

Gwinnett County Zoning Board of Appeals Resolutions for
cases acted upon in September 2011



GWINNETT COUNTY

DEPARTMENT OF PLANNING AND DEVELOPMENT
ONE JUSTICE SQUARE

446 West Crogan Street, Lawrenceville, Georgia 30046
Phone : 678.518.6000 Fax : 678.518.6240
www.gwinnettcounty.com

RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00050

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 hereof by reference:

Appeal Description: ENCROACHMENT OF 10 FT INTO THE 20 FT REAR YARD SETBACK
Applicant Name: DEMETRIC ROWE
Development Type: Screened Porch Addition
Ordinance: Rear Setback Encroachment
Code Section: ZR1316.08E CSO Setback/Yard
Property Address: 2026 JAMESON CIR, LAWRENCEVILLE, GA 30043
Parcel #: 7092 361

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve with Conditions

Date of Action: 9/20/2011
Motion By: Joseph Hughes
Seconded By: Jim Nash
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. The encroachment shall include all roof overhangs.
2. The architectural elevations shall be consistent with the treatments and color of the existing dwelling.
3. All construction shall meet and comply with applicable building codes.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00052

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 hereof by reference:

Appeal Description: ALLOW GRAVEL PARKING IN LIEU OF PAVED PARKING
Applicant Name: STEVE TAYLOR
Development Type: Parking Lot
Ordinance: Parking Lot Paving
Code Section: ZR1001.05 Location and Surface of Parking Areas
Property Address: 3211 SHAWNEE INDUSTRIAL WAY, SUWANEE, GA 30024
Parcel #: 7168 008A

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	Approve with Conditions
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	

Date of Action: 9/20/2011
Motion By: Wayne Knox
Seconded By: Joseph Hughes
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. The gravel parking shall be allowed for a period of time of 12 months. At the end of the 12 months, the parking lot shall either be paved or removed. The applicant has the option of filing a new variance request at that time.
2. The gravel area shall not be expanded in size.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00053

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 hereof by reference:

Appeal Description: INCREASE INTERIOR DRIVEWAY WIDTH FROM 10 FT. TO MAXIMUM 36 FT.
Applicant Name: DAVID KIRK
Development Type: Retail/Shopping Center
Ordinance: Interior Driveway Width Plus OR Minus
Code Section: ZR1001-2D Interior Driveway
Property Address: 4975 JIMMY CARTER BLVD, NORCROSS, GA 30093
Parcel #: 6169 135

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	Approve with Conditions
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	

Date of Action: 9/20/2011
Motion By: Wayne Knox
Seconded By: Joseph Hughes
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. 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.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00054

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 hereof by reference:

Appeal Description: REDUCTION IN NUMBER OF PEDESTRIAN CORRIDORS FROM 3 TO 0.
Applicant Name: DAVID KIRK
Development Type: Retail/Shopping Center
Ordinance: Other
Code Section: ZR1001.03 Improvements to Parking Lots
Property Address: 4975 JIMMY CARTER BLVD, NORCROSS, GA 30093
Parcel #: 6169 135

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	Approve with Conditions
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	

Date of Action: 9/20/2011
Motion By: Wayne Knox
Seconded By: Joseph Hughes
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. 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.
2. Pedestrian corridor reduced from 3 to 1.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

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CASE NUMBER : ZVR2011-00055

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 hereof by reference:

Appeal Description: REDUCTION OF LOT WIDTH FROM 200 FT TO 120 FT.
Applicant Name: LEE JAY JOHNSON
Development Type: Single-Family Lot
Ordinance: Lot Width Reduction
Code Section: ZR1400W Lot Width
Property Address: 650 BAILEY WOODS RD, DACULA, GA 30019
Parcel #: 2001 091

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	Approve with Conditions
Joseph Hughes	District 4	Present	Aye	

Date of Action: 9/20/2011
Motion By: Mike Royal
Seconded By: Joseph Hughes
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. An exemption plat shall be submitted and approved

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00056

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 hereof by reference:

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

Applicant Name: JIM McMAHON

Development Type: Garage

Ordinance: Accessory Structure or Use Yard Location

Code Section: ZR0600 Accessory Structures or Uses

Property Address: 1464 LAKEVIEW RD, GRAYSON, GA 30017

Parcel #: 5089 010

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	Approve with Conditions
Joseph Hughes	District 4	Present	Aye	

Date of Action: 9/20/2011

Motion By: Mike Royal

Seconded By: Joseph Hughes

Voting Carried: 4 Aye(s), 0 No(s)

Action Taken: Approved with Conditions

1. The architectural treatment and color of the garage shall be consistent with the existing residence.
2. The applicant shall obtain all required permits within 30 days of the variance action.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00057

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 hereof by reference:

Appeal Description: ENCROACHMENT OF 1 FT INTO THE 5 FT SIDE SETBACK.
Applicant Name: DEMETRIC ROWE
Development Type: Single-Family Dwelling
Ordinance: Side Setback Encroachment
Code Section: ZR1316.08E CSO Setback/Yard
Property Address: 2026 JAMESON CIR, LAWRENCEVILLE, GA 30043
Parcel #: 7092 361

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve with Conditions

Date of Action: 9/20/2011
Motion By: Joseph Hughes
Seconded By: Jim Nash
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. The encroachment shall include all roof overhangs.
2. The architectural elevations shall be consistent with the treatments and color of the existing dwelling.
3. All construction shall meet and comply with applicable building codes.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00058

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 hereof by reference:

Appeal Description: ENCROACHMENT OF 1 FT INTO THE 20 FT FRONT YARD SETBACK.
Applicant Name: DEMETRIC ROWE
Development Type: Single-Family Dwelling
Ordinance: Front Setback Encroachment
Code Section: ZR1316.08E CSO Setback/Yard
Property Address: 2026 JAMESON CIR, LAWRENCEVILLE, GA 30043
Parcel #: 7092 361

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Mike Royal	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve with Conditions

Date of Action: 9/20/2011
Motion By: Joseph Hughes
Seconded By: Jim Nash
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. The encroachment shall include all roof overhangs.
2. The architectural elevations shall be consistent with the treatments and color of the existing dwelling.
3. All construction shall meet and comply with applicable building codes.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00059

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 hereof by reference:

Appeal Description: REDUCTION IN TOTAL FRONT/REAR SETBACK FROM 75 FT TO 62 FT.
Applicant Name: SMID JANICE K
Development Type: Building Addition
Ordinance: Combined Front/Rear Setback Reduction
Code Section: ZR1302B.2 Combined Front/Rear Yards
Property Address: 3993 OAK GLENN DR, DULUTH, GA 30096
Parcel #: 6230A117

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	Approve with Conditions
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	

Date of Action: 9/20/2011
Motion By: Wayne Knox
Seconded By: Joseph Hughes
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved with Conditions

1. The encroachment shall include all overhangs.
2. The architectural elevations shall be consistent with the treatments and color of the existing dwelling.
3. The applicant shall obtain all required permits within 30 days of the variance action.

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00060

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 hereof by reference:

Appeal Description: CANOPY SIGN INCREASE FROM 8 SQ. FT TO 13 SQ.FT.
Applicant Name: QuikTrip Corporation c/o Mahaffey Pickens Tucker LLP
Development Type: Convenience Store
Ordinance: Canopy Sign Area/Size
Code Section: SO86-117.A.1 Canopy Signs
Property Address: 1750 Winder HWY, Dacula, GA 30019
Parcel #: 5242 001

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve

Date of Action: 9/20/2011
Motion By: Joseph Hughes
Seconded By: Wayne Knox
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00061

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 hereof by reference:

Appeal Description: ACCESSORY SIGN HEIGHT INCREASE FROM 3 FT TO 5.5 FT.
Applicant Name: QuikTrip Corporation c/o Mahaffey Pickens Tucker LLP
Development Type: Convenience Store
Ordinance: Accessory Sign
Code Section:
Property Address: 1750 Winder HWY, Dacula, GA 30019
Parcel #: 5242 001

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve

Date of Action: 9/20/2011
Motion By: Joseph Hughes
Seconded By: Wayne Knox
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00062

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 hereof by reference:

Appeal Description: ACCESSORY SIGN AREA INCREASE FROM 3 SQ. FT. TO 15 SQ. FT.
Applicant Name: QuikTrip Corporation c/o Mahaffey Pickens Tucker LLP
Development Type: Convenience Store
Ordinance: Accessory Sign
Code Section:
Property Address: 1750 Winder HWY, Dacula, GA 30019
Parcel #: 5242 001

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve

Date of Action: 9/20/2011
Motion By: Joseph Hughes
Seconded By: Wayne Knox
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00063

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 hereof by reference:

Appeal Description: INTERIOR DIRECTIONAL SIGN HEIGHT INCREASE FROM 4 FT. TO 5.5 FT.
Applicant Name: QuikTrip Corporation c/o Mahaffey Pickens Tucker LLP
Development Type: Convenience Store
Ordinance: Directional Sign
Code Section:
Property Address: 1750 Winder HWY, Dacula, GA 30019
Parcel #: 5242 001

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve

Date of Action: 9/20/2011
Motion By: Joseph Hughes
Seconded By: Wayne Knox
Voting Carried: 4 Aye(s), 0 No(s)
Action Taken: Approved

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2011-00064

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 hereof by reference:

Appeal Description: ALLOW INTERIOR DIRECTIONAL SIGN TO BE LOCATED LESS THAN 100 FT OF A PROJECT ENTRANCE.

Applicant Name: QuikTrip Corporation c/o Mahaffey Pickens Tucker LLP

Development Type: Convenience Store

Ordinance: Directional Sign

Code Section:

Property Address: 1750 Winder HWY, Dacula, GA 30019

Parcel #: 5242 001

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve

Date of Action: 9/20/2011

Motion By: Joseph Hughes

Seconded By: Wayne Knox

Voting Carried: 4 Aye(s), 0 No(s)

Action Taken: Approved

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011



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RESOLUTION

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CASE NUMBER : ZVR2011-00065

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 hereof by reference:

Appeal Description: INCREASE GROUND SIGN HEIGHT FROM 20 FT. TO 35 FT. AT 26 FT SETBACK FROM RIGHT OF WAY.

Applicant Name: QuikTrip Corporation c/o Mahaffey Pickens Tucker LLP

Development Type: Convenience Store

Ordinance: Ground Sign Height Increase

Code Section: SO86-114A Non-Residential Ground Sign Height

Property Address: 1750 Winder HWY, Dacula, GA 30019

Parcel #: 5242 001

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Jim Nash	Member at Large	Present	Aye	
John Fanning	District 1	Absent	Absent	
Wayne Knox	District 2	Present	Aye	
Mike Royal	District 3	Present	Aye	
Joseph Hughes	District 4	Present	Aye	Approve

Date of Action: 9/20/2011

Motion By: Joseph Hughes

Seconded By: Wayne Knox

Voting Carried: 4 Aye(s), 0 No(s)

Action Taken: Approved

Action Certified by: Michael Jenness
Title: Development Review Manager
Date Certified: 9/20/2011