



Zoning Board of Appeals Tuesday, January 10, 2023, at 6:30pm

Gwinnett Justice and Administration Center
75 Langley Drive, Lawrenceville, GA 30046

A. Call To Order, Pledge to Flag

B. Opening Remarks by Chairman and Rules of Order

C. Approval of Agenda

D. Approval of Minutes – December 14, 2022

E. Announcements

F. New Business

- | | | |
|----|--------------------------|---|
| 1. | Case Number: | ZVR2023-00001 |
| | Applicant: | Contineo Group |
| | Owner: | LaMontange Properties LLC-Dan LaMontange |
| | Contact: | Juan Del Rio |
| | Phone Number: | 404.399.5192 |
| | Zoning: | C-2 |
| | Location: | 2040 Jessica Daron Court |
| | Map Number: | R6064 112 |
| | Proposed Development: | Gravel Parking |
| | Variance Requested: | Allow gravel parking and storage |
| | Commission District: | (2) Ku |
| 2. | Case Number: | ZVR2023-00002 |
| | Applicant/Owner/Contact: | Jairomar Hernandez |
| | Phone Number: | 678.536.5445 |
| | Zoning: | RZT |
| | Location: | 765 Station View Run |
| | Map Number: | R7032 125 |
| | Proposed Development: | Porch |
| | Variance Requested: | Allow encroachment into the 40-foot rear yard setback |
| | Commission District: | (1) Carden |

G. OTHER BUSINESS

H. ANNOUNCEMENTS

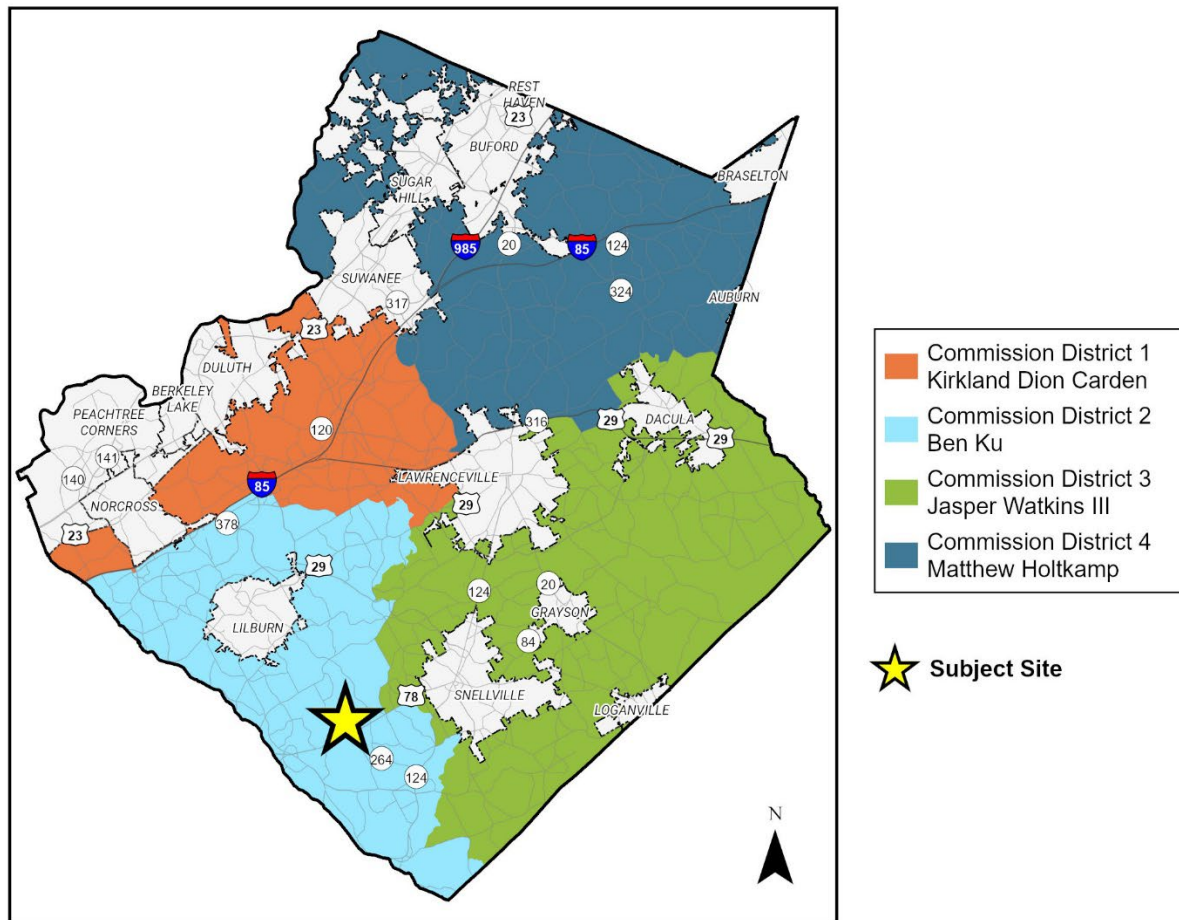
I. ADJOURNMENT



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Address: 2040 Jessica Daron Court
Map Number: R6064 112
Zoning: C-2 (General Business District)
Site Area: 11.10 acres
Proposed Development: Gravel Parking
Commission District: District 2 – Commissioner Ku
Character Area: Vibrant Communities

Case Number: ZVR2023-00001
Request: Allow gravel parking and storage



Location Map

Applicant: Contineo Group
755 Commerce Drive, Suite 800
Decatur, GA 30030

Owner: Lamontange Properties LLC
2040 Jessica Daron Court
Lilburn, GA 30047

Contact: Juan Del Rio

Contact Phone: 404.399.5192

Zoning History

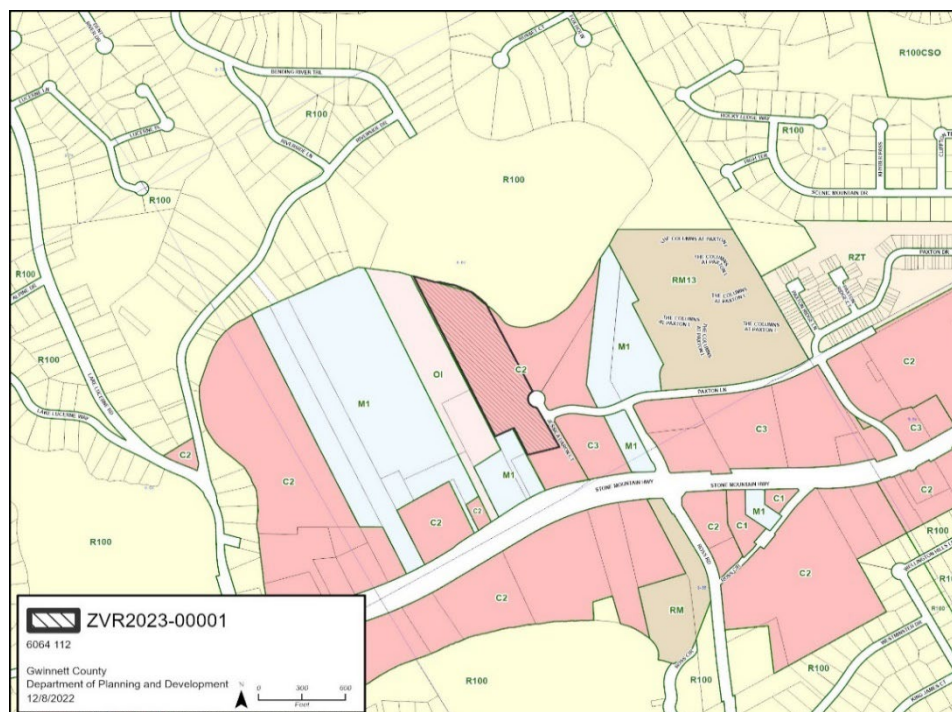
The subject property is zoned C-2 (General Business District). The property was rezoned from M-1 (Light Industry District) to C-2 in 2001, pursuant to RZC-01-012. A Special Use Permit has also been approved for automobile service in 2001, pursuant to SUP-01-020.

Existing Site Condition

The subject site is an 11.10-acre developed, commercial lot on Jessica Daron Court. The site is accessible by one driveway on the cul-de-sac. The property has a commercial building, constructed in 2022 per CDP2019-00209. The site has significant topography and slopes downward approximately 50 feet to the rear of the property. The Yellow River with associated buffers and flood hazard area runs along the northern property line.

Surrounding Use and Zoning

The subject site is surrounded by commercial and light industrial uses to the south, a place of worship to the west, commercial uses to the east, and County-owned, undeveloped property zoned R-100 to the north. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning
Subject Property	Commercial	C-2
North	Undeveloped	R-100
East	Commercial	C-2
South	Light Industry	C-2, M-1
West	Place of Worship, Light Industry	O-I, M-1

Project Summary

The applicant is requesting a variance to allow for a gravel parking and storage area, including:

- An approximately 39,000-square-foot gravel overflow parking area to the north of the existing building.

Variance Requested

The applicant requests approval of a variance from the following regulation of the Unified Development Ordinance (UDO):

1. **Variance from Section 240-10.3 A** In any non-residential district, the parking of any vehicle on other than a paved surface (or other system approved by the Director) is prohibited.

Zoning and Development Standards

The following is a summary of applicable development standards from the Unified Development Ordinance:

Standard	Required	Proposed	Meets Standard
Material of Parking Surface	Paved Surface	Gravel	NO

Staff Recommended Conditions

Should the Zoning Board of Appeals choose to approve this variance request, staff recommends the following conditions of approval:

1. The accessory gravel parking and storage area shall be located in general conformance with Exhibit B: Site Plan dated received November 21, 2022.
2. Approval for a gravel lot shall be valid for a one-year period, at which time the parking lot shall be paved, or all gravel shall be removed, and the land area stabilized and grassed.
3. A development permit shall be obtained prior to any work.
4. Applicant shall follow condition D of Zoning Resolution RZC-01-012, stating "No outdoor storage of disassembled cars, car parts/car body parts, tires, or other similar materials shall be permitted. An outdoor storage area for cars being serviced or awaiting repair may be permitted if visually screened with a six-foot-high chain-link fence containing screening fabric or slats."

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Standards for Granting Variances
- D. Maps

Exhibit A: Site Visit Photos



Approximate location of vehicle storage



View of business from Jessica Daron Court

Exhibit B: Site Plan

[attached]

RECEIVED

BENDING RIVER TRAIL
TAX ID: 6064 047
OWNER: GWINNETT COUNTY, GA
DB 50344, PG 356

[illegible]

QUICKSLIK LILBURN GRAVEL PARKING ADDITION		LOCATION: 2040 JESSICA DARON CT, LILBURN, GA 30047
DRAWN BY: JPD	CHECKED BY: BHR	
JOB NO: 20-134	DATE: 11/21/22	

ZVR2023-00001

Exhibit C: Letter of Intent and Standards for Granting Variances

[attached]

RECEIVED

11/21/2022



CONTINEO GROUP

November 21, 2022

RE: Quikslip Lilburn Gravel Parking Addition– Variance Letter of Intent

Project Address: 2040 Jessica Daron Court, Lilburn, GA 30047

To whom it may concern,

This letter is being submitted as a request for a variance to Gwinnett County code section 240-10.3 A, to allow for a gravel parking area on the property mentioned above.

The property development was completed in April 2022 and the proposed parking areas for the development were functioning as intended for the truck repair business that is conducted. Due to seasonal high demand for truck repairs, the owner has been forced to turn down business due to the limited area of parking on the lot. This request will allow for a gravel parking area in the rear of the property which will not be visible from the street, and it will not pose a hazard to the public or neighboring properties. The gravel parking area will provide a low-impact addition of impervious area to lot, as it will allow for stormwater to infiltrate, specially during the off-season demand. Please feel free to contact me if you have any questions.

Sincerely,

Juan Del Rio
Contineo Group
404-399-5192
juand@thecontineogroup.com

RECEIVED

11/21/2022

Standards for Granting Variances:

Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following criteria:

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: No. It is mainly a condition of high seasonal demand for overflow parking.

- 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: No. the intent is to have a semi-permeable surface to allow for seasonal high parking demand, but still allow for stormwater to infiltrate during the time it wont be used.

- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: Our commercial neighbor to the west has a gravel area that is used for parking year round.

- 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: It is a condition of the UDO to request a variance to allow for gravel parking areas.

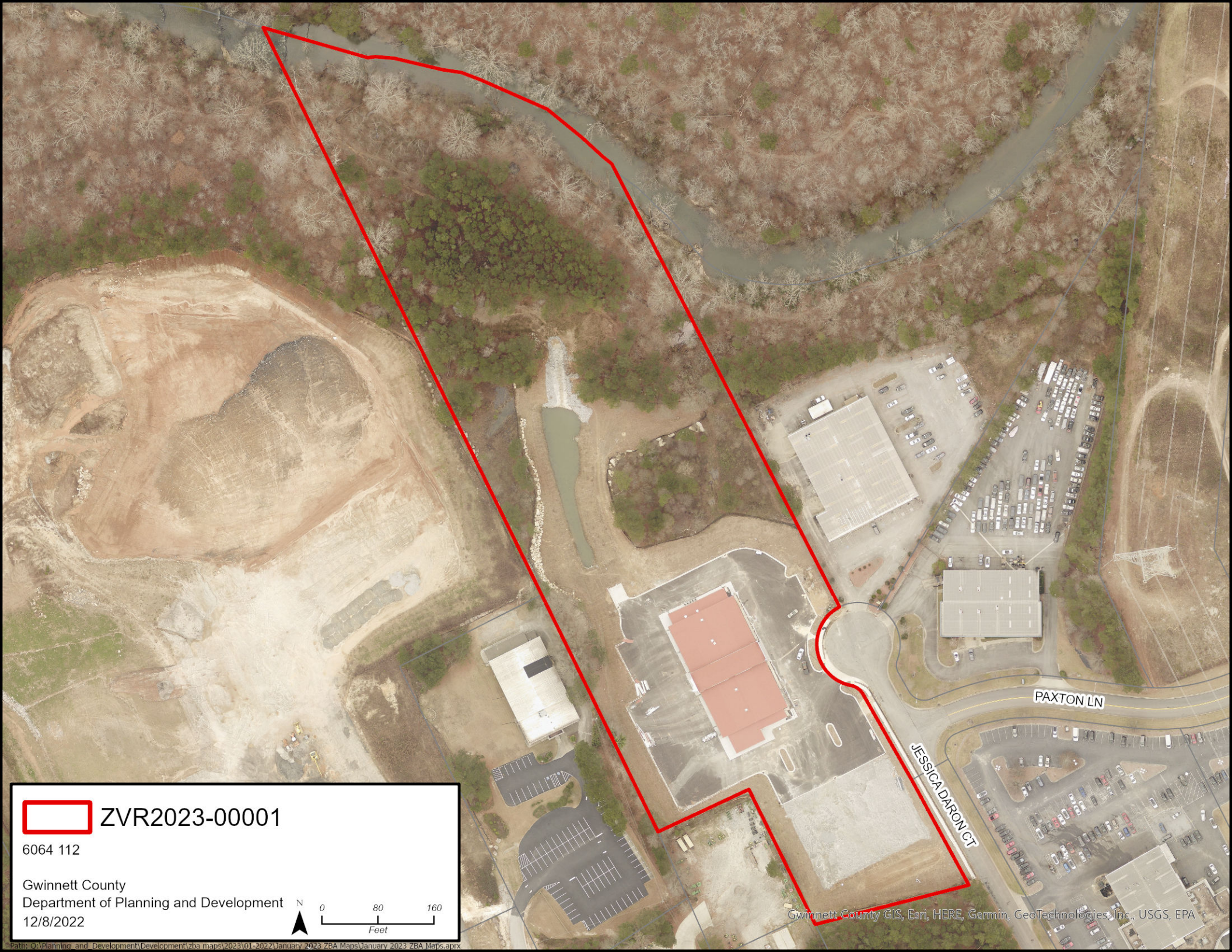
- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: No. The gravel parking area is not noticeable from the street and it will not pose a hazard to the public or adjacent properties.

- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Based on current business demand, yes.
The business has experienced a rapid demand for truck repairs and is struggling with on site parking

- 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: Yes. This can be considered a low impact addition to the property as the area will allow for some stormwater infiltration and the use wont be all year round.

Exhibit D: Maps

[attached]



ZVR2023-00001

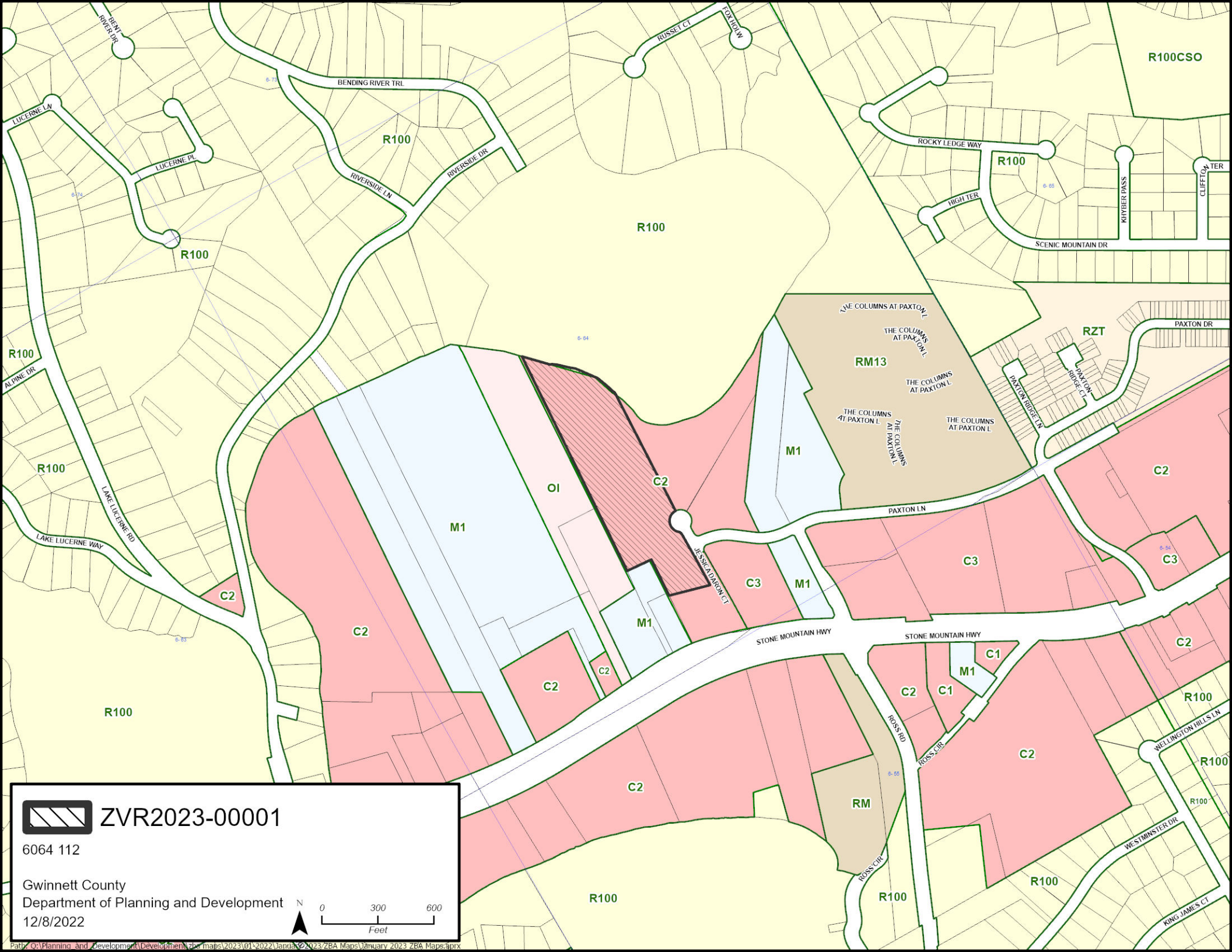
6064 112

Gwinnett County
Department of Planning and Development
12/8/2022



0 80 160
Feet

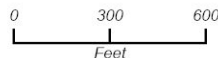
Gwinnett County GIS, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA



ZVR2023-00001

6064 112

Gwinnett County
Department of Planning and Development
12/8/2022

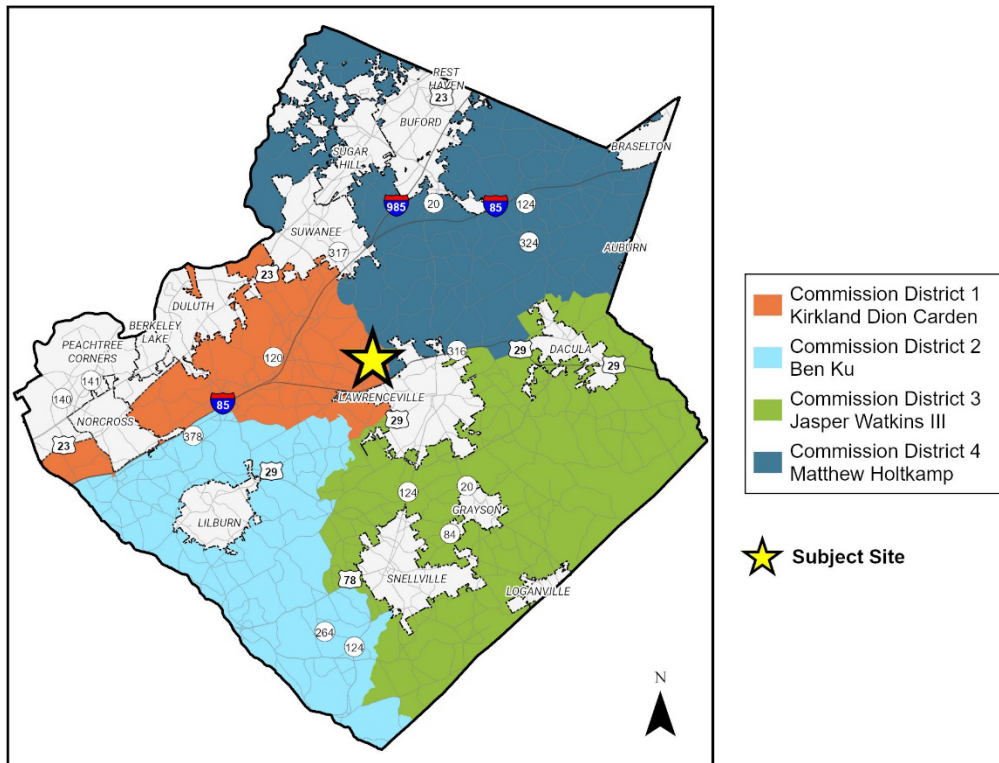




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Address: 765 Station View Run
Map Number: R7032 125
Zoning: R-ZT (Single-Family Residence, Zero Lot Line/Townhouse District)
Site Area: 0.15 acres
Proposed Development: Porch Addition
Commission District: District 1 – Commissioner Carden
Character Area: Established Neighborhoods

Case Number: ZVR2023-00002
Request: Encroachment into the rear yard setback



Location Map

Applicant: Jairomar Hernandez
765 Station View Run
Lawrenceville, GA 30043

Owner: Jairomar Hernandez
765 Station View Run
Lawrenceville, GA 30043

Contact: Jairomar Hernandez

Contact Phone: 678.536.5445

Zoning History

The subject property is zoned R-ZT (Single-Family Residence, Zero Lot Line/Townhouse District). In 1987, the parcel was rezoned from P.U.D. (Planned Unit Development) to RM-13 (Multifamily Residence District) for multi-family apartments as part of a larger rezoning, pursuant to RZ-43-87. The property was rezoned from RM-13 to R-ZT in 1992, pursuant to RZ-92-109.

Existing Site Condition

The subject site is a 0.15-acre developed residential lot located on Station View Run within the Fairview Station Walk subdivision on a cul-de-sac. The property has a two-story home constructed in 1996 and is accessed by a single driveway. In the rear yard exists a deck, that is partially covered. The rear of the property faces Riverside Parkway. There is an approximate 6-foot-tall wooden fence along the rear property line. There is significant topography as the site slopes upward approximately 18 feet from the northeast corner to the southwest corner of the property.

Surrounding Use and Zoning

The subject site is primarily surrounded by single-family detached residences in established neighborhoods. Northeast of the property is McKendree Elementary School and on Riverside Parkway are apartments. The following is a summary of the surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-ZT
North	Single-Family Residential	R-ZT
East	Single-Family Residential	R-ZT
South	Single-Family Residential	R-ZT
West	Single-Family Residential	R-ZT

Project Summary

The applicant is requesting a variance to allow a porch to encroach in the rear yard setback, including:

- An approximate 460 square-foot addition encroaching 17'1" into the rear yard setback.
- The addition is currently under construction. A permit has not been applied for with the County.

Variance Requested

The applicant requests approval of a variance from the following regulation of the Unified Development Ordinance (UDO):

1. **Appendix Section. 5-60.2.J.** Provide a minimum 40-foot building setback adjacent to exterior streets. The setback may be reduced to 30 feet if a berm, landscaping, fence, or wall is provided adjacent to the exterior street(s).

Zoning and Development Standards

The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard
Rear Yard Setback (R-ZT)	40'	22'11"	NO

Staff Recommended Condition

Should the Zoning Board of Appeals choose to approve the variance request, staff recommends the following conditions of approval:

1. The site shall be developed in general conformance with Exhibit B: Site Plan, dated received November 23, 2022.
2. The applicant shall acquire all necessary building permits and inspections within 30 days of variance approval.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Standards for Granting Variances
- E. Maps

Exhibit A: Site Visit Photos



View of primary residence from Station View Run



View of porch addition



Western view of the rear yard



Side view of structure

Exhibit B: Site Plan

[attached]

GENERAL NOTES:

- 1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
- 2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
- 4: No Geodetic monuments were found within 500 feet of this site.
- 5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

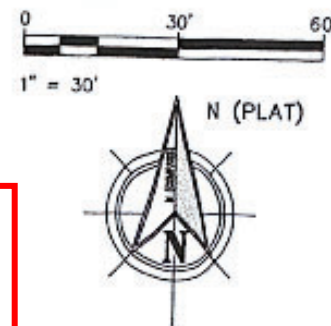
Curve Table				
Curve #	Length	Radius	Direction	Chord Length
C1	30.50	50.00	S15°52'04"W	30.03
C2	17.45	20.00	S23°25'24"W	16.90

Line Table		
Line #	Length	Direction
L1	16.03	S48°23'48"W

WINNETT COUNTY
PLANNING AND DEVELOPMENT

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11/23/2022



LEGEND

- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- SW SIDE WALK
- BOLLARD
- GHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD
- TBX TELEPHONE MARKER
- AC AIR CONDITIONER UNIT
- MB MAIL BOX



PATRICK F. CAREY, R.L.S. #3077
FOR
KEYSTONE LAND SURVEYING, INC.
162 EAST CROGAN STREET
SUITE F
LAWRENCEVILLE, GEORGIA 30046
770.545.8700

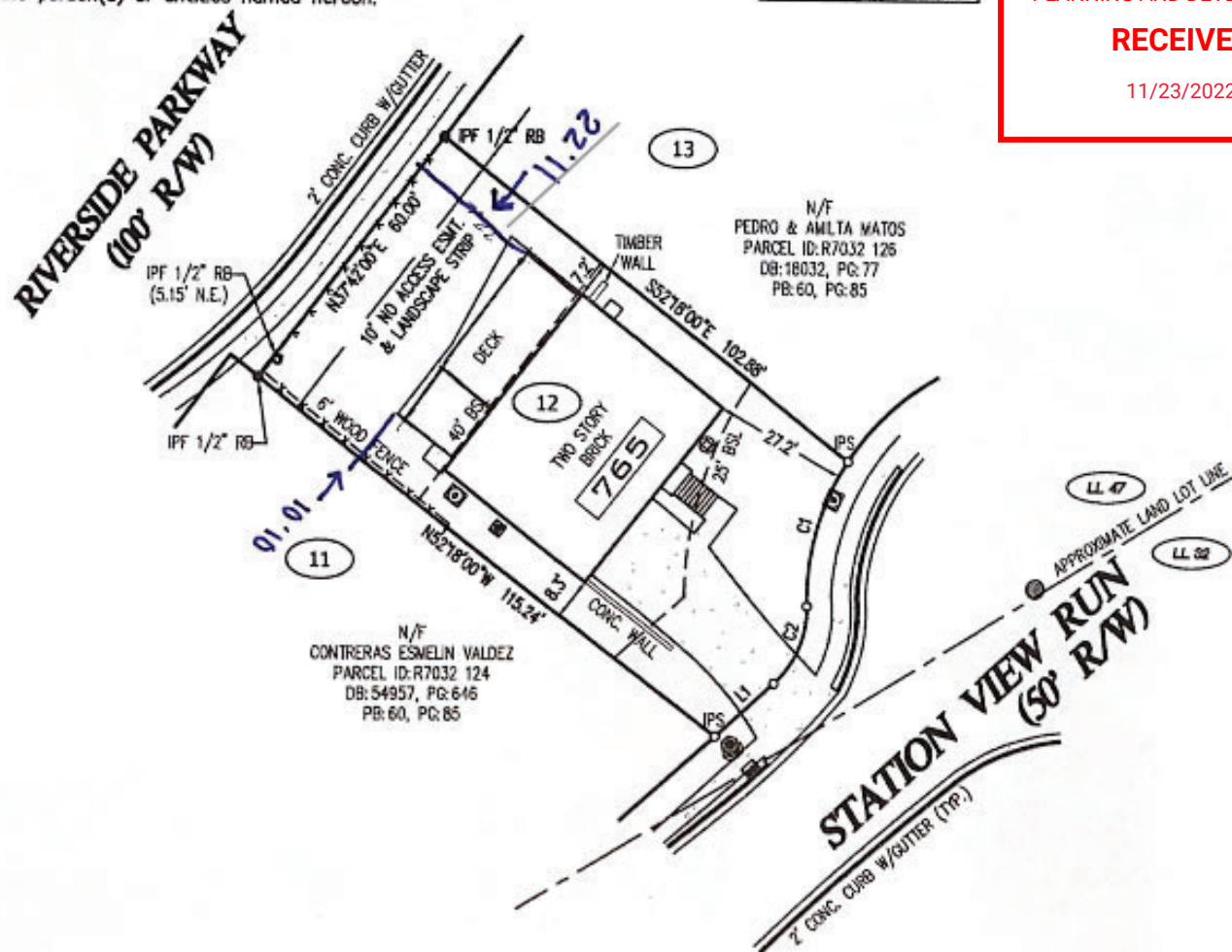
BOUNDARY SURVEY FOR
JAY HERNANDEZ

765 STATION VIEW RUN, LAWRENCEVILLE, GEORGIA 30043

LOT 12, BLOCK A, FAIRVIEW STATION WALK SUBDIVISION, UNIT 1
LAND LOT 47 - 7TH DISTRICT, WINNETT COUNTY, GEORGIA

REVISIONS
Description
Date

JA



This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plat, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set for in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A Section 15-6-67

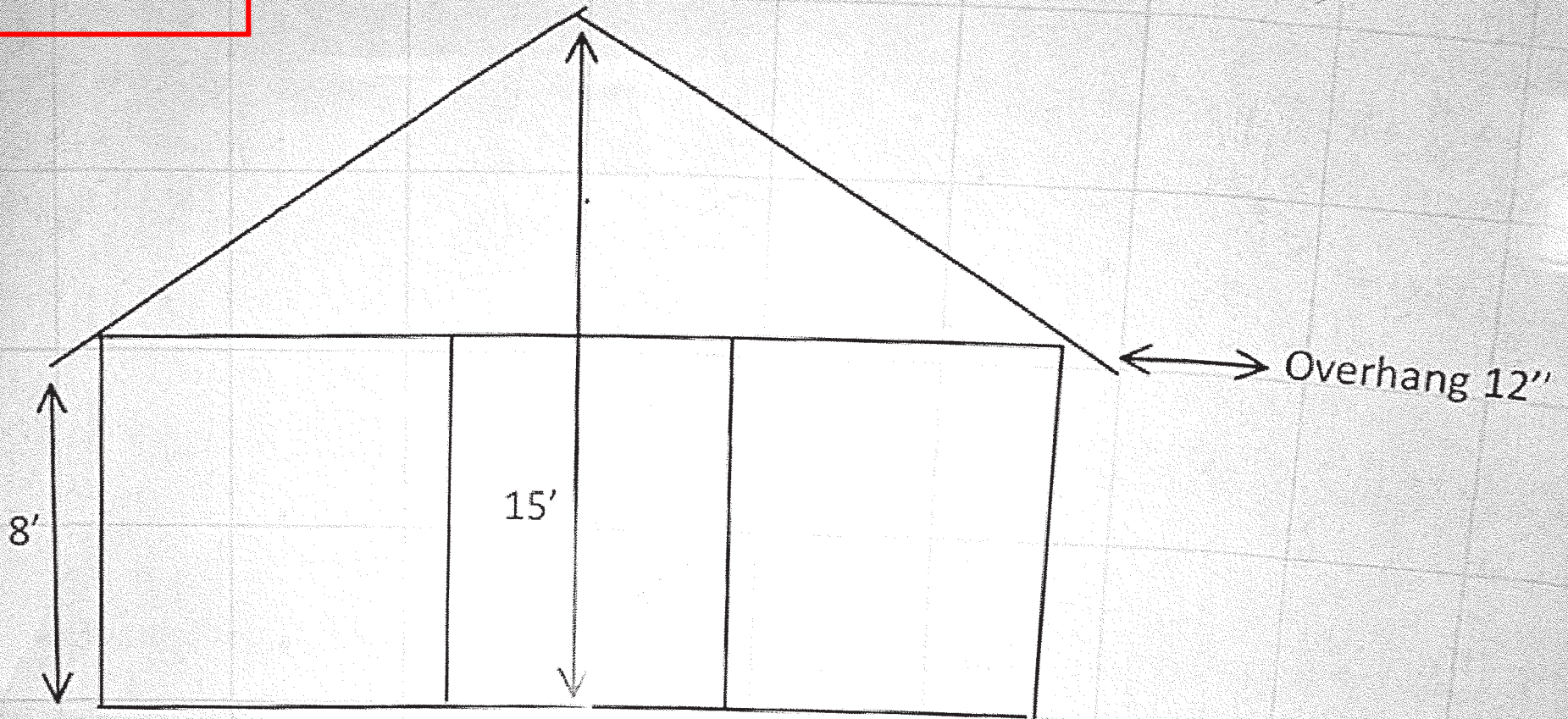
ZVR2023-00002

Exhibit C: Building Elevation and Floor Plan

[attached]

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11/22/2022



RECEIVED

11/22/2022



RECEIVED

11/22/2022



Exhibit D: Letter of Intent and Standards for Granting Variance

[attached]

RECEIVED

11/22/2022

Jayromar Hernandez

765 station view run

Lawrenceville Ga, 30043

(678)536-5445 or (470)641-6131

Property parcel ID:7032125

November 22, 2022

To whom it may concern:

I submitted a variance application because I would like to add a closed deck/porch to the back of my home.

By adding a covered deck/porch, it does not affect or injure the value of the property. I have no shade in my back yard I can't enjoy quality time with my family during summer due to the sun hitting directly to the patio. Just thinking on a better way to enjoy summer and fall weather with my family. The addition I'm adding prevents my deck/porch from rotting and it will add value to my property. Most importantly has no impact on the environment.

I will name some of the materials that are and will be used during this addition to the property.

Multiple sizes of pressured treated wood, pressure treated-deck board, concrete, joist hangers, nails, nail hangers, straight flashing, and washers.

The deck is attached to the roof, and the roof does extend 1ft from the porch.

Thank you if you have any questions don't hessite to contact me at the above numbers.

Jayromar Hernandez

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11/15/2022

Standards for Granting Variances:

Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following criteria:

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: No.

- 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: Not necessary the addition i'm adding would prevent my deck from rotting and add value to my property.

- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: No, other properties have open decks.

- 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: No.

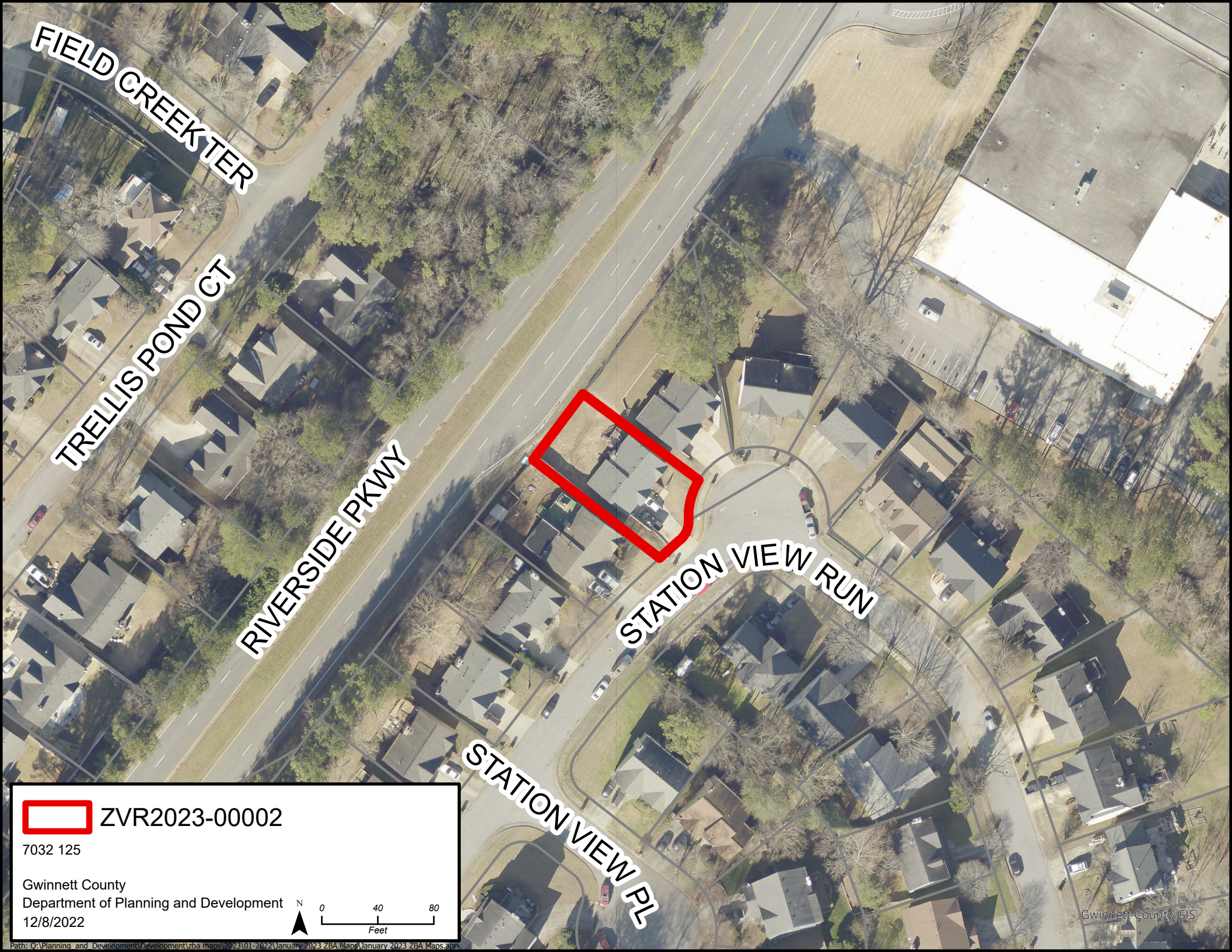
- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: No it would not impare or injre property value.

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

- 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: Yes, it does not have an impact on the enviroment.

Exhibit E: Maps

[attached]



FIELD CREEK TER

TRELLIS POND CT

RIVERSIDE PKWY

STATION VIEW RUN

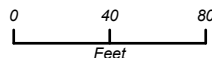
STATION VIEW PL

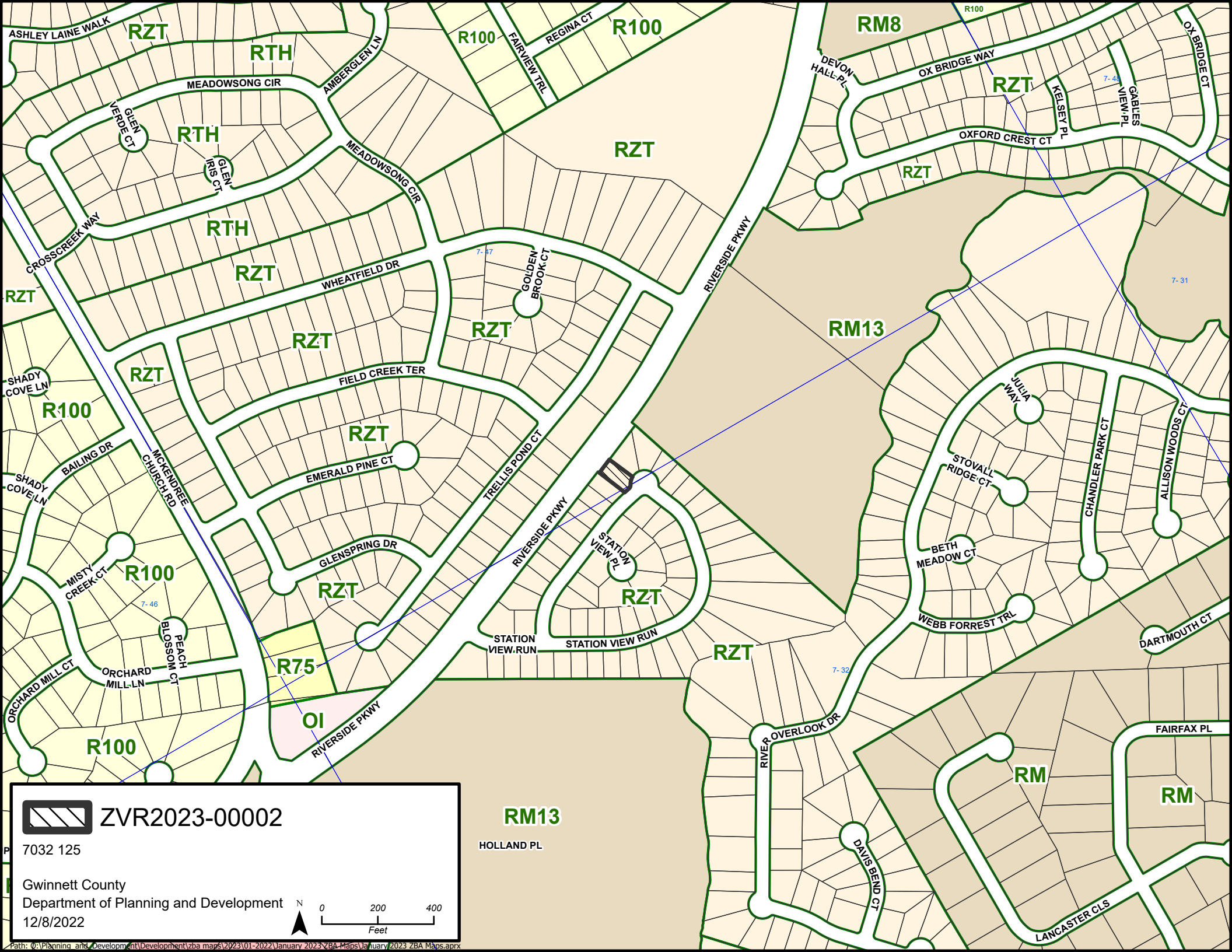


ZVR2023-00002

7032 125

Gwinnett County
Department of Planning and Development
12/8/2022





ASHLEY LAINE WALK
MEADOWSONG CIR
GLEN VERDE CT
CROSSCREEK WAY
SHADY COVE LN
BAILING DR
MISTY CREEK CT
ORCHARD MILL CT
ORCHARD MILL LN
PEACH BLOSSOM CT
RIVERSIDE PKWY
HOLLAND PL

R100
REGINA CT
WHEATFIELD DR
FIELD CREEK TER
EMERALD PINE CT
GLENSPRING DR
TRELLIS POND CT
STATION VIEW PL
STATION VIEW RUN
RIVERSIDE PKWY

RM8
OX BRIDGE WAY
OXFORD CREST CT
KELSEY PL
GABLES VIEW PL
OX BRIDGE CT
JULIA WAY
STOVALL RIDGE CT
BETH MEADOW CT
WEBB FORREST TRL
CHANDLER PARK CT
ALLISON WOODS CT
DARTMOUTH CT
FAIRFAX PL
LANCASTER CLS
DAVIS BEND CT
RIVER OVERLOOK DR

**ZVR2023-00002**

7032 125

Gwinnett County
Department of Planning and Development
12/8/2022

