

Administrative Variance Application Checklist

The following is a checklist of information required for submission of an administrative variance application. The Planning and Development Department reserves the right to reject any incomplete application.

- Completed and Signed Application Form (see Pages 4-5)
- Site Plan and/or Boundary Survey (PDF)
- Letter of Intent
- Additional Documents (if necessary)

ADMINISTRATIVE VARIANCE APPLICATION SUBMITTAL INSTRUCTIONS

An administrative variance does not require a public hearing. The Director of Planning and Development can grant the following administrative variances where the intent of the ordinance can be achieved and equal performance obtained.

- Minimum front yard setback for a principal structure – variance not to exceed 10 feet.
- Minimum side yard setback for a principal structure – variance not to exceed 5 feet. No side yard shall be reduced to less than 5 feet.
- Minimum rear yard setback for a principal structure – variance not to exceed 10 feet. No rear yard shall be reduced to less than 5 feet.
- Minimum lot width – variance not to exceed 10 percent of the minimum required lot width.
- Maximum lot coverage – variance not to exceed 5 percent of the maximum required lot coverage.
- Minimum side yard or rear yard setback of an accessory structure (including accessory dwelling units) – variance not to exceed 5 feet. No setback shall be reduced to less than 5 feet.
- Minimum road frontage – variance not to exceed 10 feet.
- Maximum fence height – variance not to exceed 1 foot in the front yard, 2 feet in any other yard, and up to 3 feet in one yard on a corner lot with two front yard setback.
- Maximum retaining wall height – variance not to exceed 2 feet in the front yard within 10 feet of a front property line.
- Reduction in minimum parking per Section 240-30 – variance not to exceed 10 percent of the number required by the Table of Minimum Parking Requirements.
- Reduction in the minimum number of off-street loading spaces – variance not to exceed 1 space. At least 1 off-street loading space shall be provided.
- Maximum building height – variance not to exceed 5 feet.
- Zoning buffers – variance not to exceed 25 percent of the minimum required buffer width.

Application Submittal Instructions:

1. **Submit Application Package.** Complete applications shall be submitted electronically to p&d-planningzoning@gwinnettcounty.com. Please refer to the submittal requirements on Page 3.
2. **Application Fee.** Once the application has been accepted, the applicant will be emailed confirmation with instructions for payment of fees.

Application Submittal Requirements:

The following items must be submitted as part of the administrative variance application. Incomplete applications will not be accepted.

1. Application Form, including Standards for Granting Variance (See Pages 4-5)

The application must be signed by the applicant and the property owner.

2. Site Plan and/or Boundary Survey. Submit one copy of an up-to-scale site plan and/or a boundary survey. Please clearly indicate on the site plan/boundary survey the subject and location of the requested variance. At a minimum, plans shall show the following:

- Property address;
- Boundary lines of the lot;
- Location of existing structures;
- Location of the proposed development;
- Location and names of all abutting streets or other rights-of-way;
- Minimum required front, side, and rear building setback lines with dimensions;
- Distance of proposed development from the property line(s) related to the variance;
- Notation of the existing zoning on the property;
- All easements (water, sewer, or storm drainage) traversing or located on the property;
- Applicable environmental features, including stream buffers, 100-year floodplain; and
- Other applicable requirements of Title 2 of this UDO or conditions of zoning approval.

3. Letter of Intent, including:

- A description of the variance requested including the related UDO code section;
- Reason for the requested variance;
- Explanation of how the requested variance is consistent with the intent of the UDO; and
- Explanation of hardship imposed on the applicant by the UDO if the variance is not granted.

4. Additional Documentation: Submit any additional information related to the application (photos, elevations/renderings, etc.), if necessary and/or requested by the Department of Planning and Development.**5. Application Fee per Requested Variance:**

Single-Family Residential:	\$250.00
Multi-Family Residential:	\$350.00
Commercial:	\$600.00

Once the application has been accepted, the applicant will be emailed confirmation and instructions for payment. Acceptable payment methods are debit, or credit card (Visa, MasterCard, or Discover) payable via the [Zoning, Inspections, and Permitting Records \(ZIP\) Portal](#).



ADMINISTRATIVE VARIANCE APPLICATION

Property Information:

Property Address: _____ Property Parcel ID: _____

Variance Requested: _____

Unified Development Ordinance (UDO) Code Section: _____

Applicant Information:

Name: _____ Applicant is: [] Property Owner [] Owner's Agent

Mailing Address: _____ City, State, Zip Code: _____

Phone Number: _____ Email Address: _____

Property Owner Information (if property owner is not the applicant):

Name: _____

Phone Number: _____ Email Address: _____

Signatures:

Applicant Signature: _____ Property Owner Signature: _____

Name of Applicant: _____ Name of Property Owner: _____

Date: _____ Date: _____

Standards for Granting Variances:

Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed).

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain:

- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain:

- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain:

- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain:

- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain:

- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain:

- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain:
