

Gwinnett County Zoning Board of Appeals Resolutions for  
cases acted upon in July 2012



## 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 : ZVR2012-00031

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 10 FT SIDE YARD SETBACK.  
**Applicant Name:** ANDRES MARTINEZ  
**Development Type:** Building Addition  
**Ordinance:** Side Setback Encroachment  
**Code Section:** ZR1401SY Setback/Yard  
**Property Address:** 6160 JANE RD, DORAVILLE, GA 30340  
**Parcel #:** 6246B112

#### *Reading and Adoption*

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

**Date of Action:** 7/10/2012  
**Motion By:** Wayne Knox  
**Seconded By:** Tim Thornberry  
**Voting Carried:** 3 Aye(s), 0 No(s)  
**Action Taken:** Approved with Conditions

1. 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.

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012



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### RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2012-00039

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 22.5 FT INTO THE 40 FT REAR YARD SETBACK.  
**Applicant Name:** ANDRES MARTINEZ  
**Development Type:** Building Addition  
**Ordinance:** Rear Setback Encroachment  
**Code Section:** ZR1401SY Setback/Yard  
**Property Address:** 6160 JANE RD, DORAVILLE, GA 30340  
**Parcel #:** 6246B112

#### *Reading and Adoption*

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

**Date of Action:** 7/10/2012  
**Motion By:** Wayne Knox  
**Seconded By:** Tim Thornberry  
**Voting Carried:** 3 Aye(s), 0 No(s)  
**Action Taken:** Approved with Conditions

1. 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.

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012



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### RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2012-00050

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 35 FT (HANDICAP RAMP) INTO THE 35 FT FRONT YARD SETBACK.

**Applicant Name:** DELMY VILLATORO

**Development Type:** Building Addition

**Ordinance:** Front Setback Encroachment

**Code Section:** ZR1401SY Setback/Yard

**Property Address:** 6225 EDWARD ST, DORAVILLE, GA 30340

**Parcel #:** 6246B197A

#### Reading and Adoption

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

**Date of Action:** 7/10/2012

**Motion By:** Wayne Knox

**Seconded By:** Tim Thornberry

**Voting Carried:** 3 Aye(s), 0 No(s)

**Action Taken:** Approved with Conditions

1. The applicant shall obtain all required permits within 30 days of the variance action.
2. The variance shall expire with the sale of the property. Ramp shall be removed at time of property ownership transfer.

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012



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### RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2012-00052

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 AND CONNECTOR IN LIEU OF PAVED PARKING IN AN OVERLAY DISTRICT

**Applicant Name:** DEAN BERKLEY

**Development Type:** Parking Lot

**Ordinance:** Parking Lot Paving

**Code Section:** ZR1001.03 Improvements to Parking Lots

**Property Address:** 3594 CENTERVILLE HWY, SNELLVILLE, GA 30039

**Parcel #:** 6013 010

#### Reading and Adoption

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

**Date of Action:** 7/10/2012

**Motion By:** Wayne Knox

**Seconded By:** Tim Thornberry

**Voting Carried:** 3 Aye(s), 0 No(s)

**Action Taken:** Approved with 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 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  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012



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### RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2012-00053

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:** ENCROACHMENT OF 5 FT INTO THE 20 FT REAR YARD SETBACK.  
**Applicant Name:** WILLIAM COLEMAN  
**Development Type:** Single-Family Dwelling  
**Ordinance:** Rear Setback Encroachment  
**Code Section:** ZR1316.08E CSO Setback/Yard  
**Property Address:** 485 PITTMAN MILL CT, LOGANVILLE, GA 30052  
**Parcel #:** 5133 185

#### Reading and Adoption

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

**Date of Action:** 7/10/2012  
**Motion By:** Wayne Knox  
**Seconded By:** Jim Nash  
**Voting Carried:** 3 Aye(s), 0 No(s)  
**Action Taken:** Approved with Conditions

1. The approval of this 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 prior to any construction.

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012



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### RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2012-00054

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:** INCREASE FENCE HEIGHT IN A FRONT YARD FROM 4 FT TO 6 FT  
**Applicant Name:** GARY BROWN  
**Development Type:** Fence  
**Ordinance:** Fence Height Increase (Front/Side Front)  
**Code Section:** ZR0700.02 Fence/Wall Height - Front Yard  
**Property Address:** 3550 SPRING MESA DR, SNELLVILLE, GA 30039  
**Parcel #:** 6032 192

#### *Reading and Adoption*

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

**Date of Action:** 7/10/2012  
**Motion By:** Wayne Knox  
**Seconded By:** Tim Thornberry  
**Voting Carried:** 3 Aye(s), 0 No(s)  
**Action Taken:** Tabled Until 9/11/2012

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012



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### RESOLUTION

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CASE NUMBER : ZVR2012-00055

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:** INCREASE ALLOWABLE SIGN AREA ON FRONT ELEVATION FROM 100 SQ. FT. TO 225 SQ. FT.  
**Applicant Name:** WALMART STORES EAST, LP BY THP LAW FIRM, LLP  
**Development Type:** Wall Sign  
**Ordinance:** Wall Sign Area Increase  
**Code Section:** SO86-114A Non-Residential Wall Sign Area  
**Property Address:** 3059 LAWRENCEVILLE HWY, LAWRENCEVILLE, GA 30044  
**Parcel #:** 6153 326

#### Reading and Adoption

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

**Date of Action:** 7/10/2012  
**Motion By:** Wayne Knox  
**Seconded By:** Tim Thornberry  
**Voting Carried:** 3 Aye(s), 0 No(s)  
**Action Taken:** Approved with Conditions

1. The increase shall be for the front elevation only.

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012





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### RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2012-00056

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:** INCREASE AGGREGATE TOTAL OF WALL SIGNAGE FROM 200 SQ. FT. TO 225 SQ. FT.  
**Applicant Name:** WALMART STORES EAST, LP BY THP LAW FIRM, LLP  
**Development Type:** Wall Sign  
**Ordinance:** Wall Sign Aggregate Area Increase  
**Code Section:** SO86-114A Non-Residential Wall Sign Area  
**Property Address:** 3059 LAWRENCEVILLE HWY, LAWRENCEVILLE, GA 30044  
**Parcel #:** 6153 326

#### Reading and Adoption

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

**Date of Action:** 7/10/2012  
**Motion By:** Wayne Knox  
**Seconded By:** Tim Thornberry  
**Voting Carried:** 3 Aye(s), 0 No(s)  
**Action Taken:** Approved with Conditions

1. The increase shall be for the front elevation only.

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012



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### RESOLUTION

Variance from the Zoning Regulations of Gwinnett County

CASE NUMBER : ZVR2012-00057

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:** REDUCTION OF REQUIRED LOT WIDTH FROM 200 FT TO 78.97 FT.  
**Applicant Name:** MARK JONES  
**Development Type:** Single-Family Dwelling  
**Ordinance:** Lot Width Reduction  
**Code Section:** ZR1400W Lot Width  
**Property Address:** 3490 INDIAN SHOALS RD, BETHLEHEM, GA 30620  
**Parcel #:** 5345 016

#### *Reading and Adoption*

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

**Date of Action:** 7/10/2012  
**Motion By:** Wayne Knox  
**Seconded By:** Jim Nash  
**Voting Carried:** 3 Aye(s), 0 No(s)  
**Action Taken:** Approved with Conditions

1. The exemption plat must be approved and recorded prior to the issuance of any building permits.

**Action Certified by:** Michael Jenness  
**Title:** Development Review Manager  
**Date Certified:** 7/10/2012