>	<b>MEMBERS</b>	<b>VOTE</b>
	JODIE ROSSER	Aye
	BRENT HALCOMB	Aye
	WAYNE KNOX	Aye
	MIKE ROYAL	Aye
	JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** MIKE ROYAL

**Seconded By:** WAYNE KNOX

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

- Conditions:**
1. THE CANOPY SIGNAGE BE REVIEWED AND APPROVED BY THE DIRECTOR OF DEVELOPMENT PRIOR TO THE ISSUANCE OF A SIGN PERMIT.
  2. THE DUMPSTER SHALL BE SCREENED AS REQUIRED BY THE OVERLAY DISTRICT REQUIREMENTS.
  3. THE DUMPSTER GATE SHALL REMAIN CLOSED AND LOCKED, EXCEPT WHEN THE DUMPSTER IS BEING SERVICED.
  4. THE DUMPSTER ENCLOSURE SHALL BE SCREENED WITH LANDSCAPING APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT. TREES AND SHRUBS USED IN THE SCREENING SHALL BE THOSE LISTED WITHIN THE GWINNETT COUNTY BUFFER, LANDSCAPE AND TREE ORDINANCE.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager



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## RESOLUTION

### Variance from the Zoning Regulations of Gwinnett County

**CASE NUMBER : ZVR2009-00065**

WHEREAS, the Gwinnett County Zoning Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official News Organ of the County, for a variance from the Zoning Resolution, as described below and which is incorporated herein and made a part thereof by reference:

**Public Hearing Date:** June 09, 2009

**Variance Request:** ENCROACHMENT OF 20' INTO THE 35' FRONT SETBACK

**Applicant Name:** ARISTEA ROSALES

**Proposed Development:** PORCH

**Property Address:** 5815 POPLAR STREET DOR

**MRN:** R6245 155

<b>Reading and Adoption:</b>	<b>MEMBERS</b>	<b>VOTE</b>
	JODIE ROSSER	Aye
	BRENT HALCOMB	Aye
	WAYNE KNOX	Aye
	MIKE ROYAL	Aye
	JOSEPH HUGHES	Aye

**Voting Carried:** 5 - 0

**Motion By:** WAYNE KNOX

**Seconded By:** JODIE ROSSER

**Date of Action:** June 09, 2009

**Motion To:** Approve with Conditions

**Action Taken:** Approved with Conditions

- Conditions:**
1. THE APPROVAL OF THE VARIANCE SHALL BE FOR AN ENCROACHMENT ONLY AND THE EXISTING BUILDING LINE SHALL REMAIN IN PLACE.
  2. THE ENCROACHMENT SHALL INCLUDE ALL ROOF OVERHANGS.
  3. THE APPLICANT SHALL OBTAIN ALL REQUIRED PERMITS WITHIN 30 DAYS OF THE VARIANCE ACTION AND ALL CONSTRUCTION BE COMPLETED WITHIN 120 DAYS OF THE ISSUANCE OF A BUILDING PERMIT.
  4. ALL CONSTRUCTION FOR THE ADDITION, INCLUDING FOOTING AND FOUNDATIONS, SHALL COMPLY WITH CURRENT BUILDING CODE REQUIREMENTS.
  5. THE PERMIT FEES FOR THE EXISTING STRUCTURE SHALL BE DOUBLED.

**Action Certified by:** *Michael Jenness*

**Michael Jenness**

**Title:** Development Review Manager