



**Zoning Board of Appeals**  
**Tuesday, May 9, 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 – April 12, 2023**

**E. Announcements**

**F. Old Business**

- |                      |  |
|----------------------|--|
| 1. Case Number:      | <b>ZVR2023-00008 (Public Hearing Held 4/12/2023/Action Tabled to 5/9/2023)</b> |
| Applicant:           | Ali Mehran   |
| Owner:               | Ali Givehchi   |
| Contact:             | Ali Mehran   |
| Phone:               | 949.929.4660   |
| Zoning:              | R-100  |
| Location:            | 2474 East Maddox Road  |
| Map Number:          | R7226 114  |
| Variance:            | Fence to exceed maximum height   |
| Commission District: | (4) Holtkamp   |

**G. New Business**

- |                          |   |
|--------------------------|---|
| 1. Case Number:          | <b>ZVR2023-00033</b>                            |
| Applicant/Owner/Contact: | Jessie Lin-Díaz                                 |
| Phone Number:            | 470.429.8362                                    |
| Zoning:                  | R-75  |
| Location:                | 514 Oak Way                                     |
| Map Number:              | R5140 146                                       |
| Variance:                | Enclosed carport encroachment into side setback |
| Commission District:     | (3) Watkins                                     |

2. Case Number: **ZVR2023-00039**  
Applicant/Owner: Ben Collins  
Contact: Ben Collins or Jamie Collins  
Phone Number: 317.413.4874  
Zoning: R-100  
Location: 370 Timber Laurel Lane  
Map Number: R7050 125  
Variance: Recreational vehicle parking in the side yard  
Commission District: (4) Holtkamp
  
3. Case Number: **ZVR2023-00040**  
Applicant: Carlos Guzman  
Owner: Maria Solorio  
Contact: Carlos Guzman  
Phone Number: 770.828.9836  
Zoning: R-75  
Location: 597 Paper Mill Road  
Map Number: R5180 003  
Variance: Encroachment into the front setback  
Commission District: (3) Watkins
  
4. Case Number: **ZVR2023-00041**  
Applicant: Luther Kelton  
Owner: Alma Jean Kelton  
Contact: Luther Kelton  
Phone Number: 678.327.7933  
Zoning: R-75MOD  
Location: 58 Ludwick Lane  
Map Number: R5171 293  
Variance: Accessory building encroachment into the side setback  
Commission District: (3) Watkins
  
5. Case Number: **ZVR2023-00042**  
Applicant: Luther Kelton  
Owner: Alma Jean Kelton  
Contact: Luther Kelton  
Phone Number: 678.327.7933  
Zoning: R-75MOD  
Location: 58 Ludwick Lane  
Map Number: R5171 293  
Variance: Accessory building to exceed maximum square footage  
Commission District: (3) Watkins



6. Case Number: **ZVR2023-00043**  
Applicant: Luther Kelton  
Owner: Alma Jean Kelton  
Contact: Luther Kelton  
Phone Number: 678.327.7933  
Zoning: R-75MOD  
Location: 58 Ludwick Lane  
Map Number: R5171 293  
Variance: Allow a metal accessory building  
Commission District: (3) Watkins
7. Case Number: **ZVR2023-00044**  
Applicant: Luther Kelton  
Owner: Alma Jean Kelton  
Contact: Luther Kelton  
Phone Number: 678.327.7933  
Zoning: R-75MOD  
Location: 58 Ludwick Lane  
Map Number: R5171 293  
Variance: Allow a metal roof on an accessory building  
Commission District: (3) Watkins
8. Case Number: **ZVR2023-00045**  
Applicant: W.P. Carey, Inc.  
c/o Mahaffey Pickens Tucker, LLP  
Owner: BFS (DE), LP  
Contact: Shane Lanham  
Phone Number: 770.232.0000  
Zoning: M-1  
Location: 6870 Mimms Drive  
Map Number: R6221 075  
Variance: Eliminate streetscape requirement within the Gateway 85 Overlay District  
Commission District: (1) Carden
9. Case Number: **ZVR2023-00046**  
Applicant: W.P. Carey, Inc.  
c/o Mahaffey Pickens Tucker, LLP  
Owner: BFS (DE), LP  
Contact: Shane Lanham  
Phone Number: 770.232.0000  
Zoning: M-1  
Location: 6870 Mimms Drive  
Map Number: R6221 075  
Variance: Eliminate street light requirement within the Gateway 85 Overlay District  
Commission District: (1) Carden

10. Case Number: **ZVR2023-00047**  
Applicant: W.P. Carey, Inc.  
c/o Mahaffey Pickens Tucker, LLP  
Owner: BFS (DE), LP  
Contact: Shane Lanham  
Phone Number: 770.232.0000  
Zoning: M-1  
Location: 6870 Mimms Drive  
Map Number: R6221 075  
Variance: Eliminate walkway requirement within the Gateway  
85 Overlay District  
Commission District: (1) Carden
11. Case Number: **ZVR2023-00048**  
Applicant: W.P. Carey, Inc.  
c/o Mahaffey Pickens Tucker, LLP  
Owner: BFS (DE), LP  
Contact: Shane Lanham  
Phone Number: 770.232.0000  
Zoning: M-1  
Location: 6870 Mimms Drive  
Map Number: R6221 075  
Variance: Encroachment into the side setback  
Commission District: (1) Carden
12. Case Number: **ZVR2023-00049**  
Applicant: W.P. Carey, Inc.  
c/o Mahaffey Pickens Tucker, LLP  
Owner: BFS (DE), LP  
Contact: Shane Lanham  
Phone Number: 770.232.0000  
Zoning: M-1  
Location: 6870 Mimms Drive  
Map Number: R6221 075  
Variance: Eliminate interparcel driveway access  
Commission District: (1) Carden
13. Case Number: **ZVR2023-00050**  
Applicant: W.P. Carey, Inc.  
c/o Mahaffey Pickens Tucker, LLP  
Owner: BFS (DE), LP  
Contact: Shane Lanham  
Phone Number: 770.232.0000  
Zoning: M-1  
Location: 6870 Mimms Drive  
Map Number: R6221 075  
Variance: Exceed maximum interior driveway width  
Commission District: (1) Carden

14. Case Number: **ZVR2023-00051**  
Applicant/Owner/Contact: Verria Hairston  
Phone Number: 470.702.3500  
Zoning: R-100  
Location: 4704 Amanda Louisa Court  
Map Number: R4301 104  
Variance: Exceed maximum fence height  
Commission District: (3) Watkins
15. Case Number: **ZVR2023-00052**  
Applicant/Owner: Webb Gin Multifamily Owner, LLC  
Contact: Andy Thompson  
Phone Number: 912.308.1074  
Zoning: RM-24  
Location: 550 Webb Gin House Road  
Map Number: R5138 014  
Variance: Exceed maximum wall sign area  
Commission District: (3) Watkins
16. Case Number: **ZVR2023-00053**  
Applicant/Owner: Webb Gin Multifamily Owner, LLC  
Contact: Andy Thompson  
Phone Number: 912.308.1074  
Zoning: RM-24  
Location: 550 Webb Gin House Road  
Map Number: R5138 014  
Variance: Internal illumination of wall sign  
Commission District: (3) Watkins
17. Case Number: **ZVR2023-00054**  
Applicant: Eugene and Te'Quilla Hollis  
Owner: Eugene C. Hollis  
Contact: Eugene or Te'Quilla Hollis  
Phone Number: 678.906.7412  
678.906.7416  
Zoning: R-100  
Location: 4661 Hadley Place  
Map Number: R6011 069  
Variance: Exceed maximum fence height  
Commission District: (2) Ku

**H. OTHER BUSINESS**

**I. ANNOUNCEMENTS**

**J. ADJOURNMENT**



<b>Case Number:</b>	<b>ZVR2023-00008</b>
<b>Request:</b>	Fence height to exceed 4 feet in the front yard and 8 feet in the side yard
<b>Address:</b>	2474 East Maddox Road
<b>Map Number:</b>	R7226 114
<b>Zoning:</b>	<b>R-100</b> (Single-Family Residence District)
<b>Site Area:</b>	0.53 acres
<b>Proposed Development:</b>	Fence
<b>Commission District:</b>	District 4 – Commissioner Holtkamp
<b>Character Area:</b>	Established Neighborhoods



**Applicant:** Ali Mehran  
2474 East Maddox Road  
Buford, GA 30519

**Owner:** Ali Givehchi  
2474 East Maddox Road  
Buford, GA 30519

**Contact:** Ali Mehran

**Contact Phone:** 949.929.4660

## Zoning History

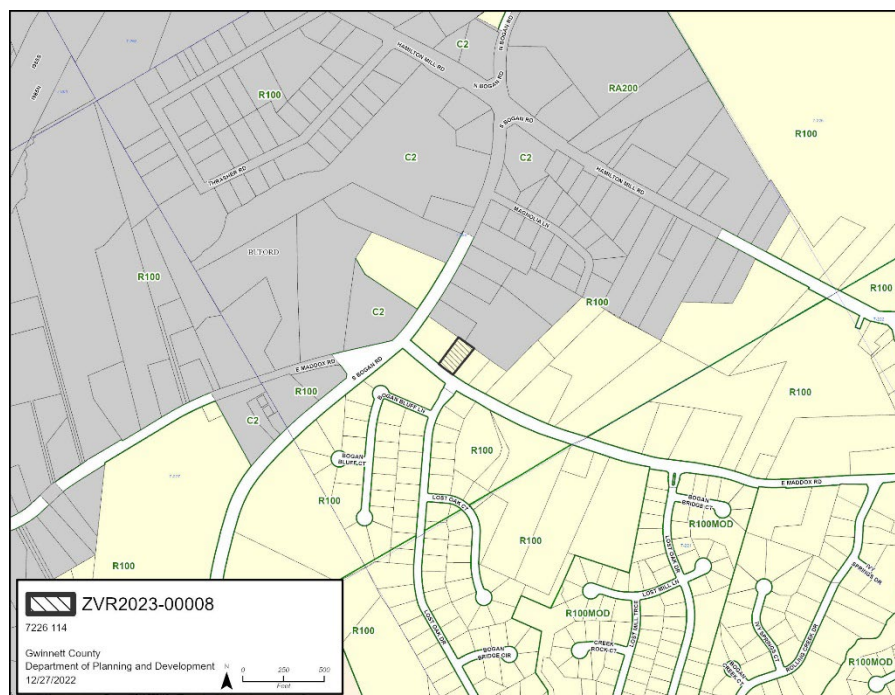
The subject property is zoned R-100 (Single-Family Residence District). No prior zoning requests are on record for this property.

## Existing Site Condition

The subject site is a 0.53-acre developed residential lot located on East Maddox Road. The property has a one-story home constructed in 1978 and is accessed by a single driveway. In the rear yard exists a storage shed. There is an approximate 6-foot-tall wooden fence along the rear property line. The site slopes downward approximately 10 feet from the western property line to the east.

## Surrounding Use and Zoning

The subject site is primarily surrounded by single-family detached residences in established neighborhoods. North of the property are single-family detached residences within the City of Buford. South of the property across from East Maddox Road is the Bogans Bridge Crossing subdivision. West of the property across South Bogan Road is The Goddard School of Buford. The following is a summary of the surrounding uses and zoning:



*Surrounding Zoning*

Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-100
North	City of Buford	R-100
East	Single-Family Residential City of Buford	R-100 C-2
South	Single-Family Residential	R-100
West	Single-Family Residential	R-100

## Project Summary

The applicant is requesting a variance to allow a wooden privacy fence in the front and side yard, including:

- An approximate 8-foot-tall fence in the front yard along the property line
- An approximate 10-foot-tall fence in the side and rear yard.
- An approximate 4-foot-tall retaining wall along the interior yard, one foot from the fence.

## Variance Requested

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

1. **230-80.1** Except as provided in Section 230-80.2, no wall or fence in a residential zoning district shall exceed 4 feet in height within a required front building setback line or 8 feet in height in the balance of the yard.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Fence Height	Maximum 4' (in front building setback)	8'	NO
	Maximum 8' (in the balance of the yard)	10'	NO

## Staff Recommended Condition

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

1. The site shall be developed in general conformance with Exhibit B: Site Plan, dated received December 22, 2022.
2. Fence posts shall be anchored in concrete and face inward to the property.

**Exhibits:**

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



## Exhibit A: Site Visit Photos



**View of primary residence from East Maddox Road**



**Approximate location of fence in the front yard**



**Exhibit B: Site Plan**

**[attached]**

RECEIVED

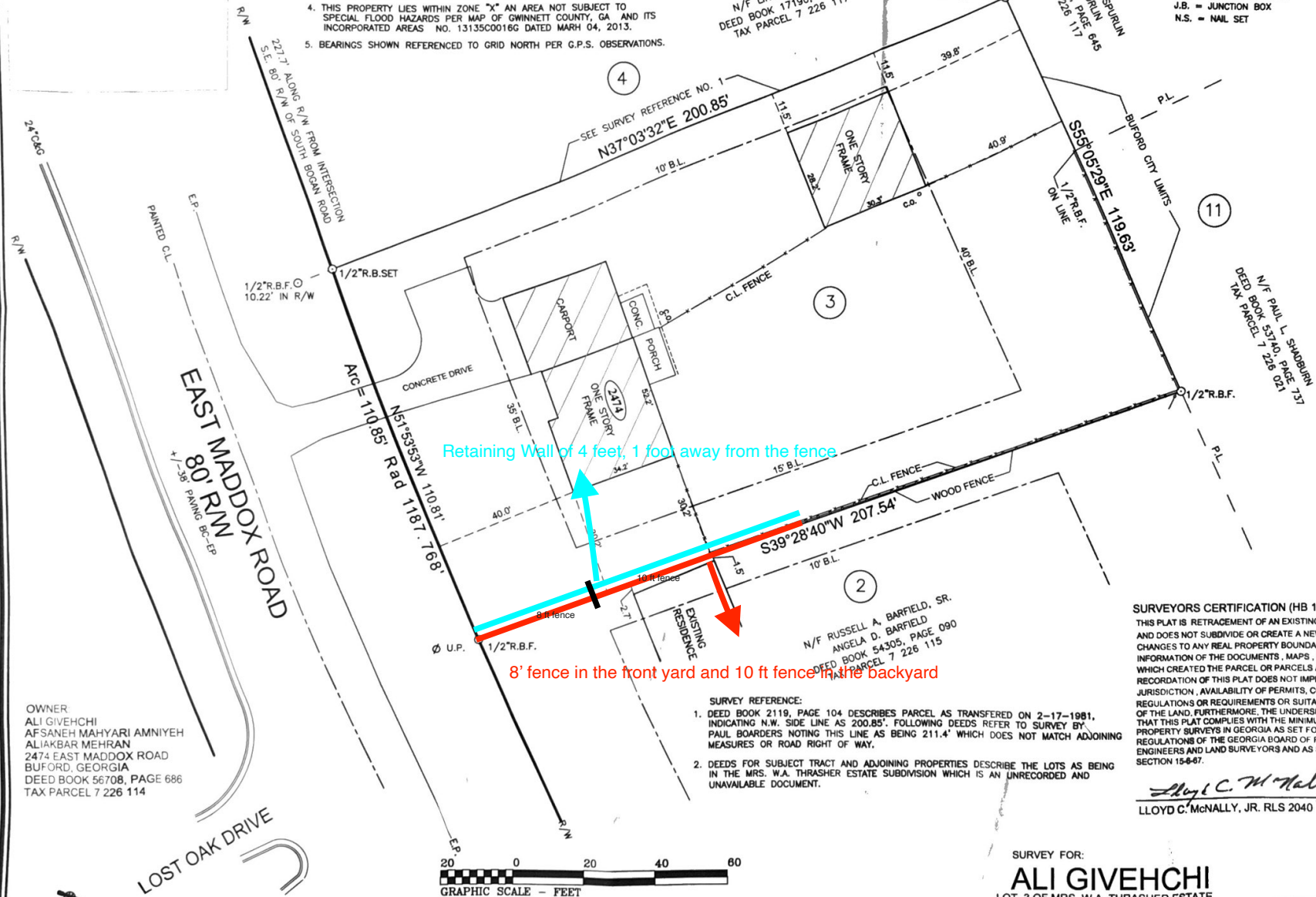
12/22/2022

SURVEY NOTES

1. THE FIELD DATA FROM WHICH THIS PLAT IS BASED WAS COMPLETED ON NOVEMBER 30, 2021 AND HAS A CLOSURE PRECISION OF ONE FOOT IN 19,525 FEET AND AN ANGULAR ERROR OF 03" PER PER ANGLE POINT. DATA WAS ADJUSTED USING THE LEAST SQUARES METHOD.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT 123,977 FEET.
3. EQUIPMENT USED TO OBTAIN FIELD DATA: TRIMBLE VX DR PLUS 1" ROBOTIC TOTAL STATION.
4. THIS PROPERTY LIES WITHIN ZONE "X" AN AREA NOT SUBJECT TO SPECIAL FLOOD HAZARDS PER MAP OF WINNETT COUNTY, GA AND ITS INCORPORATED AREAS NO. 13135C0016G DATED MARH 04, 2013.
5. BEARINGS SHOWN REFERENCED TO GRID NORTH PER G.P.S. OBSERVATIONS.

LEGEND

I.P.F. = IRON PIN FOUND	F.H. = FIRE HYDRANT
I.P.S. = IRON PIN SET	C.B. = CATCH BASIN
P.L. = PROPERTY LINE	H.W. = HEADWALL
C.L. = CENTER LINE	D.I. = DROP INLET
B.L. = BUILDING LINE	D.E. = DRAINAGE ESMT.
L.L. = LAND LOT LINE	S.E. = SEWER ESMT.
R/W. = RIGHT OF WAY	C.E. = CONSTRUCTION ESMT.
G.A. = GUY WIRE ANCHOR	W.M. = WATER METER
U.P. = UTILITY POLE	L.P. = LIGHT POLE
B.C. = BACK OF CURB	C.O. = CLEAN OUT
C.T. = CRIMP TOP	R.B.F. = R-BAR FOUND
A.E. = ACCESS EASEMENT	M.H. = MANHOLE
J.B. = JUNCTION BOX	C&G = CURB & GUTTER
N.S. = NAIL SET	



SURVEYORS CERTIFICATION (HB 1004)

THIS PLAT IS RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY REAL CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS 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 FORTH 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 15-6-07.

*Lloyd C. McNally, Jr.*  
LLOYD C. McNALLY, JR. RLS 2040

SURVEY FOR:

ALI GIVEHCHI  
LOT 3 OF MRS. W.A. THRASHER ESTATE

0.5417 ACRES (23,596 S.F.) TAX PARCEL 7 226 114  
LAND LOT 226 of the 7th DISTRICT  
WINNETT COUNTY, GEORGIA

SCALE: 1"= 20'

DATE: NOVEMBER 29, 2021



**Exhibit C: Letter of Intent and Standards for Granting Variance**

**[attached]**

**RECEIVED**

1/18/2023

**LETTER OF INTENT**

**a. A description of the variance requested including the related code section;**

According to Gwinnett County **Unified Development Ordinance 230-80**:

“Walls and fences are permitted in all residential zoning districts with no setback requirement. They cannot exceed 8 feet in height within a side or rear yard. Corner lots have 2 front yards. Any wall or fence in the front yard of a property less than 3 acres:

1. Cannot exceed 4 feet in height
2. Must be ornamental or decorative, made of brick, stone, wood, stucco, wrought iron, or split rail
3. Cannot be made of woven wire, metal fabric (chain link, hog wire, or barbed wire) or electric.”

This variance application is to request permit for combination of wooden fence-retaining wall on the southeast side of the property (2474 E Maddox Rd Buford GA 30519) which will exceed what is suggested by UDO 230-80. Our estimate shows on the front yard, fence height will be up to 8ft, and on the rear yard its height partially will be up to 10ft. The fence material will be wood.

**b. Reason for the requested variance;**

Our property is an old built house in Buford which is going through renovation project. On the Southeast side of the property, there is a steep slope (~1':2' gradient) that during rainy seasons results in erosion to neighbor's property and the whole slope doesn't seem stable (if we cut the scrubs for landscaping, the soil cannot hold the slope, stability problem due to steep slope) since the neighbor's driveway (with excavation) is right next to the property line. Approval of this variance will let us complete the fence project and build a retaining wall (which height is less or equal to 4 feet) next to it to stop future erosions so then we can have a decent landscaping on the front yard facing East Maddox Rd.

**c. A statement explaining how the requested variance is consistent with the intent of the UDO;**

As stated in the Gwinnett County UDO, the intent of the ordinances is “to help protect neighborhood character, safety, and property values. Poorly

maintained fences and landscape or retaining walls can have a negative impact to the community:

- Look unattractive and disorderly, which can decrease property values.
- Fences and landscape or retaining walls that are not structurally supported and anchored, or that have protruding nails or screws, can hurt people and animals or damage property.
- Can negatively impact the privacy and security of the community.”

According to the intent of this ordinance, our variance request will result in a decent looking landscaping that adds value to the community. Since the retaining wall will stop future erosions and mudflow to neighbor's property and the East Maddox Rd, it will further serve to a safer neighborhood. And the addition of fence next to the retaining wall (1' from the fence) would provide security for the neighborhood as well as the community.

**d. A statement of hardship imposed on applicant by the UDO.**

I am grateful to the current UDO of Gwinnett County that has provided safer neighborhood for the community. Unfortunately, since on the Southeast side of our property there is a steep slope, the current ordinance doesn't let us to complete the fence project and the ongoing renovation project. The 4 feet limit on retaining wall/fence is not adequate to stop the erosion and have privacy. On top of that, every now and then that there is heavy rain, we should always keep an eye for the slope stability and hope the soil doesn't creep. Also, after each season, we must clean up the erosion and make sure plants and shrubs are in good shape to hold the soil (we can't upgrade the landscaping).

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

1/18/2023  
ZVR2023-00008

RECEIVED

12/22/2022

### Standards for Granting Variances:

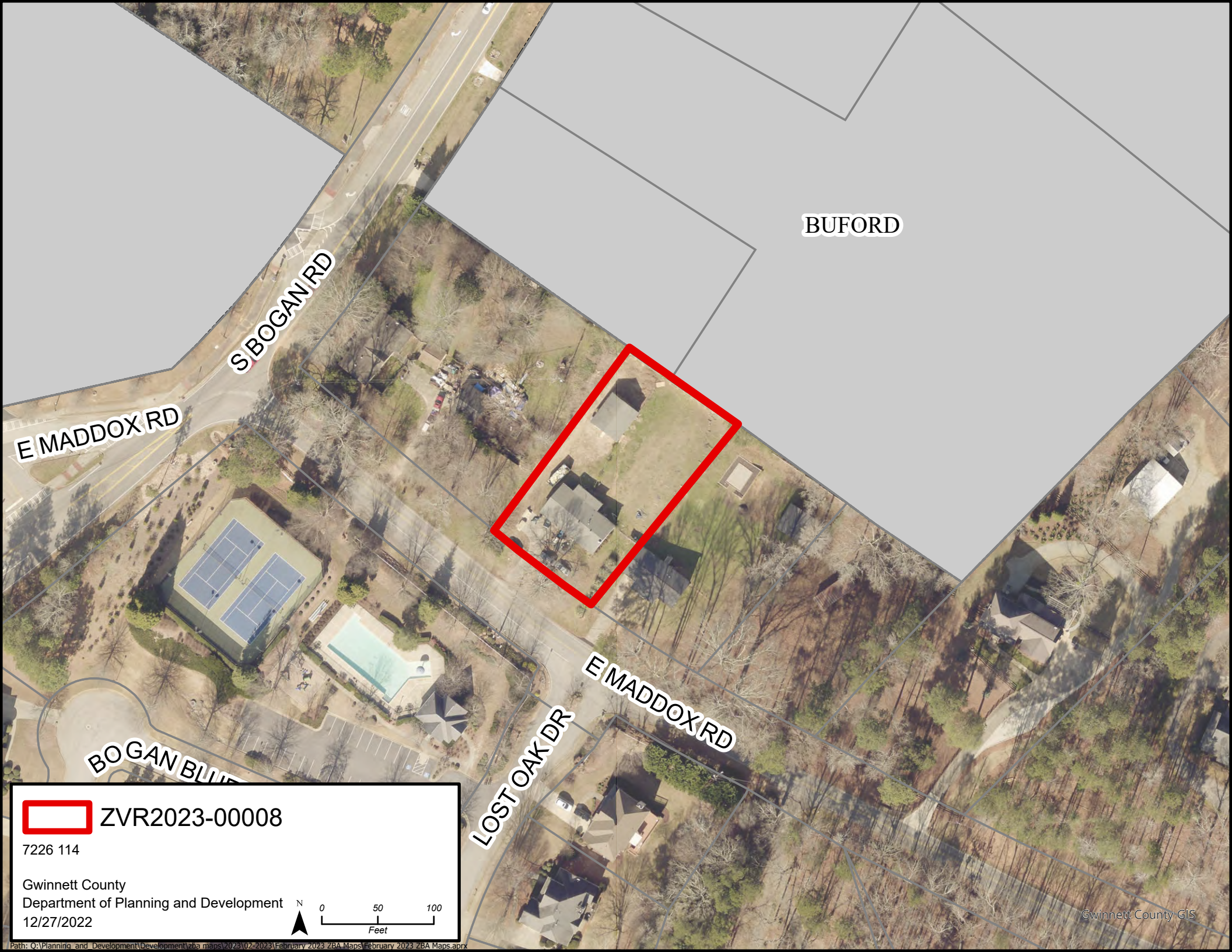
~~Responses to the following~~ criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following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

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: The request is due to the steep slope and local topography of the property on the Southeast border, which needs a fence to go beyond the regular fence permit height by UDO 230-80
- 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: The steep slope on the Southeast side of the property does not let the owners to have a fence to provide privacy as well as convenience to mow it and plan for landscaping.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: the regular ordinance for fence in the Gwinnett County has suggested 4' height for the front yard and 8' for the backyard. Since the slope is steep on that Southeast side, the suggested height by UDO does not help and makes further hardship.
- 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: The request is due to the natural slope of the ground
- 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 wont
- 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, by granting this variance request, owners will be able to construct a fence that adds value to the neighborhood and provide security as well as privacy for the owner.

## **Exhibit D: Maps**

**[attached]**





BUFORD

S BOGAN RD

E MADDOX RD

E MADDOX RD

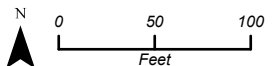
LOST OAK DR

BOGAN BLVD

 ZVR2023-00008

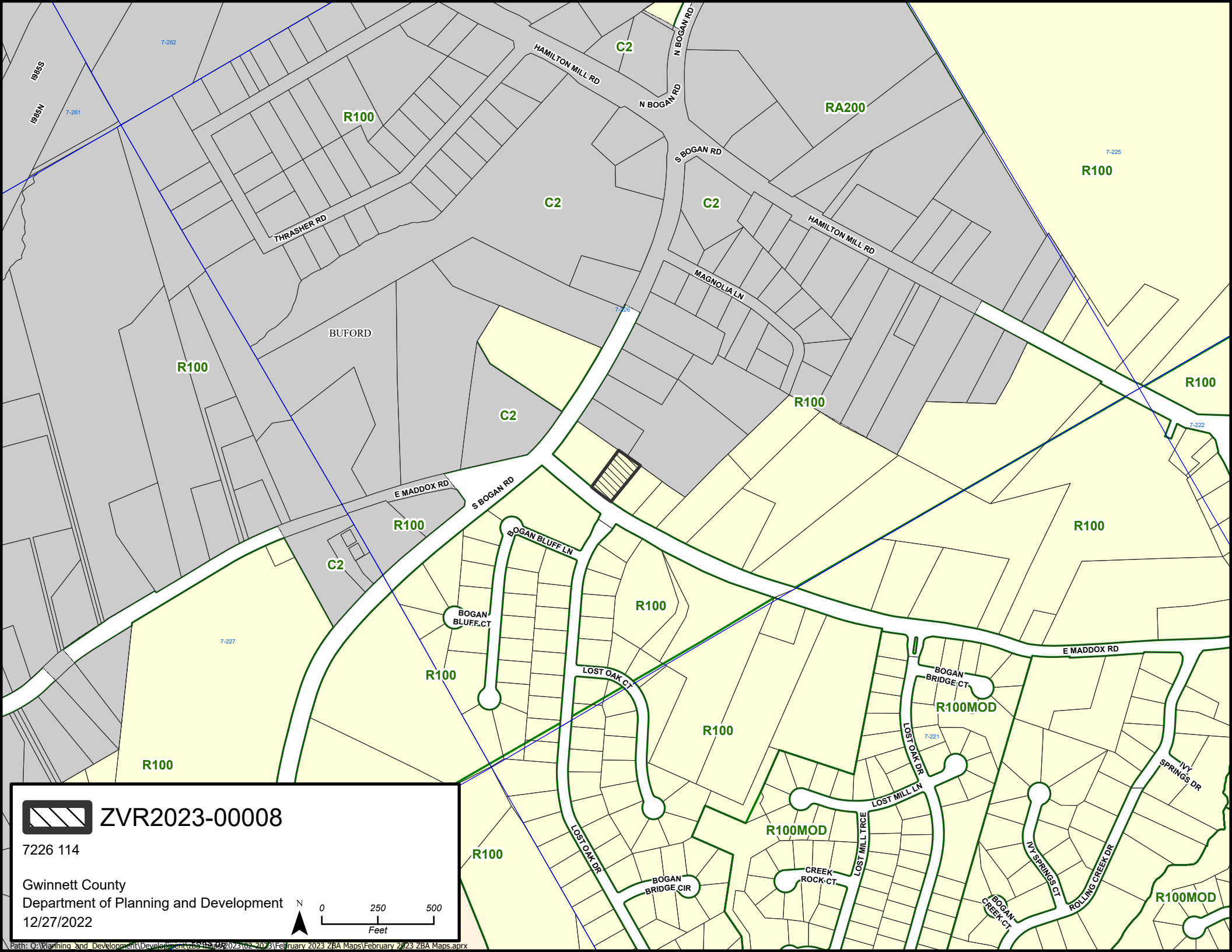
7226 114

Gwinnett County  
Department of Planning and Development  
12/27/2022



Gwinnett County GIS





ZVR2023-00008

7226 114

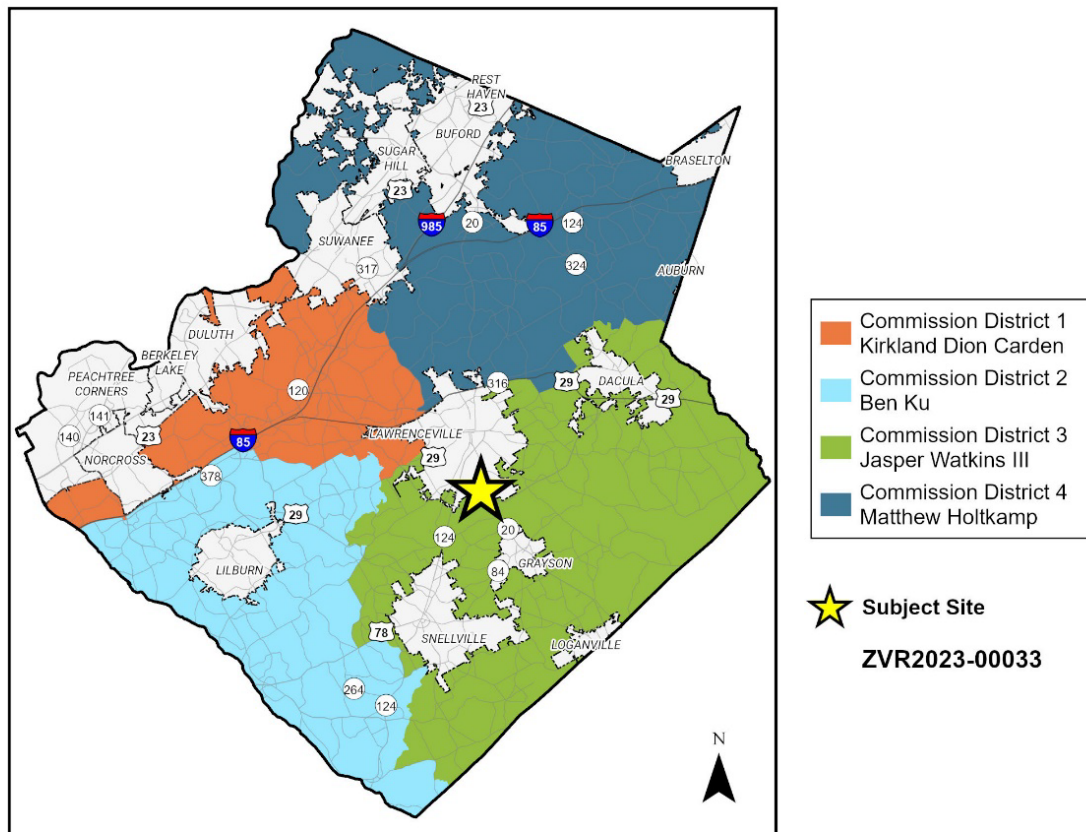
Gwinnett County  
Department of Planning and Development  
12/27/2022





## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00033  
**Request:** Encroachment into side setback  
**Address:** 514 Oak Way  
**Map Number:** R5140 146  
**Zoning:** R-75 (Single-Family Residence District)  
**Site Area:** 0.35 acres  
**Proposed Development:** Enclosed Carport  
**Commission District:** District 3 – Commissioner Watkins  
**Character Area:** Established Neighborhoods



**Applicant:** Jessie Lin-Diaz  
514 Oak Way  
Lawrenceville, GA 30046

**Owner:** Jessie Lin-Diaz  
514 Oak Way  
Lawrenceville, GA 30046

**Contact:** Jessie Lin-Diaz

**Contact Phone:** 470.429.8362

## Zoning History

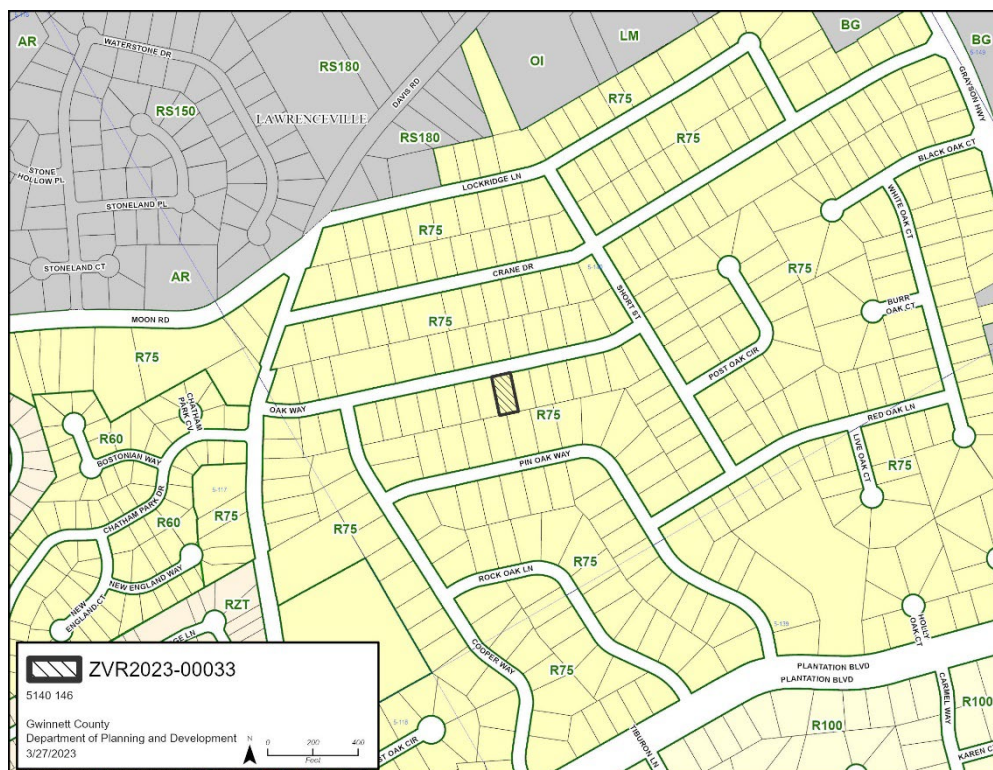
The subject property is zoned R-75 (Single-Family Residential). No prior zoning requests are on record for this property.

## Existing Site Condition

The subject site is a 0.35 acre developed single-family residential lot located on Oak Way in the Oakdale Woods subdivision. The property has a single-story home constructed in 1971 and is accessed by a single driveway on Oak Way. A notice of violation was issued by Code Enforcement (COM2022-00413) in December 2022, for work completed without a permit. The unpermitted work includes the enclosing of an approximate 179 square foot carport. The carport encroaches 8 feet into the required 10 foot side setback. The property contains an accessory structure in the rear of the property, which is not a part of the variance request or code violation. The site slopes downward from the northeastern corner to the southwestern corner of the lot approximately eight feet.

## Surrounding Use and Zoning

The subject site is surrounded by single-family detached residences within the Oakdale Woods subdivision. The following is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-75
North	Single-Family Residential	R-75
East	Single-Family Residential	R-75
South	Single-Family Residential	R-75
West	Single-Family Residential	R-75

## Project Summary

The applicant is requesting a variance to allow an existing enclosed carport, including:

- An approximately 179 square-foot enclosed carport in the side yard, 2 feet from the eastern property line.

## Variance Requested

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

1. **230.10:** Table 230.1. A lot zoned R-75 (Single Family Residential) shall have a minimum side yard setback of 10 feet.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Side Yard Setback	Minimum 10'	2'	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 April 24, 2023.
2. Exterior walls facing property lines shall comply with the 2018 International Residential Code (IRC), Table R302.1(1).

**Exhibits:**

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



## Exhibit A: Site Visit Photos



**View of primary residence from Oak Road**



**Carport encroaching into side setback**

**Exhibit B: Site Plan**

**[attached]**

Scale 1 in = 20 ft

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

4.24.2023

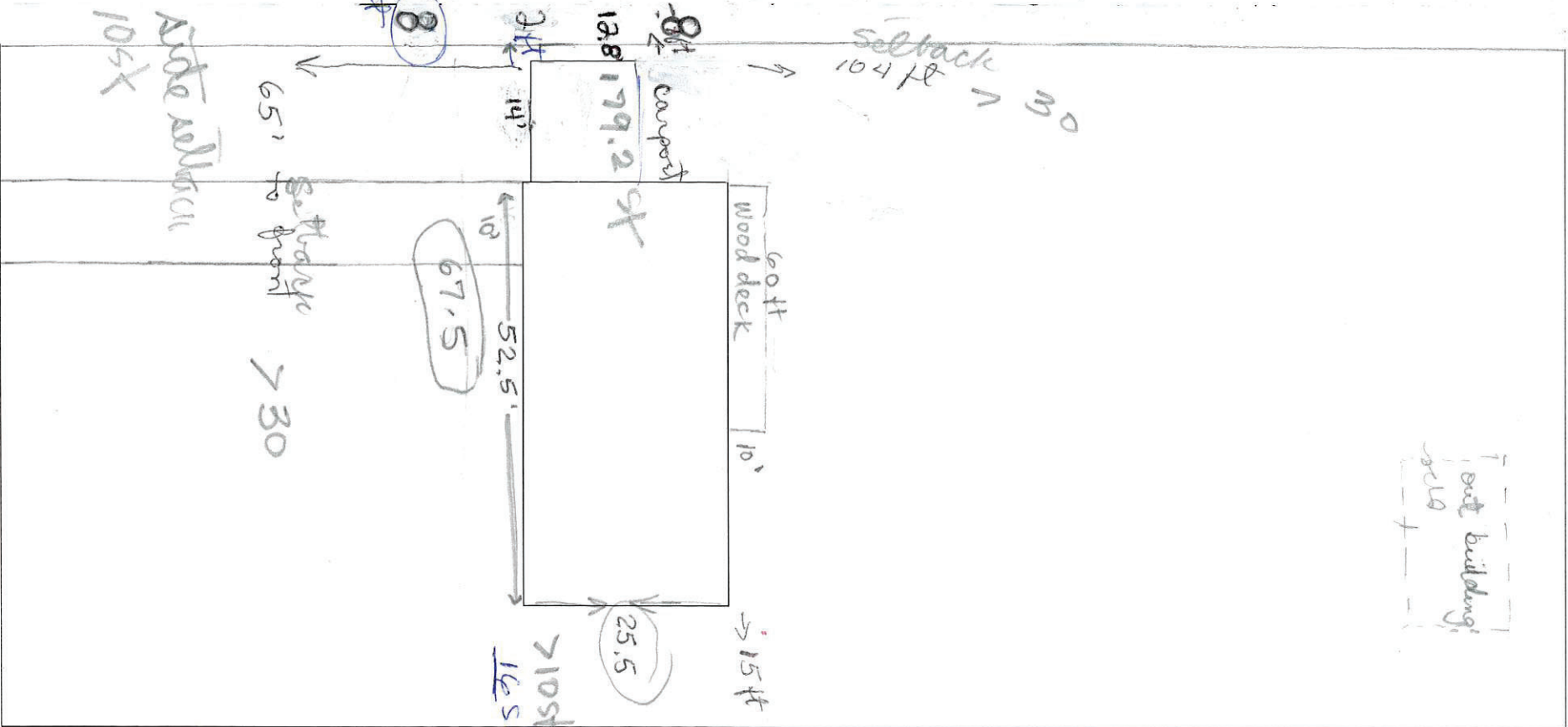
Back

out building  
area

required  
setback  
↑ 30

177'  
↑ 10  
required  
setback

Site Plan



setback  
↓ 30

514 Oak Way  
Lawrenceville GA  
30046



**Exhibit C: Letter of Intent and Standards for Granting Variance**

**[attached]**

RECEIVED

3.13.2023

Letter of Intent

February 13, 2023

Jessie Lin-Diaz

514 Oak Way,

Lawrenceville, GA. 30046

To Gwinnett County Planning and Development Representatives:

I respectfully request a variance of Section 230-10 to encroach 8 feet into the 10-foot side yard setback.

514 Oak Way is in a neighborhood where it is common practice to enclose the carport in order to attain a larger living space, while still using the driveway to park the car. Both the adjacent neighbors to the right and left of my property have followed this practice and procured this benefit.

I wanted to follow suit and do the same, using the roof of the pre-existing carport to its maximum useful capacity, creating an additional office space for the days I work remotely. I can also see it being a playroom for the near future when I have kids. This extra space increases the home's square footage and fits perfectly with the rest of the house as it shares the roof, material, and even coloring. The enclosure is a cute additional area, which would increase the value of the said property as well as the neighboring properties.

Furthermore, even with the enclosure, there is a total of 18 feet between the enclosure wall and the nearest neighbor's house. Thus, there is sufficient light and air available to both properties without there being an increase in the danger of fire.

On the one hand, there would be significant hardships imposed if the variance request were not granted. As previously stated, this would inhibit the property owner from being able to maximize the potential of the pre-existing carport's roof to add living space, which would help with remote work and a future play area for kids. Additionally, the carport area has already been enclosed, as can be seen in the pictures included in Additional Documentation. After discovering that a permit is required by Gwinnett County, I have been diligent in trying to follow the steps to obtain a permit. During this process, with compiling a site and floor plan, I realized that the enclosure does not meet the side yard setback requirement. I, unfortunately, did not know this beforehand. If this variance request is not granted, I would not only not be able to acquire the required permit for the enclosure, which fits so perfectly with the rest of the house, but I would be required to demolish about 8 feet of the structure, which would leave a very small area. And I would need to obtain another permit to demolish at least part of the structure, which would necessarily result in a significant amount of noise pollution that would negatively impact my surrounding neighbors.

On the other hand, if granted the variance, I could continue with the original permit process to properly account for the enclosure and add square footage to the property, increasing the property and the neighboring properties' property values. It would also allow the property owner to use her property to better advantage now and in the future.

In conclusion, granting the requested side yard setback variance will not negatively impact the adjacent owners. The request is in line with the spirit and intent of the current zoning and retains the area of the previous site plan. The variance requested is the minimum necessary to reach the pre-existing carport

roof's full potential. Lastly, this requested variance will not cause substantial detriment to the public good or adversely affect the neighborhood's curb appeal, but conversely increase the value of the property and its surrounding neighboring properties.

Thank you kindly for your consideration of this variance request, the granting of which would be greatly appreciated and would provide benefit to me, my family, and the public.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jessie Lin-Diaz', written in a cursive style.

Jessie Lin-Diaz

RECEIVED

3.13.2023

### 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Exhibit D: Maps**

**[attached]**





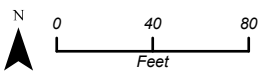
OAK WAY

PIN OAK WAY

 ZVR2023-00033

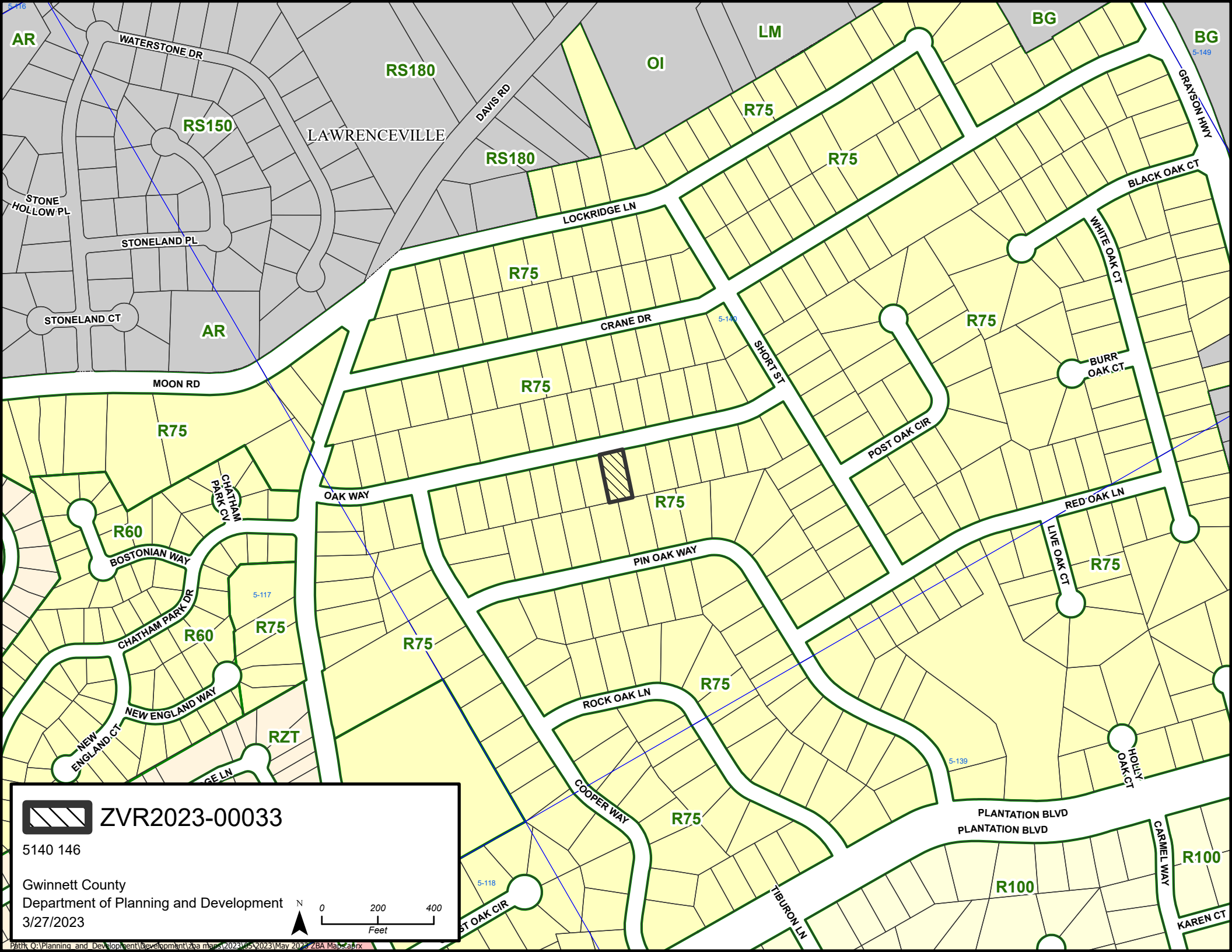
5140 146

Gwinnett County  
Department of Planning and Development  
3/27/2023



Gwinnett County GIS





ZVR2023-00033

5140 146

Gwinnett County  
Department of Planning and Development  
3/27/2023

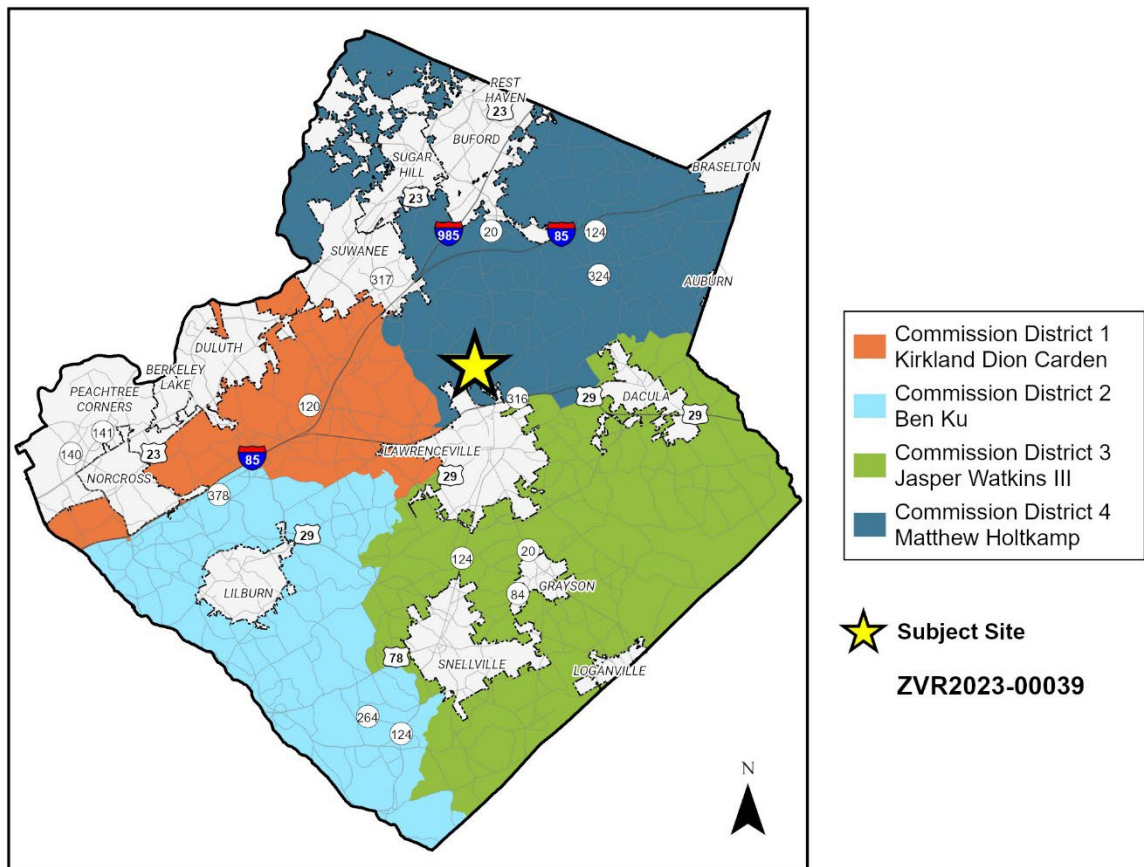


0 200 400  
Feet



## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00039  
**Request:** Recreational vehicle parking in the side yard  
**Address:** 370 Timber Laurel Lane  
**Map Number:** R7050 125  
**Zoning:** R-100 (Single-Family Residence District)  
**Site Area:** 0.47 acres  
**Proposed Development:** Recreational Vehicle Parking  
**Commission District:** District 4 – Commissioner Holtkamp  
**Character Area:** Established Neighborhoods





**Applicant:** Ben Collins  
370 Timber Laurel Lane  
Lawrenceville, GA 30043

**Owner:** Ben Collins  
370 Timber Laurel Lane  
Lawrenceville, GA 30043

**Contact:** Ben or Jamie Collins

**Contact Phone:** 317.413.4874

## Zoning History

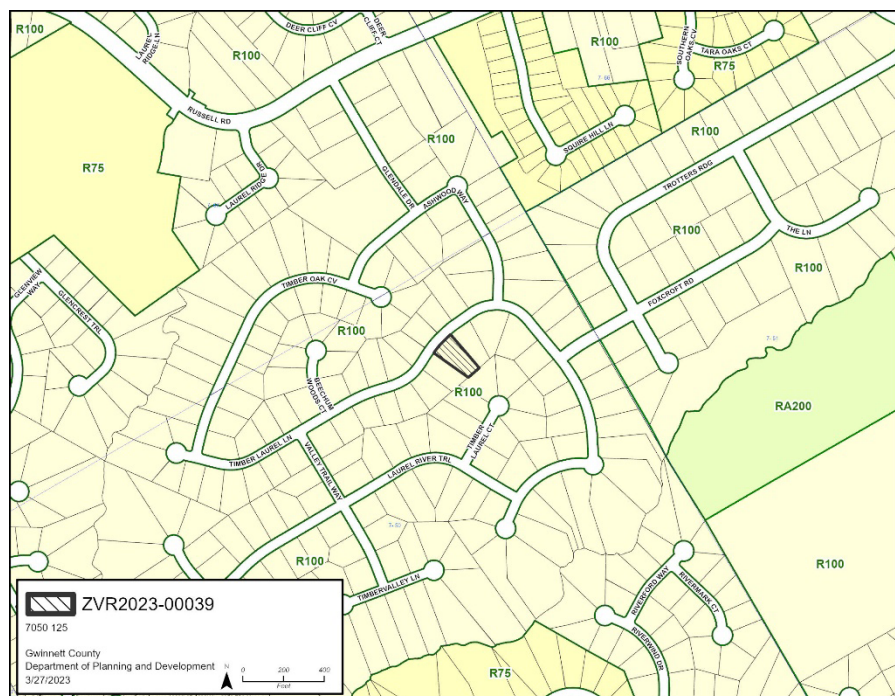
The subject property is zoned R-100 (Single-Family Residence District). No prior zoning requests are on record for this property.

## Existing Site Condition

The subject site is a 0.47-acre developed residential lot located on Timber Laurel Lane in the Timber Oaks subdivision. The property has a two-story home constructed in 1989 and is accessed by a single driveway. A paved parking pad is located along the western side of the house. There is an approximately 4-foot-tall chain link fence along the perimeter of the rear yard. The site slopes upward approximately 20 feet from the northern property line to the south. A notice of violation was issued by Code Enforcement in January 2023 regarding the recreational vehicle parked in the side yard (CEU2022-11216).

## Surrounding Use and Zoning

The subject site is primarily surrounded by single-family detached residences in established subdivisions. North of the property are single-family detached residences within the Timber Ridge and Laurel Ridge subdivisions. South of the property are single-family residences within the Timber Laurel subdivision. The following is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-100
North	Single-Family Residential	R-100
East	Single-Family Residential	R-100
South	Single-Family Residential	R-100
West	Single-Family Residential	R-100

## Project Summary

The applicant is requesting a variance to allow recreational vehicle parking on a paved surface in the side yard, including:

- A 26-foot-long and 8-foot-wide recreational vehicle parked between the primary dwelling and the western property line.

## Variance Requested

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

1. **240-10.3.B.** Any recreational vehicle or non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on a paved surface or approved porous or grassed paving system.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Recreational Vehicle Parking	Rear Yard	Side Yard	NO

## Staff Recommended Condition

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

1. The recreational vehicle shall be parked on the paved surface in the side yard in general conformance with Exhibit B: Site Plan, dated received March 17, 2023.

**Exhibits:**

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

## Exhibit A: Site Visit Photos



**View of primary residence from Timber Laurel Lane**



**Approximate location of recreational vehicle in the side yard**





**Northeastern view of rear yard**



**Eastern view of rear yard**

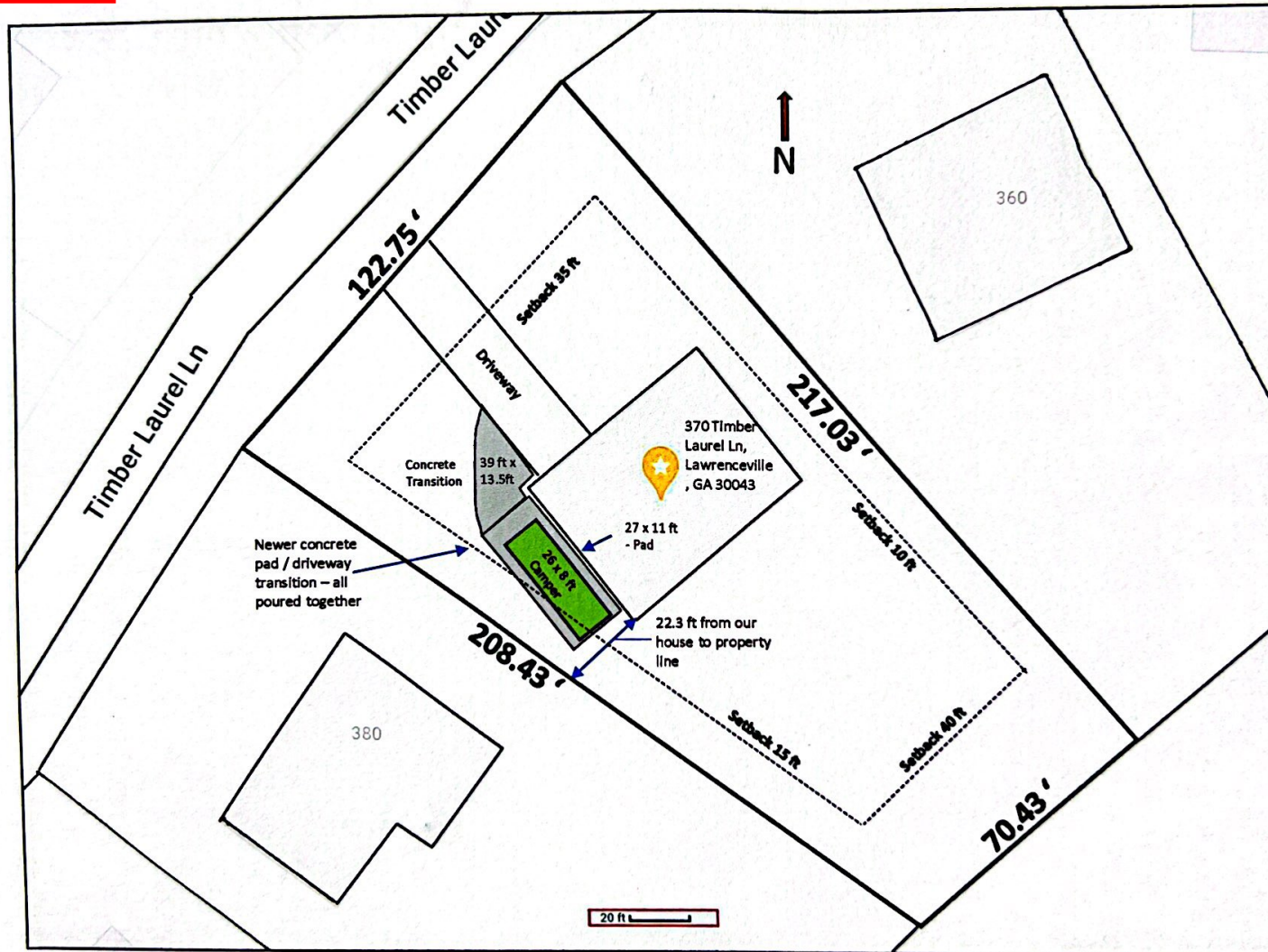


**Exhibit B: Site Plan**

**[attached]**

RECEIVED

3/17/2023



Wanting to keep our camper on the SW side of the house on concrete pad due to extremely steep driveway and yard leading to back yard. The NE side of house is too steep to back camper in and the SW side of house is too narrow with existing fence and privacy hedges. Camper will be back behind the front line of the house on a concrete driveway extension that we recently spent a significant amount of money to have it professionally poured for this purpose.

Site Setback:

- Front Setback Distance: 35 feet
- Side Setback Distance: (Left) 10 feet, (Right) 15 feet
- Rear Setback Distance: 40 feet

**Exhibit C: Letter of Intent and Standards for Granting Variance**

**[attached]**

RECEIVED

3/15/2023

## Letter of Intent of Variance Request

RE: 370 Timber Laurel Ln, Lawrenceville, GA 30043 / R7050 125

March 15, 2023

Dear Members of the Board,

We respectfully submit this Letter of Intent to the Gwinnett County Board of Commissioners seeking approval that would allow our recreational vehicle (pull camper) to remain on the SW side of the house on a paved pad that is merged with our existing driveway.

*Section 240-10.3.B - In a residential district, the parking of any motor vehicle except on a hard-surfaced driveway or in carport or garage is prohibited. Any recreational vehicle or non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on a paved surface or approved porous or grassed paving system. Any vehicles parked in the rear yard not in a carport or an enclosed structure must be parked at least 15 feet from the property line. Vehicles or equipment used for agricultural purposes on residential property with 5 or more acres are exempt from hard surface requirements if parked outside the required front setback.*

We have had the camper on the side of our property for the last three years without any complaint from any of our neighbors until recently we were reported, along with several other neighbors. Last year we had a concrete slab poured and mechanically merged with our driveway so that the camper would be leveled and have more curbside appeal to our neighborhood. Many of our neighbors own and are currently parking their personal recreational vehicles on the side of their homes just like us. We are unable to park the camper in the back yard due to topographical challenges in the front, side and rear yard. The grade in the front yard makes it a huge hardship to get the camper into the back yard on the northeast side. The southwest side of the house is too narrow to place the camper in the back yard due to the privacy hedges that exist between our yard and the neighbors. Even if we were to manage the camper to the back yard it is a sloped uphill yard and would limit us to parking it close to the house and in the middle of the back yard to maintain the 15 feet from the property line fence.

We believe that the variance we are requesting is consistent with the intent of the UDO because it provides safe and adequate parking that minimizes land area use and does not impact the public roadways or adjacent residential neighbor. The construction of an enclosure or carport would cast more of a "shadow" on our next-door neighbor than what we currently have in place.

The hardship that the UDO imposes on us as the owner is that it limits our ability to store our family camper near our home where we can load and unload for family trips and to take care of it. The topography of our yard would make it extremely challenging to place the camper in the back yard per UDO. There would not be sufficient room to build an enclosure in the back yard. Also, we have paid a contractor over \$9K to install the paved pad specifically for parking the camper or other vehicles. Our hardship would ultimately be cutting our losses and selling our camper along with its memories if the variance would not pass.

Should you have any questions, please do not hesitate to contact us at 317-413-4874.

Thank you for your thoughtful consideration of this request.

Respectfully

Ben & Jamie Collins



### 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: Yes, our steep front yard and driveway on our land, and limited space in our back yard and existing privacy hedges create a unique condition that requires a variance request.
- 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: Yes, it is necessary because of topographical conditions of our property. It would result in unnecessary hardship to the owner because of the steep grade of the front yard and limited space in the back.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: Yes, the condition regarding the topography of our property is not found in most properties in this same zoning district. Many homes in our district have level ground and access to parking per Title 2 of the UDO.
- 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: Yes, the request is a result of the conditions created in the regulations of Title 2 Ch 240-10.3.B, not by action of the property owner. Topography restricts our ability to comply.
- 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, none of these above. The change would only bring our camper into slight view from the road and would not even cast a shadow toward a neighboring property. The concrete slab is joined with existing driveway and adds 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, minimum changes will be made to meet the variance requested and reasonable use of land and existing concrete slab will be used.
- 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, the variance will not effect any public parking or traffic. It will have no impact on adjacent residential areas and will have a minum impact to the land surrounding our home.

## **Exhibit D: Maps**

**[attached]**





TIMBER OAK CV

ASHWOOD WAY

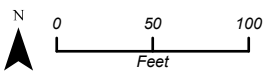
TIMBER LAUREL LN

TIMBER LAUREL CT

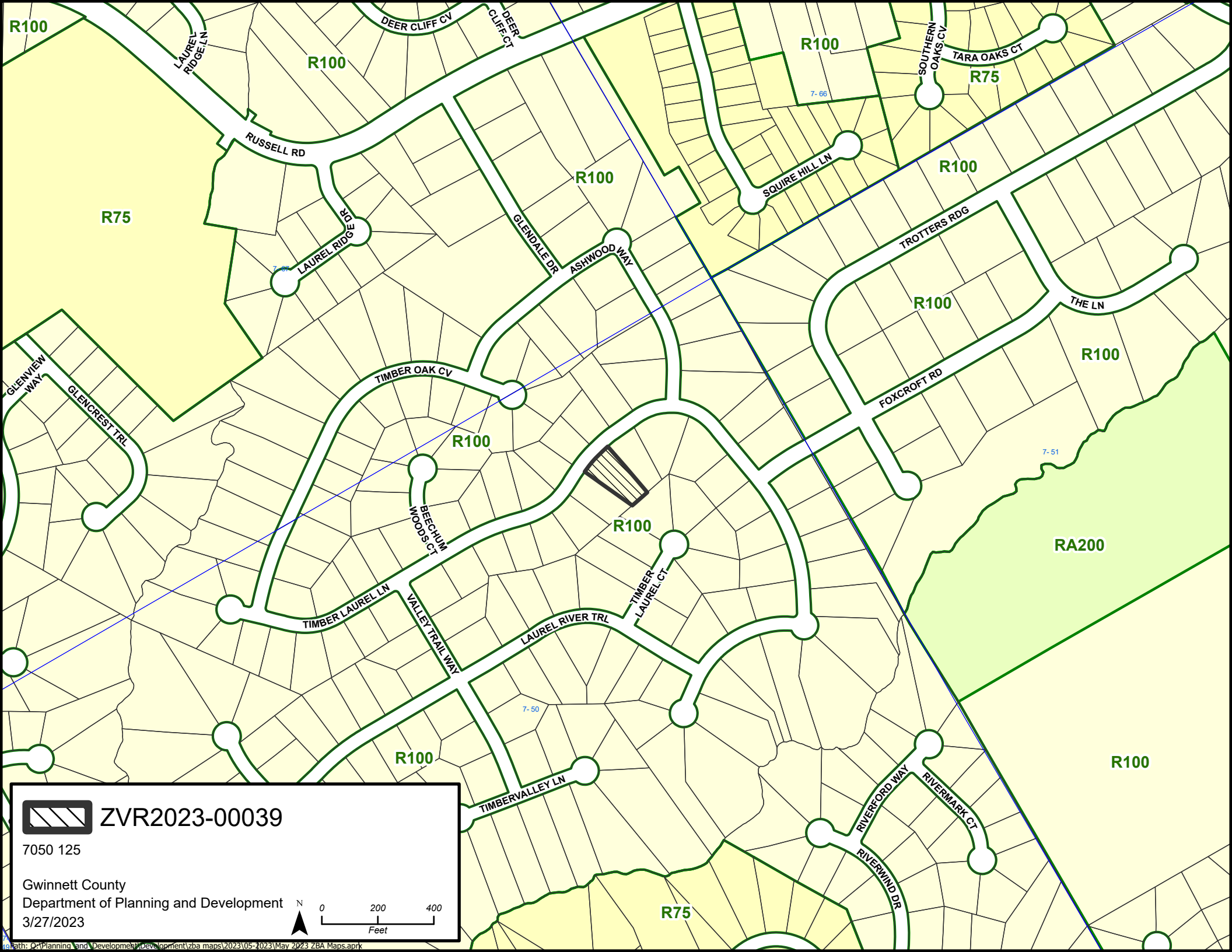
 ZVR2023-00039

7050 125

Gwinnett County  
Department of Planning and Development  
3/27/2023



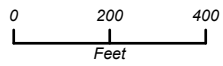




ZVR2023-00039

7050 125

Gwinnett County  
Department of Planning and Development  
3/27/2023

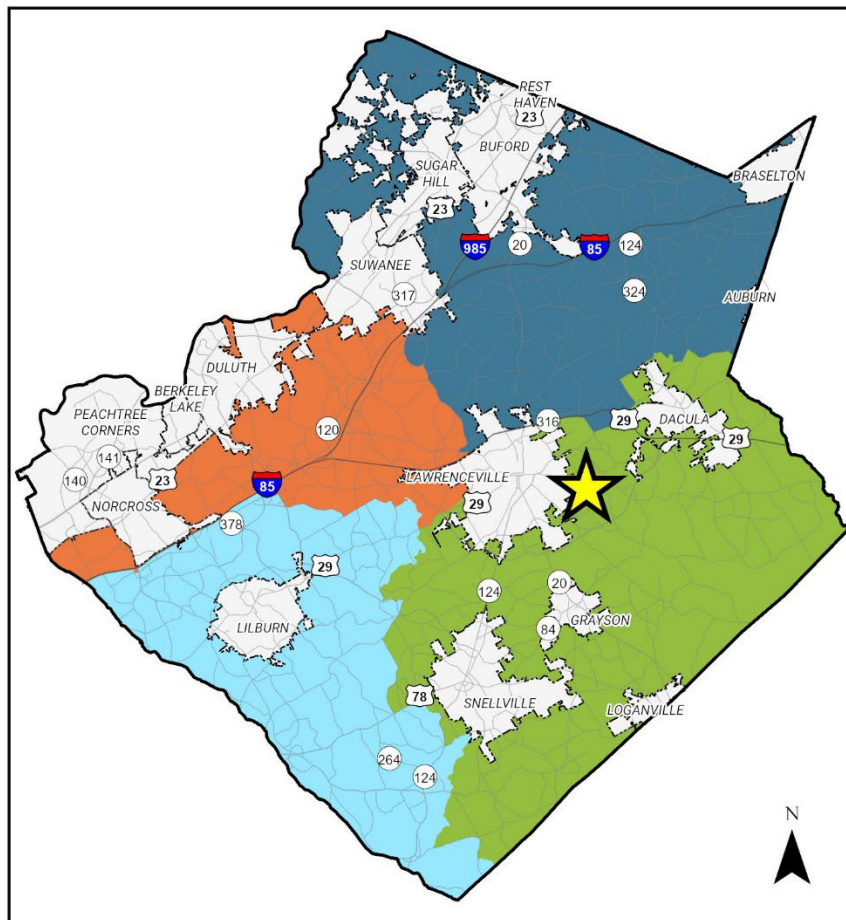






## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00040  
**Request:** Encroachment into the 50-foot front setback  
**Address:** 597 Paper Mill Road  
**Map Number:** R5180 003  
**Zoning:** R-75 (Single-Family Residence District)  
**Site Area:** 0.37 acres  
**Proposed Development:** Single-Family Residence  
**Commission District:** District 3 – Commissioner Watkins  
**Character Area:** Emerging Suburban



- Commission District 1  
Kirkland Dion Carden
- Commission District 2  
Ben Ku
- Commission District 3  
Jasper Watkins III
- Commission District 4  
Matthew Holtkamp

★ Subject Site

ZVR2023-00040

**Applicant:** Carlos Guzman  
2039 Lake Park Drive Southeast  
Apartment D  
Smyrna, GA 30080

**Owner:** Maria Solorio  
597 Paper Mill Drive  
Lawrenceville, GA 30045

**Contact:** Carlos Guzman

**Contact Phone:** 770.828.9836

## Zoning History

The subject property is zoned R-75 (Single-Family Residence District). In 1970, as part of a larger rezoning request, a portion of the property to be rezoned from R-75 to MH (Manufactured Housing) for a mobile home park was denied, pursuant to RZ-13-70.

## Existing Site Condition

The subject site is a 0.37-acre triangular-shaped residential lot located on the southeast corner of Paper Mill Road and McCart Road. There is an approximate 1,050 square foot single-family residence on the site constructed in 1974. The property is accessed from McCart Road via an existing driveway. Permit RESBLD2023-00492 is pending resubmittal due to the necessary variance for the existing encroachment into the front setback. The lot slopes downward approximately five feet from west to east. There is a sidewalk along McCart Road that terminates at the corner on Paper Mill Road. During a recent site visit, it appeared the eastern portion of the site was recently cleared, and construction may have commenced without the permit being issued. A request for a Code Enforcement inspection was made but has not yet been conducted.

## Surrounding Use and Zoning

The subject site is the remnant parcel of a larger landholding that eventually became part of the Allens Landing and Chatham Estates subdivisions; however, the parcel was not included as part of either subdivision plats. The property is surrounded by single-family detached residences, most of which are part of existing subdivisions in the R-75 zoning district to the north, east, and south. To the west is the single-family detached Paper Mill subdivision, which is located within the City of Lawrenceville. The following is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-75
North	Single-Family Residential	R-75
East	Single-Family Residential	R-75
South	Single-Family Residential	R-75
West	Single-Family Residential	RS-150 (City of Lawrenceville)

## Project Summary

The applicant is requesting a variance to allow an addition to encroach into the front setback, including:

- A 553 square foot addition on the eastern side of the existing, legally non-conforming 1,050 square foot structure.
- An approximate 16-foot encroachment into the required 50-foot-wide front setback along Paper Mill Road, a minor collector street.

## Variance Requested

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

1. **230-10** Table 230.1 A lot zoned R-75 Zoning District shall have a minimum 50-foot-wide front setback.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Minimum Front Setback	Minimum 50' (minor collector)	33.5'	NO

## Staff Recommended Condition

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

1. The site shall be developed in general conformance with Exhibit B: Site Plan and Exhibit C: Building Elevations and Floor Plans, dated received March 7, 2023.

**Exhibits:**

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



## Exhibit A: Site Visit Photos



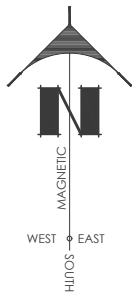
**View of property from intersection of McCart and Paper Mill Roads**



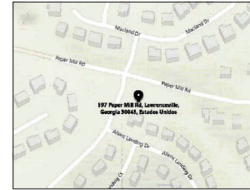
**View of expanded house from Paper Mill Road yard**

**Exhibit B: Site Plan and Building Elevations**

**[attached]**



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RECEIVED**  
Mar 7, 2023



VICINITY MAP

NOTE:  
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A  
CLOSURE PRECISION OF ONE FOOT IN 65,580 FEET AND  
AN ANGULAR ERROR OF 000.0006" PER ANGLE POINT  
AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT  
HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND  
TO BE ACCURATE WITHIN  
1: 193,383 FEET

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND  
CORRECT AND WAS PREPARED FROM AN ACTUAL  
SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY  
SUPERVISION: THAT ALL MONUMENTS SHOWN HEREON  
ACTUALLY EXIST OR ARE MARKED AS "FUTURE" THEIR  
LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY  
SHOWN:



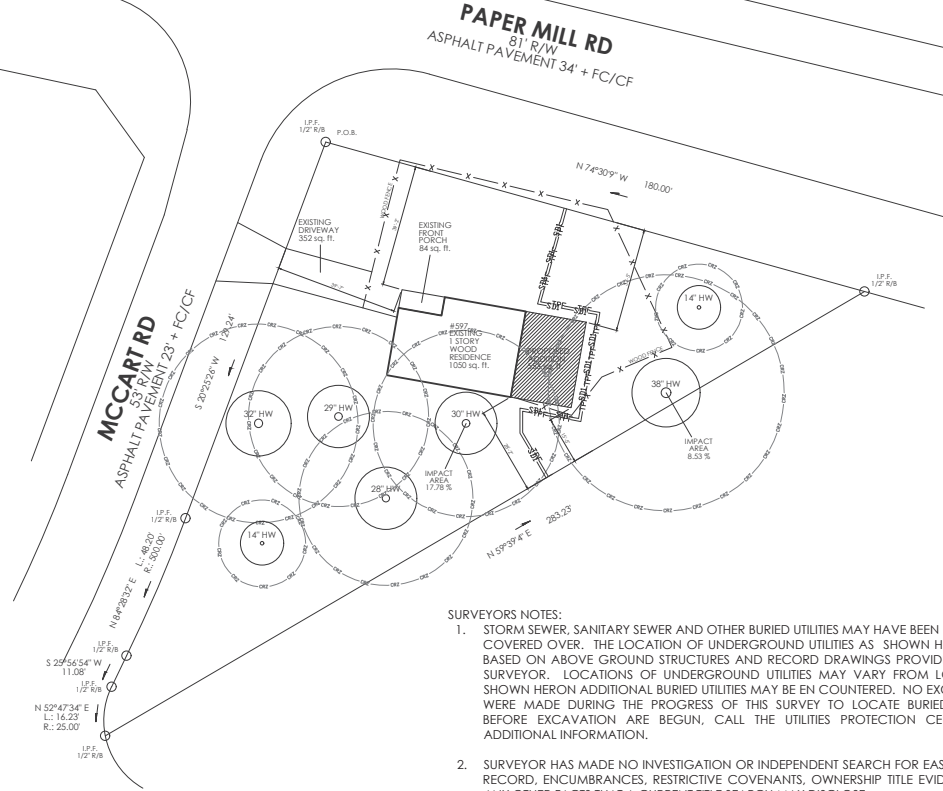
REVISIONS	
NO.	DATE:

DATE: MAR 7, 2023  
DRAWN BY: CG

SCALE: 1"=40'

**INNOVA ENGINEERING**  
1 CLEVELAND AVENUE, NW  
ATLANTA, GA 30328  
770-828-0636  
24HR CONTACT: ADUARDO SANCHEZ

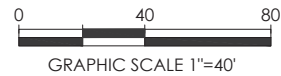
LEGEND	
—TPE—TPE	TREE PROTECTION FENCE
— — —	SET BACK LINE
—RD—RD	FROM ROOF DRAIN
—SDI—SDI	SILT PROTECTION FENCE
—CRZ—	CRITICAL ROOT ZONE
—SRP—	STRUCTURAL ROOT PLATE
—T—	TELECOMMUNICATIONS LINE
—P—	POWER LINE
—SS—SS	SANITARY SEWER LINE
—W—W	WATER LINE
—P/T—	TELECOMMUNICATIONS AND POWER LINE
—X—	CHAIN LINK FENCE
—X—	WOOD FENCE
I.P.F.	IRON PIN FOUND
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONCRETE PIPE
FH	FIRE HYDRANT
UP	UTILITY POLE
CP	CALCULATED POINT
POB	POINT OF BEGINNING



SITE DATA:	
<b>LOT AREA</b>	
16,117.20 sq.ft 0.37 acres	
<b>ZONING: R-75</b>	
FRONT SETBACK =	30' FEET
SIDE SETBACK =	10' FEET
REAR SETBACK =	30' FEET
<b>LOT COVERAGE AREA OF IMPERVIOUS SURFACE:</b>	
EXISTING 1 STORY HOUSE:	1050 SQ.FT.
EXISTING FRONT PORCH:	84 SQ.FT.
EXISTING DRIVEWAY:	352 SQ.FT.
PROPOSED ADDITION:	553 SQ.FT.
<b>TOTAL IMPERVIOUS AREA:</b>	<b>2,039 SQ.FT.</b>
LOT COVERAGE = 12.65 %	

NO GRADING CHANGES

- SURVEYORS NOTES:
1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATION WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATION ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.
  2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENT OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
  3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HERON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
  4. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.



**OWNER:**  
PERFORMING & CREATIVITY  
PROPERTIES L  
597 PAPER MILL RD  
LA WRENCEVILLE GA 30045-6682  
PARCEL # **R5180 003**  
GWINNETT COUNTY  
DATE OF FIELD SURVEY 02/23/23  
DATE OF PLAT 03/07/23

DESCRIPTION:  
**SITE PLAN**

SHEET NUMBER:  
**S-1**

**Exhibit C: Building Elevations and Floor Plans**

**[attached]**



# 597 Paper Mill Rd. Single family residence

597 PAPER MILL RD, LAWRENCEVILLE, GA 30045

## OWNER:

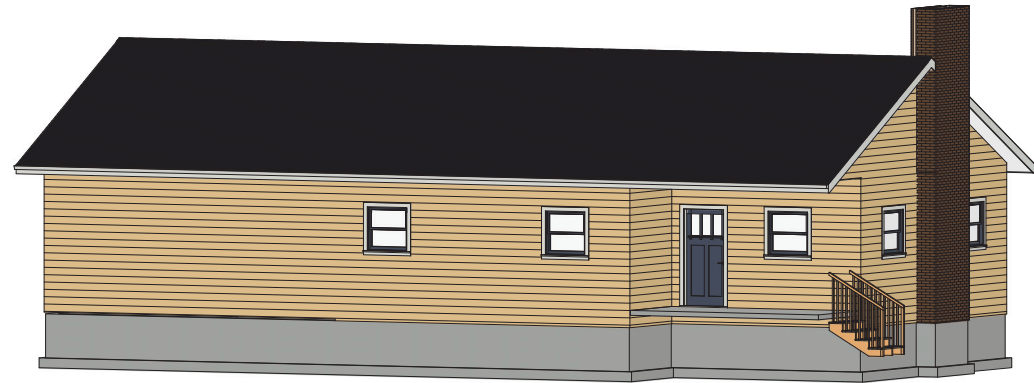
MARIA SOLORIO  
597 PAPER MILL RD.  
LAWRENCEVILLE, GA 30045  
(678) 751 3962

## DESIGN:

INNOVA ENGINEERING LLC  
2057 LAKE PARK DR SE,  
SMYRNA, GA 30080  
(770) 828-9836

## SCOPE OF WORK:

ADDITION OF A MASTER BEDROOM,  
MASTER BATHROOM, WALKING CLOSET,  
RENOVATION OF THE EXISTING STRUCTURE,  
NEW ELECTRICAL, NEW HVAC, NEW  
PLUMBING, RE-ROOFING, SIDING, FLOORING,  
DRYWALL, CABINETRY.



## CONSTRUCTION CODES

The following will be the State of Georgia's minimum Standard Construction Codes:

International Building Code,  
2018 Edition, with Georgia Amendments (2018)  
International Residential Code,  
2018 Edition, with Georgia Amendments (2017)  
International Fire Code,  
2018 Edition, with Georgia Amendments (2014)  
International Plumbing Code,  
2018 Edition, with Georgia Amendments (2014)(2015)  
International Mechanical Code,  
2018 Edition, with Georgia Amendments (2015)  
International Fuel Gas Code,  
2018 Edition, with Georgia Amendments (2015)  
National Electrical Code,  
2017 Edition, with no Georgia Amendments  
International Energy Code,  
2018 Edition, with Georgia Supplements and Amendments (2012)  
NFPA 101  
Life Safety Code 2018 Edition with State Amendments (2013)  
Life Safety Code 2012 Edition with State Amendments (2013)



Layout Page Table			
Label	Title	Description	Comments
A-1	COVER SHEET		
A-2	EXISTING LAYOUT		
A-3	PROPOSED LAYOUT		
A-4	EXISTING ELEVATIONS		
A-5	PROPOSED ELEVATIONS		
S-1	FOUNDATION LAYOUT		
S-2	FLOOR FRAMING LAYOUT		
S-3	CEILING FRAMING LAYOUT		
S-4	ROOF FRAMING LAYOUT		
S-5			

RELEASED FOR CONSTRUCTION



REVISION TABLE
NUMBER DATE REVISION BY DESCRIPTION

SHEET TITLE:  
COVER SHEET

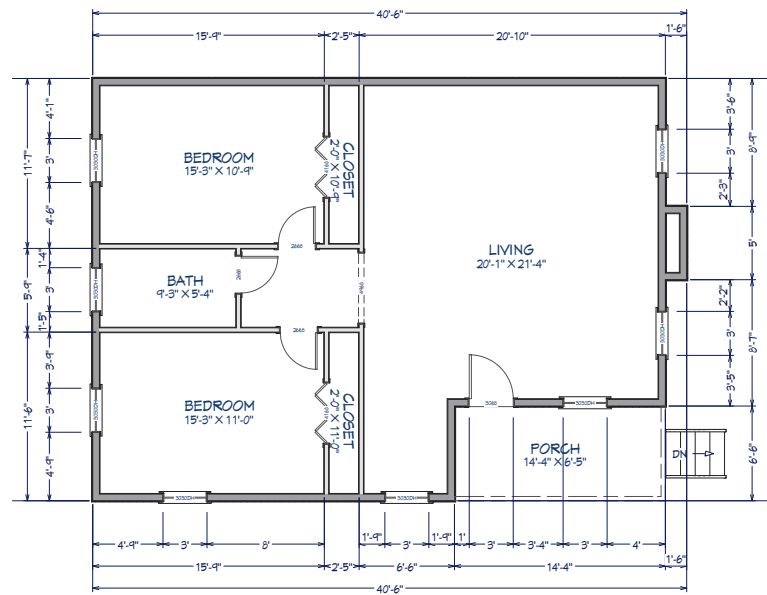
PROJECT ADDRESS:  
597 PAPER MILL RD,  
LAWRENCEVILLE, GA 30045

DRAWINGS PROVIDED BY:  
INNOVA ENGINEERING AND DESIGNS  
1 GLEN LAKE PKWY NE, ATLANTA GA 30328  
www.innovaengineeringanddesigns.com  
(404) 541-1524

DATE:  
21/02/2023

SCALE:

SHEET:  
A-1



LIVING AREA  
1039 SQ. FT.

1 FIRST FLOOR LAYOUT  
1/4" = 1'-0"

WINNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RECEIVED**  
Mar 19, 2023

RELEASED FOR CONSTRUCTION



REVISION TABLE		
NUMBER	DATE	REVISION BY DESCRIPTION

SHEET TITLE:  
**EXISTING LAYOUT**

PROJECT ADDRESS:  
**597 PAPER MILL RD.  
LAWRENCEVILLE, GA 30045**

DRAWINGS PROVIDED BY:  
**INNOVA ENGINEERING AND DESIGNS**  
1 GLENLAKE PKWY. N.E., ATLANTA, GA 30328  
www.innovadesigns.com  
(404) 541-1824

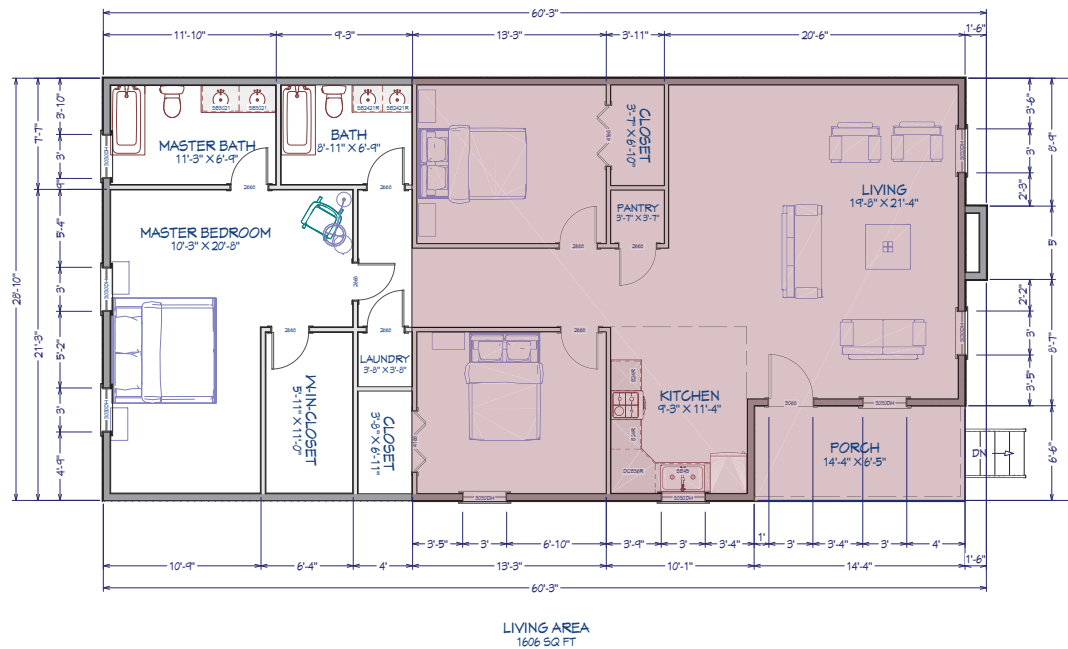
DATE:

21/02/2023

SCALE:

SHEET:

**A-2**



1 FIRST FLOOR LAYOUT  
1/4" = 1'0"

WINNETT COUNTY  
PLANNING AND DEVELOPMENT  
RECEIVED  
Mar 19, 2023

RELEASED FOR CONSTRUCTION



REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION

SHEET TITLE:  
**PROPOSED LAYOUT**

PROJECT ADDRESS:  
**597 PAPER MILL RD.  
LAWRENCEVILLE, GA 30045**

DRAWINGS PROVIDED BY:  
**INNOVA ENGINEERING AND DESIGNS**  
1 GLENLAKE PKWY. NE, ATLANTA GA 30328  
www.innovadesignsolutions.com  
(404) 541-1824

DATE:

21/02/2023

SCALE:

SHEET:

**A-3**



REVISION TABLE
NUMBER DATE REVISION BY DESCRIPTION

SHEET TITLE:  
**EXISTING  
ELEVATIONS**

PROJECT ADDRESS:  
**597 PAPER MILL RD.  
LAWRENCEVILLE, GA 30045**

DRAWINGS PROVIDED BY:  
**INNOVA ENGINEERING AND DESIGNS**  
1 GLENLAKE PKWY NE, ATLANTA GA 30328  
www.innovaengineeringanddesigns.com  
(404) 541-1826

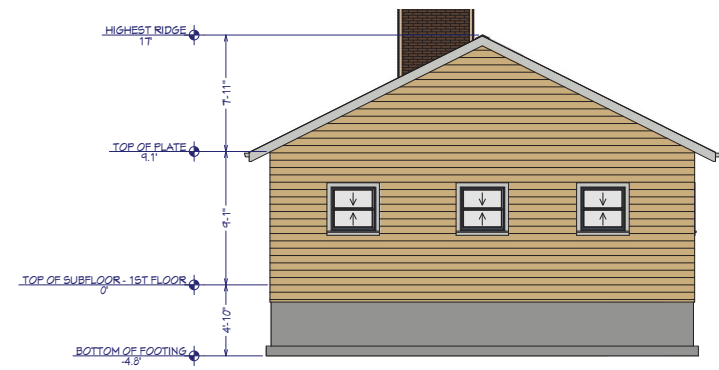
DATE:  
21/02/2023

SCALE:

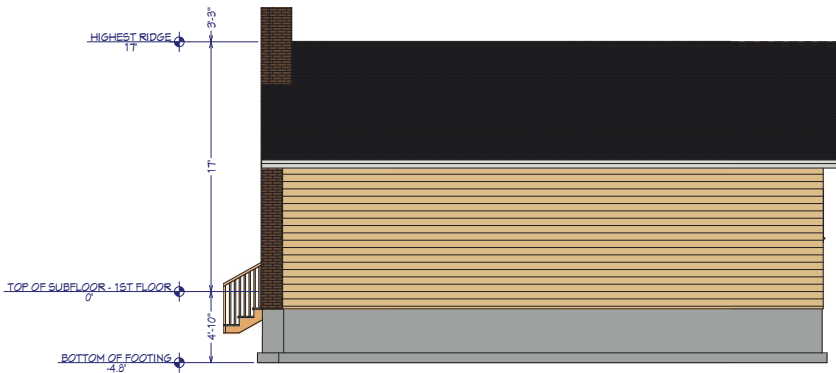
SHEET:  
**A-4**



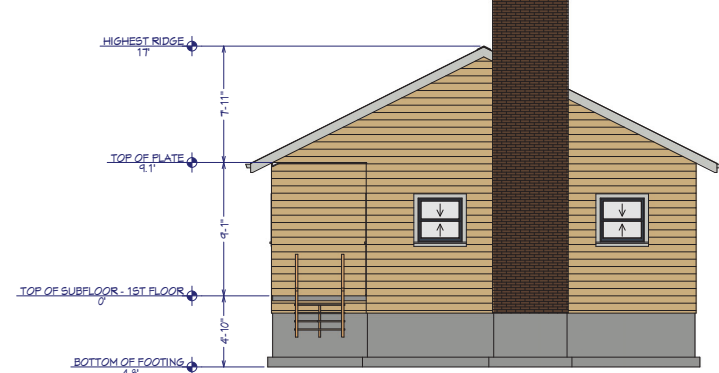
① **EXTERIOR ELEVATION FRONT** 1/4" = 1'0"



② **EXTERIOR ELEVATION LEFT** 1/4" = 1'0"



③ **EXTERIOR ELEVATION BACK** 1/4" = 1'0"



④ **EXTERIOR ELEVATION RIGHT** 1/4" = 1'0"

OWENNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RECEIVED**  
Mar 19, 2023

**RELEASED FOR CONSTRUCTION**





REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION

SHEET TITLE:  
**PROPOSED ELEVATIONS**

PROJECT ADDRESS:  
**597 PAPER MILL RD.  
LAWRENCEVILLE, GA 30045**

DRAWINGS PROVIDED BY:  
**INNOVA ENGINEERING AND DESIGNS**  
1 GLENLAKE PKWY NE, ATLANTA, GA 30328  
www.innovadesigns.com  
(404) 541-1525

DATE:  
21/02/2023

SCALE:

SHEET:  
**A-5**

**Exhibit D: Letter of Intent and Standards for Granting Variance**

**[attached]**



# INNOVA ENGINEERING

1 GLENLAKE PKWY NE,

ATLANTA, GA 30328

Phone: 770.828.9836

Department of planning and development  
Gwinnett county  
Georgia, USA

## Letter of intent

I am writing to you today to advocate for the addition of square footage to the existing property located at **597 Paper Mill Rd, Lawrenceville Ga 30045**. Specifically, how adding square footage to the property will improve its overall look, increase its value, and provide an opportunity for the property owner to improve their home.

Firstly, I would like to address the issue of the triangle shape of the property and how it limits developable space. While it is true that the shape of the property presents some challenges, it is not an insurmountable obstacle. It is possible to add square footage to the property without compromising its shape or character.

Secondly, the property's unique shape is a result of being leftover following subdivision and development of the area. This is not uncommon, and many properties in the area have similarly unique shapes. However, this uniqueness can be an advantage in terms of adding value to the property. By designing an addition that complements the existing structure and takes advantage of the property's unique features, we can create a more attractive and desirable property.

Thirdly, other older properties of similar age in the area have similar setback distances. Considering those dimensions, the proposed addition would be within the setback requirements and would be possible to create a design that maximizes the available space and adds value to the property.

Finally, it is important to recognize that setbacks did not exist when the house was constructed. This means that we could have the opportunity to build mentioned addition and modernize their home and improve its value by adding square footage, by doing so, they can create a more livable and functional space that meets the needs of modern lifestyles.

In conclusion, I urge the Board to consider the many benefits of adding square footage to an existing property based on our proposed documents.  
Thank you for your time and consideration.

Carlos Guzman  
Innova engineering  
7708289836

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

Mar 19, 2023

### 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: The triangle shape of the property limits the developable area limiting the design and the flow of the mobility inside the house
- 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: This property has a unique shape as a result of being leftover of the subdivision area.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: We have seen other properties of similar age have similar setback distances around the area
- 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: When the house was built the minicipal codes where not existent by that time.
- 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 will not.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: just reducing the front setback the addition will fit.
- 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: The addition of square footage to the existing footprint of the house will modernize the house and improve the value of the property.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

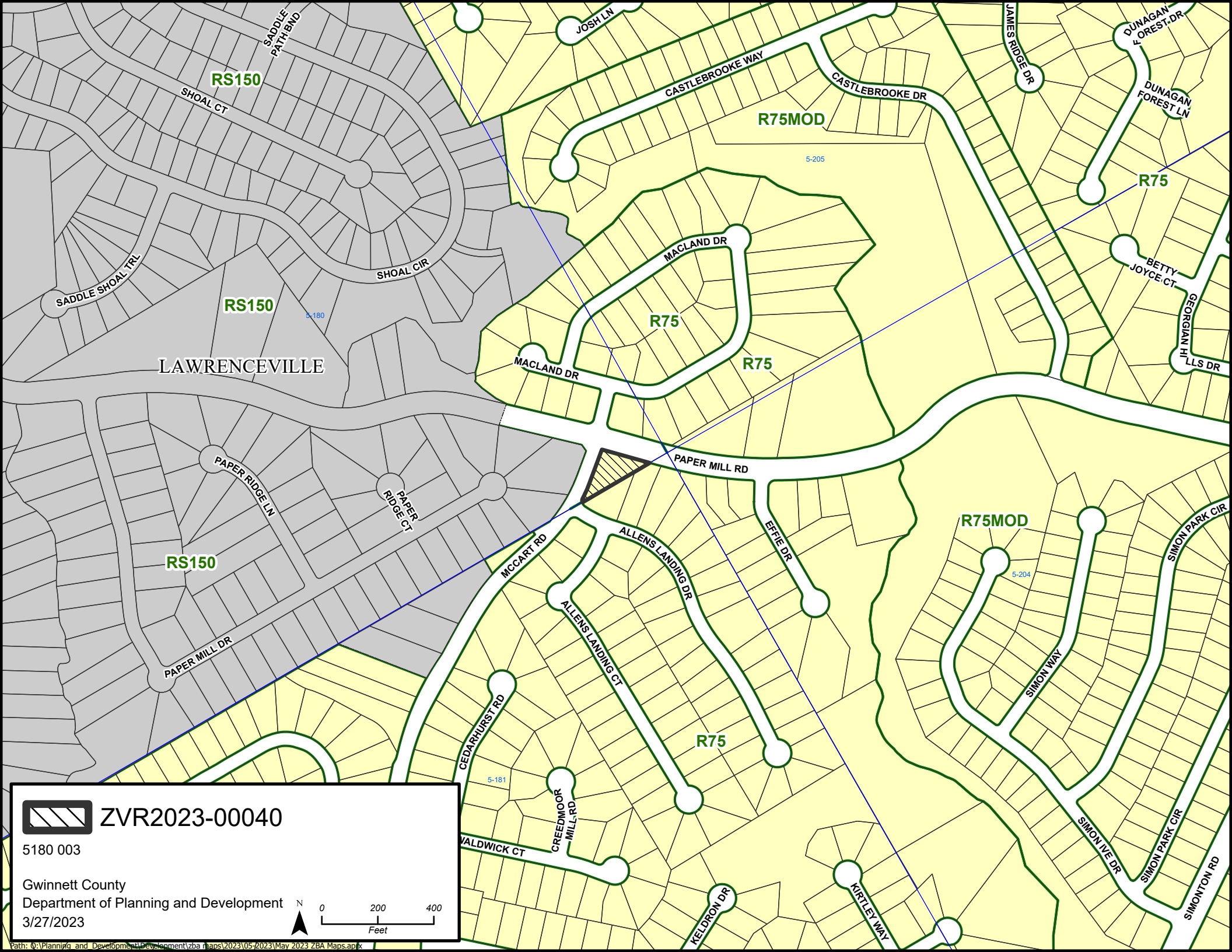
Mar 19, 2023


ZVR2023-00040



## **Exhibit E: Maps**

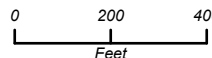

**[attached]**



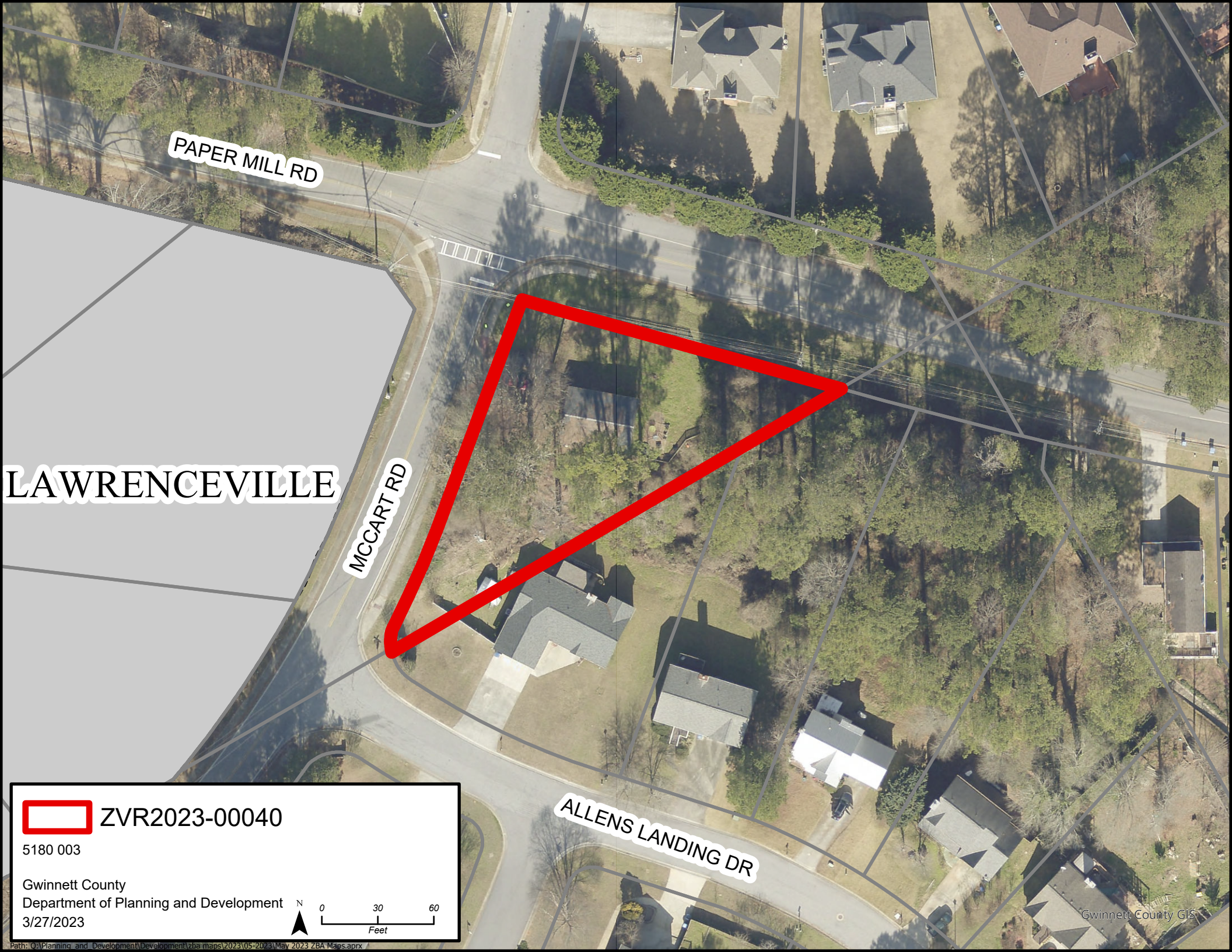
**ZVR2023-00040**

5180 003

Gwinnett County  
Department of Planning and Development  
3/27/2023







PAPER MILL RD

LAWRENCEVILLE

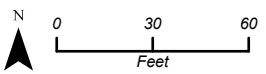
MCCART RD

ALLENS LANDING DR

 ZVR2023-00040

5180 003

Gwinnett County  
Department of Planning and Development  
3/27/2023



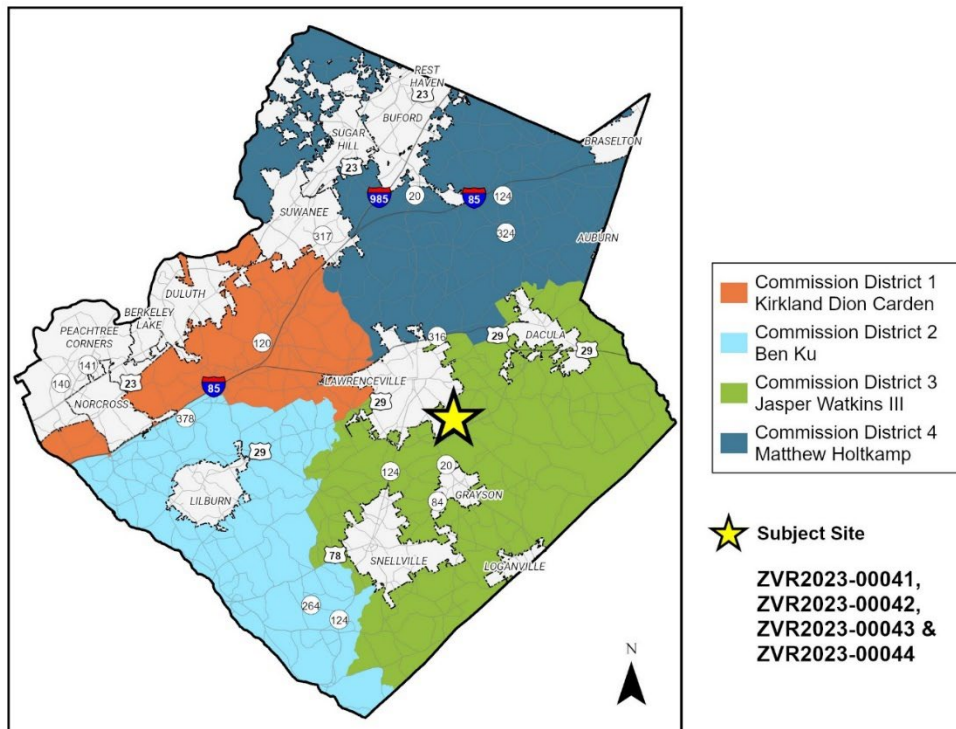
Gwinnett County GIS





## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00041  
**Request:** Accessory building encroachment into the side setback  
**Case Number:** ZVR2023-00042  
**Request:** Accessory building to exceed maximum square footage  
**Case Number:** ZVR2023-00043  
**Request:** Accessory building to have different exterior materials from primary residence  
**Case Number:** ZVR2023-00044  
**Request:** Accessory building to have different roof materials from primary residence  
**Address:** 58 Ludwick Lane  
**Map Number:** R5171 293  
**Zoning:** R-75MOD (Modified Single-Family Residence District)  
**Site Area:** 0.33 acres  
**Proposed Development:** Accessory Building  
**Commission District:** District 3 – Commissioner Watkins  
**Character Area:** Suburban Estate Living





**Applicant:** Luther Kelton  
58 Ludwick Lane  
Lawrenceville, GA 30046

**Owner:** Alma Jean Kelton  
58 Ludwick Lane  
Lawrenceville, GA 30046

**Contact:** Luther Kelton

**Contact Phone:** 678.327.7933

## Zoning History

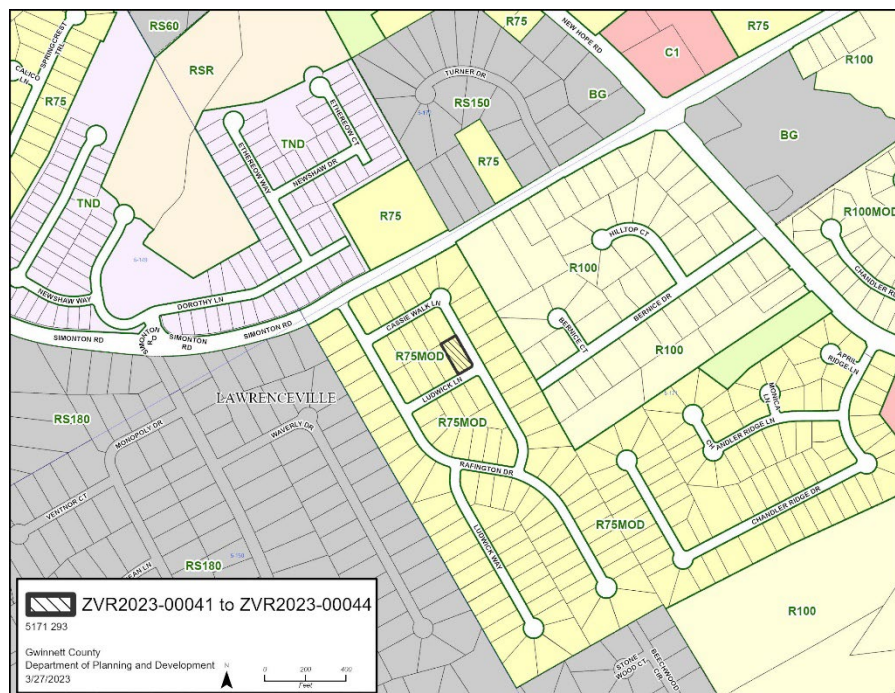
The subject property is zoned R-75MOD (Modified Single-Family Residence District). The property was rezoned from R-100 (Single-Family Residence District) to R-75MOD in 1995, pursuant to RZ-95-065.

## Existing Site Condition

The subject site is a 0.33-acre developed residential lot located on the northwest corner of Ludwick Lane and Cassie Walk Lane within the Rafington Place subdivision. The property has a one-story home constructed in 1997. A single driveway accesses the site from Ludwick Lane. The site slopes upwards approximately 10 feet from the corner of Ludwick Lane and Cassie Walk Lane to the northwest corner of the property. In January 2023, Code Enforcement issued a notice of violation and stop work order for the accessory building exceeding the maximum square footage and for work completed without a permit, pursuant to COM2023-00005.

## Surrounding Use and Zoning

The subject site is surrounded by single-family detached residences in an established subdivision. North of the property, across Simonton Road, is the Brookfield Farm subdivision. West and south of the Rafington Place subdivision are single-family detached residences within the City of Lawrenceville. East of the property is the New Hope Estates subdivision. The following is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-75MOD
North	Single-Family Residential	R-75MOD
East	Single-Family Residential	R-75MOD
South	Single-Family Residential	R-75MOD
West	Single-Family Residential	R-75MOD

## Project Summary

The applicant is requesting variances to allow an accessory building, including:

- An accessory building measuring 572 square feet and 9'9" in height located in the rear yard.
- The accessory building is encroaching 14 feet into the 20-foot side setback.
- The exterior building and roof materials consist of metal, while the primary residence is constructed of brick and siding.
- According to satellite imagery and the applicant, the accessory building was constructed in 2016. Although a permit was never issued for the accessory building, the Unified Development Ordinance (UDO) at that time allowed a setback of no less than five (5) feet from any property line and did not require materials similar to the principal building. However, the applicant recently altered the building with the addition of doors, which requires the accessory building to meet the requirements of the current UDO, resulting in these variances.

## Variance Requested

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

1. **230-120.9** – Accessory buildings over 500 square-feet require a 20-foot setback.
2. **230-120.12.B** – The maximum cumulative total square footage of all accessory buildings allowed on a property shall be based on lot size. 10,500 sq. ft.—0.99 acres require variance approval for accessory buildings 501-1,000 square feet.
3. **230-120.12.A.i** – Exterior walls shall be finished with brick or stone or with materials and colors similar to that of the principal building.
4. **230-120.12.A.iii** – Roofing materials and colors shall match that of the principal building. Roof pitch shall be commensurate with the roof pitch of the principal building.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Accessory building cumulative square footage	Maximum 1,000 square feet (lot size less than 0.99 acres)	572 square feet (0.33 acres)	NO
Accessory building setback	20'	6'	NO
Accessory building exterior materials	Brick and Lap Siding	Metal	NO
Accessory building roof materials	Shingles	Metal	NO

### **Staff Recommended Condition**

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

1. The accessory building shall be located in general conformance with Exhibit B: Site Plan, dated received March 20, 2023.
2. The canopy extending into the side yard shall be removed prior to issuance of a certificate of completion.

**Exhibits:**

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



## Exhibit A: Site Visit Photos



**View of primary residence from Ludwick Lane**



**View of accessory building from Cassie Walk Lane**





**Northern view of accessory building**



**Southern view of rear yard**

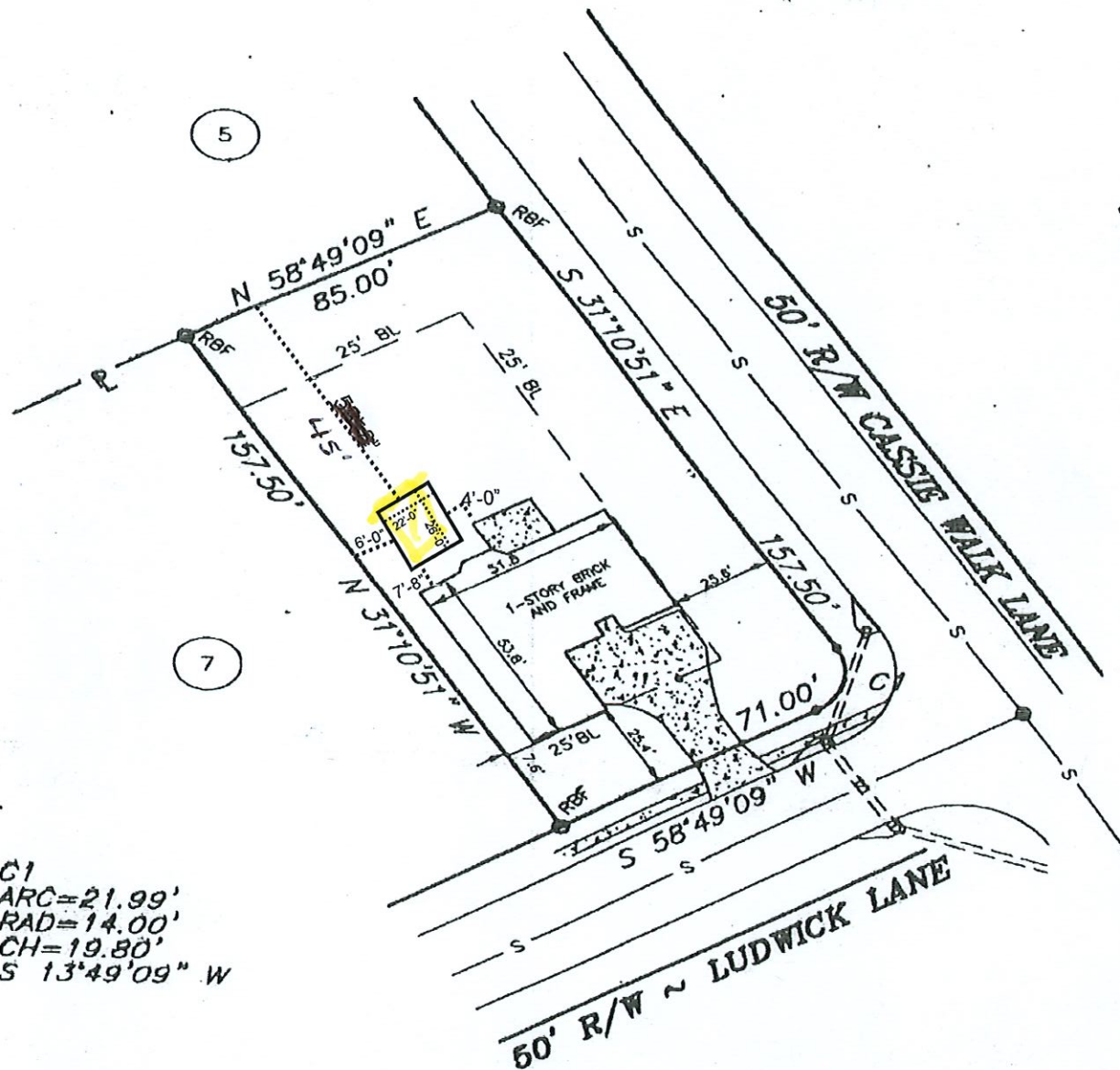
**Exhibit B: Site Plan**

**[attached]**



3/20/2023

NO PORTION OF THIS PROPERTY LIES WITHIN A F.I.R.M. FLOOD HAZARD AREA



C1  
ARC=21.99'  
RAD=14.00'  
CH=19.80'  
S 13°49'09" W

## A circular seal for a Georgia Registered Land Surveyor. The outer ring contains the text "GEORGIA" at the top and "JEFF H. GRIFFIN" at the bottom. Inside this ring, the word "REGISTERED" is at the top and "LAND SURVEYOR" is at the bottom. In the center of the seal, the number "NO. 2503" is printed.

58 LUDWICK LANE  
RAFINGTON PLACE S/D  
UNIT ONE  
BLOCK B  
LOT 8

SUBDIVISION FINAL PLAT RECORDED  
8/27/88 , GWINNETT COUNTY, GA.  
PLAT BOOK 71 , PAGE 123

SURVEY FOR

**MARGIE STEWART**

**GRIFFIN LAND SURVEYING, INC.**

1684 WALDROP ROAD  
LAWRENCEVILLE, GEORGIA 30243  
(770) 968-8723

Date: 8/23/97	Land Lot: 171	District: 08th
County: GRIMMETT, GA	Block: 1-40'	G
Drawn By: RCS	Checked By: JHC	
Job Number: 95003	File Number: - 3158	

GLB

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

MEMBER SURVEYING AND MAPPING  
SOCIETY OF GEORGIA

				SOCIETY OF GEORGIA
No.	By	Date		Revision

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**Exhibit C: Letter of Intent and Standards for Granting Variance**

**[attached]**

**RECEIVED**

3/20/2023

**From:** [Luke Kelton](#)  
**To:** [Abrera, Johanna](#)  
**Subject:** Fwd: letter of intent 58 ludwick ln  
**Date:** Monday, March 20, 2023 1:46:41 PM

**CAUTION:** This email originated from outside of Gwinnett County Government. Maintain caution when opening links, attachments, or responding. When in doubt, contact [phishing@gwinnettcountry.com](mailto:phishing@gwinnettcountry.com).

----- Forwarded message -----

**From:** Tracie Hall <[tkhlh1@gmail.com](mailto:tkhlh1@gmail.com)>  
**Date:** Mon, Mar 20, 2023, 1:39 PM  
**Subject:** letter of intent  
**To:** <[lukekelton1@gmail.com](mailto:lukekelton1@gmail.com)>

Letter of intent

Luther Kelton  
58 Ludwick Ln  
Lawrenceville, GA. 30046

March 6, 2023

I am requesting the following variances to accommodate a metal shelter that I purchased in 2016 to store my boats and boating equipment. I have added doors to the building to enhance the look of the shelter and to protect my personal belongings. The shelter is 572 sq ft with a height of 9'9". It is made of metal with wood doors and sits 6' from the side property line and 45' from the rear property line. We did not know at the time that a building permit was required for a metal shelter or we would have applied to be in compliance. Thank you for your consideration in this matter.

1. 230-120.9 - Accessory structures over 500 sq ft require a 20 ft set back
2. 230-120.12.B - The maximum cumulative total square footage of all accessory buildings allowed on a property shall be based on lot size. 10.500 sq ft -0.99 acres require variance approval for accessory structures 501-1,000 sq ft
3. 230-120.12.A.i - Exterior walls shall be finished with brick or stone or with materials and colors similar to that of the principal building.
4. 230-120.12.A.iii - Roofing materials and colors shall match that of the principal building. Roof pitch shall be commensurate with the roof pitch of the principal building.

Sincerely yours,

Luther Kelton

RECEIVED

3/6/2023

**Standards for Granting Variances:**

1. 230-120.9 - Accessory structures over 500 sq  
ft require a 20 ft set back

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: Yes. Proximity to the property line is required to get the boats in and out of the building.
- 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: Yes. The set back would make it impossible to use the structure for its intended purpose.
- 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. I'm not aware of any other projects like this in the neighborhood.
- 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: Yes. The property shape requires the set back for the most beneficial use of the building.
- 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 building would not have an impact on the neighboring properties.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes. Due to the turning radius of the truck and trailer, the set back is needed to back the boats into the shelter.
- 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. The variance does not negatively impact the surrounding area.

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2. 230-120.12.B - The maximum cumulative total square footage of all accessory buildings allowed on a property shall be based on lot size. 10,500 sq ft -0.99 acres require variance approval for accessory structures 501-1,000 sq ft

**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: Yes. The size of the structure is required to fit the two boats and storage.
- 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: Yes. The size decrease would make it impossible to use the structure for its intended purpose.
- 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. I'm not aware of any other projects like this in the neighborhood.
- 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: Yes. The requested size is required to achieve the most beneficial use of the building.
- 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 building would not have an impact on the neighboring properties.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes. The requested size is needed to store the boats and equipment.
- 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. The variance does not negatively impact the surrounding area.



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**Standards for Granting Variances:**

3. 230-120.12.A.1 - Exterior walls shall be finished with brick or stone or with materials and colors similar to that of the principal building.

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: Yes. The structure is a metal car shelter with wooden doors. The color is a close match to the trim of the house.  
\_\_\_\_\_  
\_\_\_\_\_
- 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: Yes. Changing the siding or roofing would be a financial hardship.  
\_\_\_\_\_  
\_\_\_\_\_
- 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. I'm not aware of any other projects like this in the neighborhood.  
\_\_\_\_\_  
\_\_\_\_\_
- 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: Yes. The structure is a metal car shelter with wooden doors and the color matches the trim of the primary dwelling.  
\_\_\_\_\_  
\_\_\_\_\_
- 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 building would not have an impact on the neighboring properties.  
\_\_\_\_\_  
\_\_\_\_\_
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes. Changing the siding or roof would be a financial hardship.  
\_\_\_\_\_  
\_\_\_\_\_
- 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. The variance does not negatively impact the surrounding area.  
\_\_\_\_\_  
\_\_\_\_\_

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**Standards for Granting Variances:**

4. 230-120.12.A.III - Roofing materials and colors shall match that of the principal building. Roof pitch shall be commensurate with the roof pitch of the principal building.

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: Yes. The structure is a metal car shelter with metal roof.
- 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: Yes. Changing the siding or roofing would be a financial hardship.
- 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. I'm not aware of any other projects like this in the neighborhood.
- 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: Yes. The structure is a metal car shelter with metal roof.
- 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 building would not have an impact on the neighboring properties.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes. Changing the siding or roof would be a financial hardship.
- 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. The variance does not negatively impact the surrounding area.

**Exhibit D: Maps**

**[attached]**





CASSIE WALK LN

RAFINGTON DR

LUDWICK LN



ZVR2023-00041 to ZVR2023-00044

5171 293

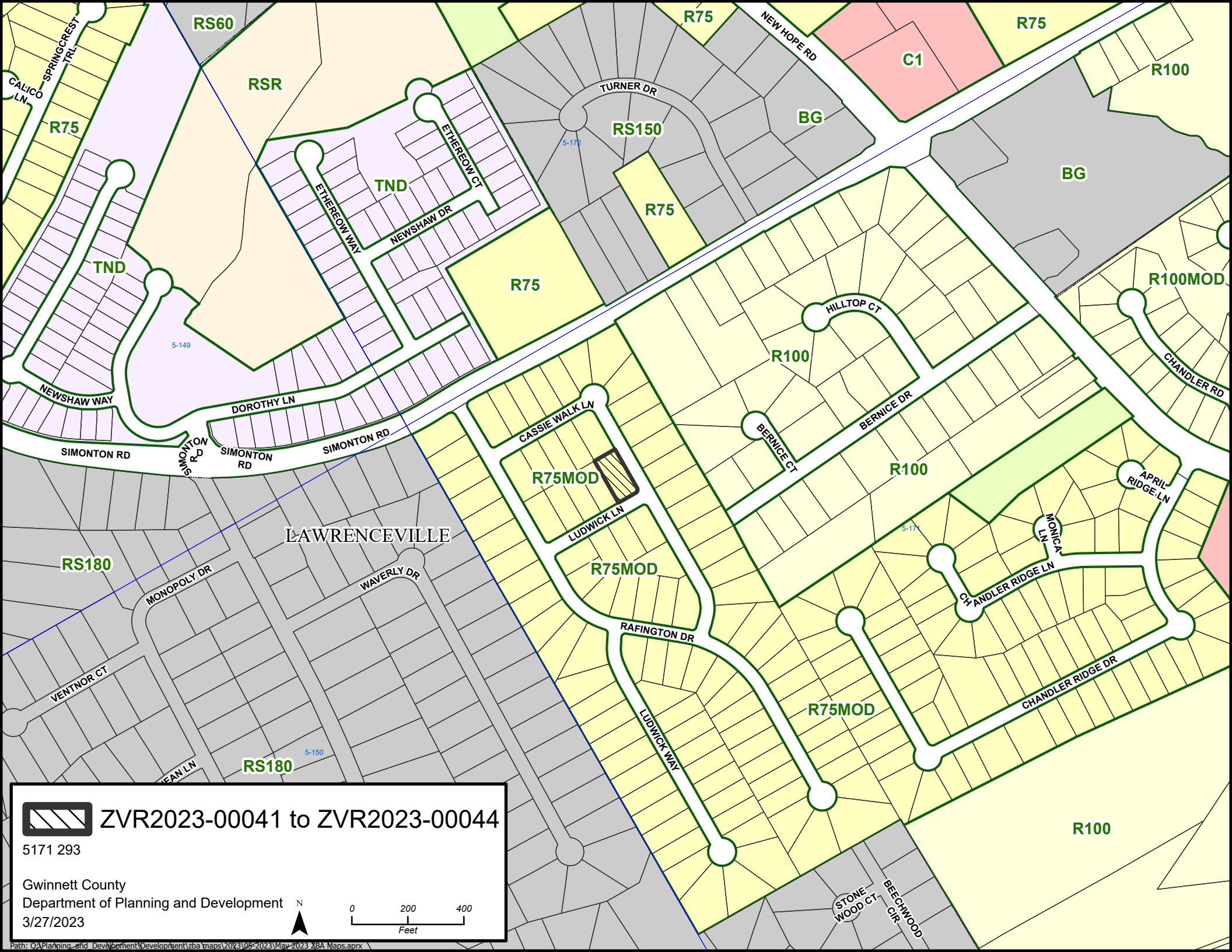
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Department of Planning and Development  
3/27/2023



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Gwinnett County GIS

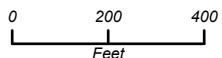




ZVR2023-00041 to ZVR2023-00044

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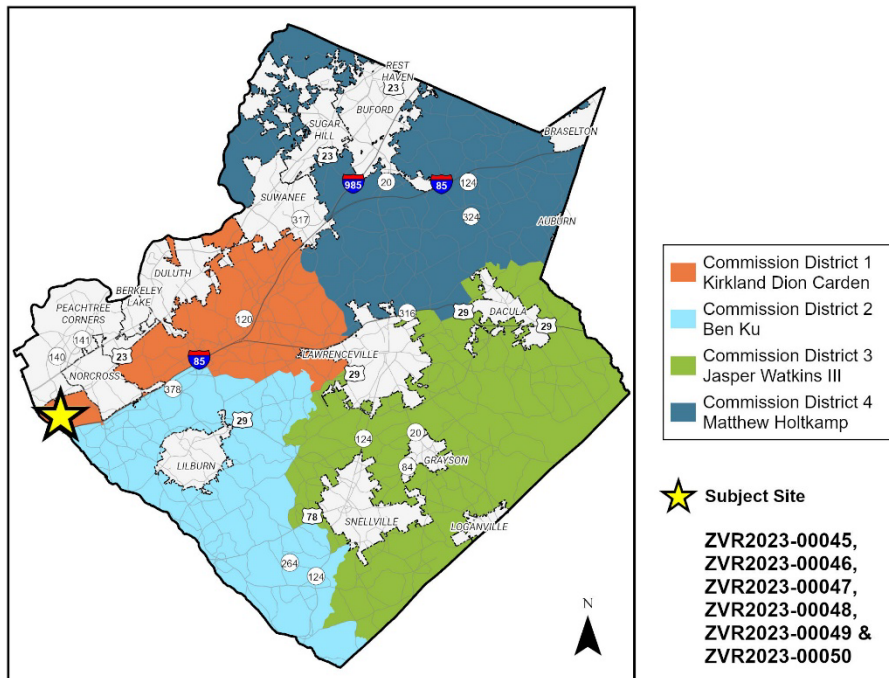
Gwinnett County  
Department of Planning and Development  
3/27/2023





## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00045  
**Request:** Eliminate the streetscape requirement in the Gateway 85 Overlay District  
**Case Number:** ZVR2023-00046  
**Request:** Eliminate the street light requirement in the Gateway 85 Overlay District  
**Case Number:** ZVR2023-00047  
**Request:** Eliminate the pedestrian walkway requirement in the Gateway 85 Overlay District  
**Case Number:** ZVR2023-00048  
**Request:** Encroachment into the side setback  
**Case Number:** ZVR2023-00049  
**Request:** Eliminate inter-parcel access to the adjacent properties  
**Case Number:** ZVR2023-00050  
**Request:** Exceed maximum interior driveway width  
**Address:** 6870 Mimms Drive  
**Map Number:** R6221 075  
**Zoning:** M-1 (Light Industry District)  
**Site Area:** 15.42 Acres  
**Proposed Development:** Industrial  
**Commission District:** District 1 – Commissioner Carden  
**Character Area:** Workplace Center



**Applicant:** W.P. Carey, Inc.  
c/o Mahaffey Pickens Tucker, LLP  
1550 North Brown Road, Suite 125  
Lawrenceville, GA 30043

**Owner:** BFS (DE), LP  
2001 Bryan Street, Suite 1600  
Dallas, TX 75201

**Contact:** Shane Lanham

**Contact Phone:** 770.232.0000

## Zoning History

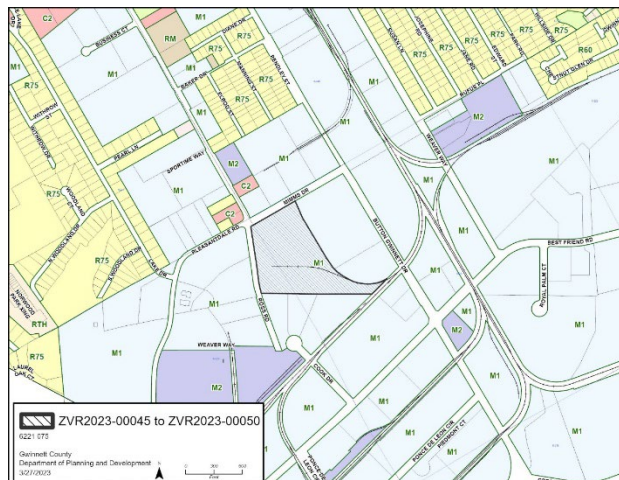
The subject property is zoned M-1 (Light Industry District). No prior zoning requests are on record for this site. This property is located within the Gateway 85 Overlay District.

## Existing Site Condition

The subject site is a 15.42-acre developed, industrial lot on the southeast corner of Mimms Drive and Ross Road. The property has an approximate 60,300 square foot industrial warehouse building constructed in 1978, and an approximate 7,400 square foot office expansion constructed in 1996. Accessory metal buildings are located along the perimeter of the front, side, and rear yards. The site is accessed by a single entrance on Mimms Drive and through inter-parcel access with the adjoining property at 2351 Button Gwinnett Drive (parcel 6221 012). There is a shared canopy over a receiving dock, connecting the existing building and the adjacent building to the east of the site. A railroad line and reciprocal rail spur easement spans nearly the entire length of the eastern property line. A 20-foot-wide water line easement exists to the north of the building. The overall site is relatively flat; however, there is significant topography along the western property frontage on Ross Road where the site slopes upward to the right-of-way by approximately 30 feet. Additionally, the right-of-way along Mimms Drive slopes down approximately 10 feet towards the property frontage. There are no sidewalks along either road frontage. Overhead utilities run the length of the property frontage along Ross Road. An approximately 6-foot-tall chain link fence surrounds the perimeter of the site.

## Surrounding Use and Zoning

The immediate surrounding properties are industrial uses. The following is a summary of surrounding uses and zoning:



	Land Use	Zoning
Subject Property	Industrial	M-1
North	Industrial	M-1
East	Industrial	M-1
South	Industrial	M-1
West	Industrial	M-1

## Project Summary

The applicant is requesting variances to allow a new industrial development, including:

- Demolition of the existing warehouse building, office, and outside storage buildings.
- A 213,800 square foot industrial building with a proposed canopy connecting to the adjacent building to the east on parcel 6221 012.
- Encroachment into the 25-foot side setback where the existing canopy connects to the adjacent building.
- Access to the site from the existing driveway on Mimms Drive and a proposed driveway on Ross Road.
- 34 dock doors on the building.
- A surface parking lot with 150 spaces including automobile parking in the front of the building along the northern property line, and trailer parking to the west and south of the building.
- Interior driveway widths of 24 feet and 30 feet throughout the site.
- The applicant does not propose to install the required 2-foot-wide sidewalk landscape strip, 5-foot-wide sidewalk, 10-foot-wide landscape strip, or streetlights along Mimms Drive and Ross Road.
- The applicant does not propose to install the required 5-foot-wide pedestrian walkway and 5-foot-wide landscape strip on both sides of the walkway, from the building to the adjacent public right-of-way.
- The applicant does not propose to provide inter-parcel driveway connection or provisions of a future inter-parcel driveway stub to the adjacent properties.

## Variances Requested

The applicant requests approval of variances from the following regulations of the Unified Development Ordinance (UDO):

1. **Section 220-50.5.A** Streetscapes shall be installed along public rights-of-way as specified in Table 220.4: Streetscape Table, except as provided in "B" immediately below for an alternative multi-use trail. Streetscapes shall include a sidewalk landscape strip adjacent to the roadway, a sidewalk, and a landscape strip at the back of the sidewalk on private property.
  - Minimum 2-foot-wide sidewalk landscape strip
  - Minimum 5-foot-wide sidewalk
  - Minimum 10-foot-wide landscape strip
2. **Section 220-50.5.F** Streetlights shall be provided.
3. **Section 220-50.7.A.2** Parcels 2 acres or larger shall provide a walkway with a minimum width of 5 feet and a landscape strip with a minimum width of 5 feet along both sides of the required walkway, except as specified in "C" immediately below.



4. **Section 230-10** When developing under any zoning classification, the provisions listed in Tables 230.1, 230.2 and 230.3 and any additional standards or requirements listed in Chapters 210, and 220 must be met. When a standard in Tables 230.1, 230.2, or 230.3 conflict with a standard in Chapters 210 or 220, the standards in Chapters 210 and 220 shall have precedence.
  - M-1 zoning district – 25-foot minimum side setback
5. **Section 240-70.1.B** Inter-parcel driveway connection or provision of a future inter-parcel driveway stub (with appropriate cross-access easements) shall be required between adjacent non-residential properties. This requirement may be waived by the Director only if it is demonstrated that an inter-parcel connection is not feasible due to traffic safety or topographic concerns.
6. **Section 240-70.1.C and D** Interior driveways, with or without parking, shall be 10 to 12 feet wide for one-way traffic, and 22 to 24 feet wide for two-way traffic. Driveways that are determined to be essential fire access shall be increased to a minimum of 20 feet in width. Interior driveways providing primary access to loading/unloading zones or loading docks for truck traffic shall be increased to 14 feet in width per travel lane.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Streetscape (Gateway 85 Overlay District)	5' sidewalk 2' sidewalk landscape strip 10' landscape strip	0	NO
Street Lights (Gateway 85 Overlay District)	Street lights	0	NO
Pedestrian Walkway (Gateway 85 Overlay District)	5' walkway 5' landscape strip (both sides)	0	NO
Side Setback	25'	0'	NO
Inter-parcel Access	Between adjoining properties	0	NO
Driveway Width	22' to 24' (two-way traffic) 14'/travel lane (loading docks)	30'	NO

## Staff Recommended Condition

Should the Zoning Board of Appeals choose to approve these variance requests, staff recommends the following condition of approval:

1. The site shall be developed in general conformance with Exhibit B: Site Plan, dated received April 17, 2023.

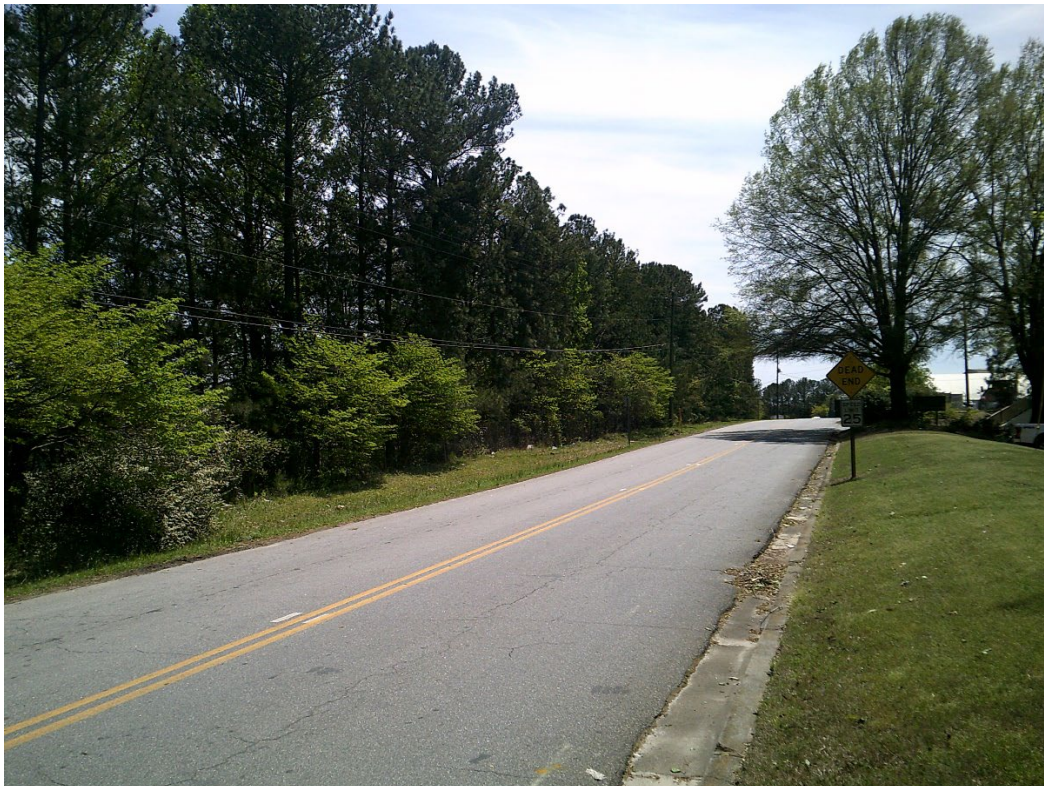
**Exhibits:**

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

## Exhibit A: Site Visit Photos



**Existing streetscape along Mimms Drive**



**Existing streetscape along Ross Road**





**Front of building from Mimms Drive**



**Existing canopy**





**Existing inter-parcel connection**



**Rear of the site**

**Exhibit B: Site Plan**

**[attached]**





**Exhibit C: Letter of Intent and Standards for Granting Variances**

**[attached]**



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Matthew P. Benson  
Catherine W. Davidson  
Gerald Davidson, Jr.\*  
Rebecca B. Gober  
Brian T. Easley  
Christopher D. Holbrook  
Shane M. Lanham

Jeffrey R. Mahaffey  
Jessica R. Pickens  
Steven A. Pickens  
Gabrielle H. Schaller  
Andrew D. Stancil  
R. Lee Tucker, Jr.

\*Of Counsel

### **LETTER OF INTENT FOR VARIANCE APPLICATION**

Mahaffey Pickens Tucker, LLP submits the attached variance application (the “Application”) on behalf of W. P. Carey, Inc. (the “Applicant”), relating to a proposed redevelopment of an approximately 15.42-acre tract of land (the “Property”) located along Mimms Drive at its intersection with Ross Road. The Property is zoned M-1 and is located in the Gateway 85 Overlay District. The Property currently contains an approximately 60,300 square foot storage warehouse constructed in 1978 and an approximately 7,400 square foot office expansion constructed in 1996. The majority of the Property’s land area is used as an outdoor storage yard with covered storage areas located along the Property’s southern, western, and northwestern boundary lines. The Property is served by a rail line extension and a large canopy structure extends from the Property across the rail line and connects to a large storage warehouse building on the adjacent property.

The proposed redevelopment would include demolishing the existing storage warehouse building, office area, and outside covered storage structures and constructing an approximately 213,800 square foot office/warehouse/distribution facility. The existing entrance on Mimms Drive would be maintained with an additional entrance provided on Ross Road. A parking area for

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automobiles would be provided on the northwestern side of the proposed building with truck courts and trailer parking areas provided on the southwesterly and southeasterly sides.

In order to accommodate the proposed redevelopment, the Applicant is requesting the certain variances from the requirements of the Gwinnett County Unified Development Ordinance (the “UDO”). The requests arise from conditions that are unique and peculiar to the land, structures, and buildings involved. The requests are 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. The conditions requiring the requested relief are not ordinarily found in properties of the same zoning district as the subject property. The requests are the 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. Granting the requested variances would not impair or injure other property or improvements in the neighborhood in which the subject property is located, 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. The variances requested are the minimum variances that will make possible the reasonable use of the land, building, or structures. Approval of the requested variances would further the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan (the “2040 Plan”). Specifically, the Applicant is requesting the following variances:

1. UDO §220-50.5(A): “Streetscapes shall be installed along public rights-of-way as specified in Table 220.4: Streetscape Table, except as provided in ‘B’ immediately below for an alternative multi-use trail. Streetscapes shall include a sidewalk landscape strip adjacent to the roadway, a sidewalk, and a landscape strip at the back of the

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sidewalk on private property.” The Property is located in a heavy industrial area and fronts on streets which are not classified as Priority Corridors pursuant to Section 220-50.2(F)(1) of the UDO and which do not have pedestrian infrastructure. In the interest of the public health, safety, and welfare and to promote the efficient circulation of industrial vehicles, including railway vehicles, such pedestrian activity should be discouraged. The Property is also uniquely situated with respect to its shape and physical characteristics, including steep topography around the Property’s perimeter, which frustrate the construction of streetscapes as required by the UDO. The construction of streetscapes would also disrupt existing stormwater drainage patterns along Mimms Drive and Ross Road by eliminating existing drainage swales. Moreover, adding streetscapes would require dedication of additional right-of-way as well as significant grading and land disturbing activities which would result in the removal of relatively mature vegetation on existing slopes and would eliminate visual and aural screening provided by such vegetation. Removal of such existing vegetation would also be a detriment to the aesthetics of adjacent roadways.

2. UDO §220-50.5(F): “Street lights shall be provided.” The installation of decorative streetlights along the exterior of the Property would interfere with existing overhead power lines and would be out of line with the character of surrounding uses, which provide only interior site lighting. As described above, additional right-of-way dedication and grading would be required to provide such streetlights at the existing grade of adjacent roadways.
3. UDO §220-50.7(A)(2): “Parcels 2 acres or larger shall provide a walkway with a minimum width of 5 feet and a landscape strip with a minimum width of 5 feet along both sides of the required walkway...” As described above, pedestrian infrastructure is not present on surrounding properties and pedestrian activity should be discouraged given the intense industrial character of surrounding land uses, including railway activity.
4. UDO §230-10 (Table 230.3): “Minimum Side Setback for M-1: 25 feet.” An existing canopy spans a railway loading area shared by the Property and adjacent parcel (Parcel R6221 012). Approval of the requested variance would allow the Applicant to maintain (or reconstruct) this canopy, which serves the subject Property as well as the adjacent property and enhances the use and usability of both parcels. As the Property was originally developed with the canopy, its continued use (or reconstruction) would not be a detriment to either parcel or interfere with the uses thereof. Nor would it impair the purpose and intent of the UDO or 2040 Plan which encourage industrial uses, including freight-oriented or freight-related uses.
5. UDO §240-70.1(B): “Inter-parcel driveway connection or provision of a future interparcel driveway stub (with appropriate cross-access easements) shall be required between adjacent non-residential properties. This requirement may be waived by the Director only if it is demonstrated that an inter-parcel connection is not feasible due to traffic safety or topographic concerns.” Given the intense nature of internal vehicular circulation, including truck and rail access, requiring additional interparcel access points with adjacent property would decrease traffic safety on the Property. Adjacent

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parcels enjoy multiple access points to right-of-way and/or private service roads and the elimination of additional interparcel access points would not diminish vehicular access of surrounding property.

6. UDO §240-70.1(C): “Interior driveways, with or without parking, shall be 10 to 12 feet wide for one-way traffic, and 22 to 24 feet wide for two-way traffic. Driveways that are determined to be essential fire access shall be increased to a minimum of 20 feet in width.” Internal driveways are proposed at 30 feet wide for two-way truck access and 24 feet wide for two-way automobile access surrounding the proposed automobile parking area. Given the fact that the UDO requires additional width for driveways determined to be essential fire access, increasing the width of internal truck-access driveways would be in line with the spirit and intent of the UDO by promoting safe and efficient vehicular circulation.

The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Planning and Development Department to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Applications filed herewith. The Applicant respectfully requests your approval of the Applications.

This 10th day of March, 2023.

Respectfully Submitted,  
MAHAFFEY PICKENS TUCKER, LLP

*Shane Lanham*

Shane M. Lanham  
*Attorneys for the Applicant*



## **Exhibit D: Maps**

**[attached]**





ZVR2023-00045 to ZVR2023-00050

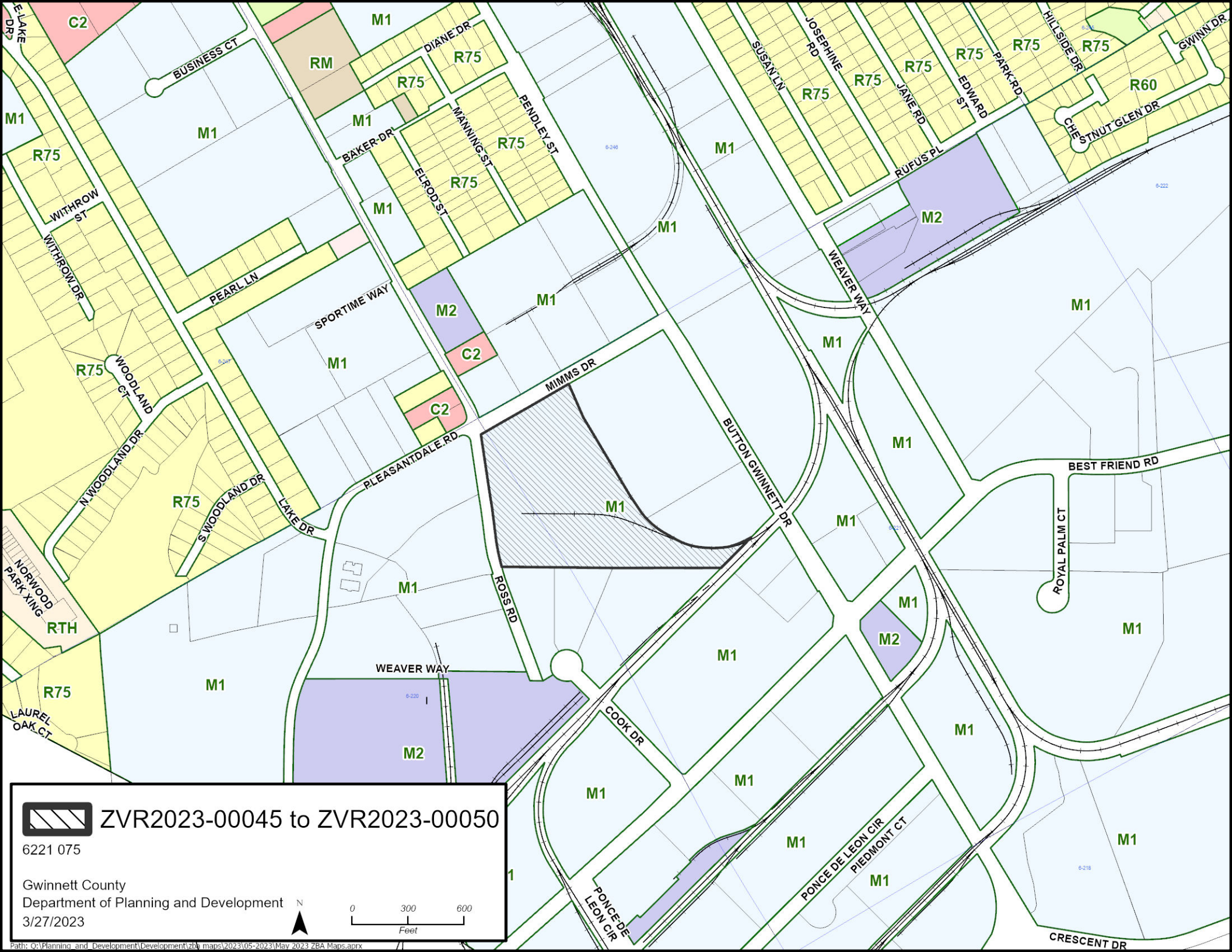
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Department of Planning and Development  
3/27/2023



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ZVR2023-00045 to ZVR2023-00050

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Gwinnett County  
Department of Planning and Development  
3/27/2023

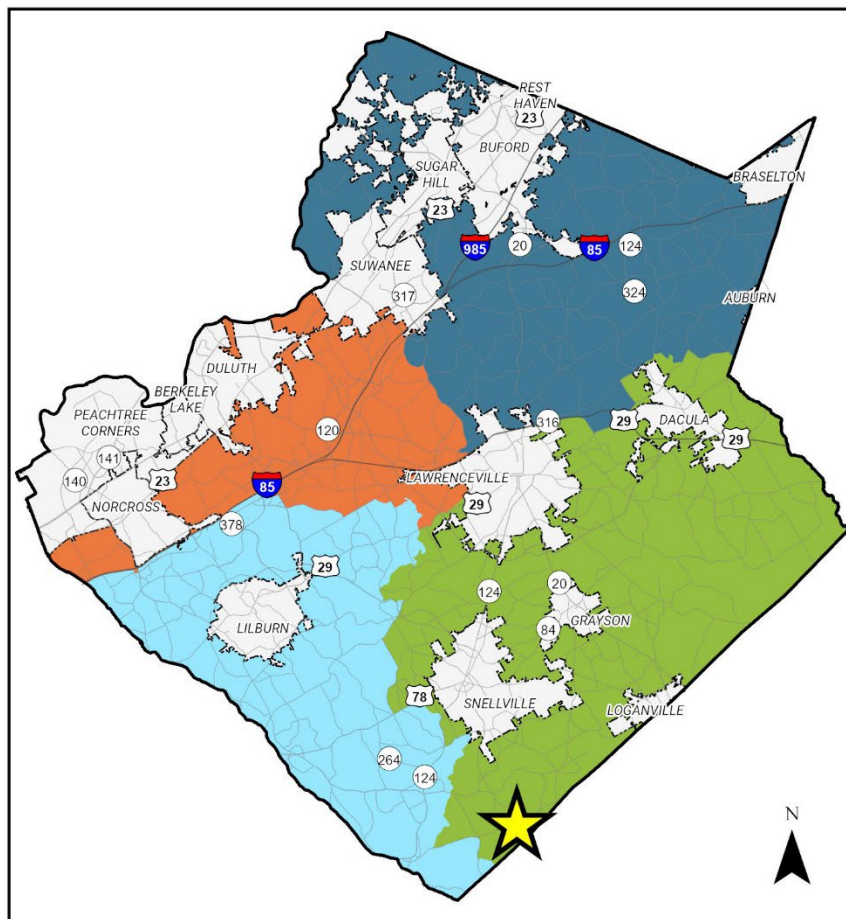


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## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023- 00051  
**Request:** Exceed the maximum fence height in the front building setback  
**Address:** 4704 Amanda Louisa Court  
**Map Number:** R4301 104  
**Zoning:** R-100 (Single-Family Residence District)  
**Site Area:** 0.45 acres  
**Proposed Development:** 8-Foot-Tall Fence  
**Commission District:** District 3 – Commissioner Watkins  
**Character Area:** Suburban Estate Living



Commission District 1	Kirkland Dion Carden
Commission District 2	Ben Ku
Commission District 3	Jasper Watkins III
Commission District 4	Matthew Holtkamp

★ Subject Site

ZVR2023-00051



**Applicant:** Verria Hairston  
4704 Amanda Louisa Court  
Snellville, GA 30036

**Owner:** Verria Hairston  
4704 Amanda Louisa Court  
Snellville, GA 30039

**Contact:** Verria Hairston

**Contact Phone:** 470.702.3500

## **Zoning History**

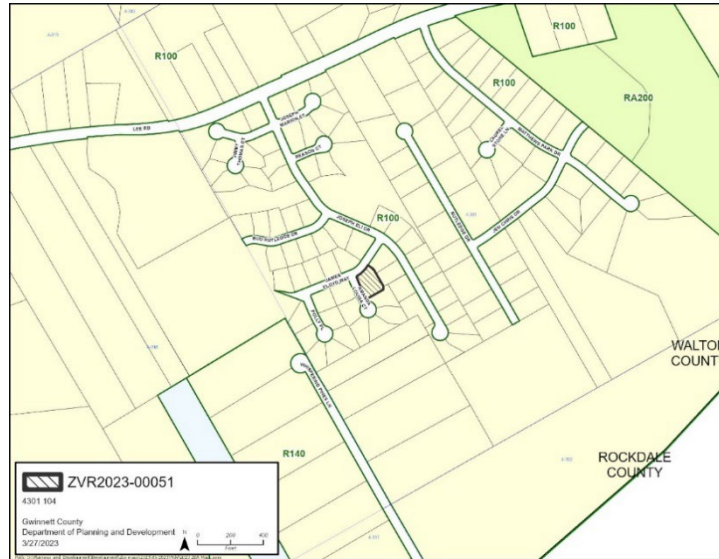
The subject property is zoned R-100 (Single-Family Residence District). In 1973, as part of an areawide rezoning, the property was rezoned from RA-200 (Agriculture-Residence District) to R-100. A special use permit for a single-family conservation subdivision was denied in 2005, pursuant to SUP-05-066.

## **Existing Site Condition**

The subject site is a 0.45-acre parcel located at the southeast corner of the intersection of Amanda Louisa Court and James Floyd Way within the Rutledge Estates subdivision. The site includes a brick, two-story single-family residence built in 2000, accessible from a single driveway on Amanda Louisa Court. The site slopes upwards approximately 20 feet from the northeastern corner of the lot on James Floyd Way to the southwest corner on Amanda Louisa Court. An 8-foot-tall fence surrounds the perimeter of the yard, encroaching into the front building setback along Amanda Louisa Court. Due to site topography, the fence in the rear yard is supported by an 11-foot-tall retaining wall. A notice of violation was issued by Code Enforcement in January 2021 regarding the fence height in the front building setback (CEU2021-00367). In June 2021, a variance to allow the fence was denied, pursuant to ZVR2021-00059. An appeal was filed with the Gwinnett County Superior Court in July 2021 (21-A-05287-4) and an appeal hearing date was scheduled for April 2022. Gwinnett County filed a motion to dismiss the case as the Plaintiff did not file a timely response in Compliance with Uniform Superior Court Rule 6.2 and did not seek leave from the Court to file a response out of time. The Complaint was dismissed in September 2022. The Gwinnett County Sheriff's Office issued a citation to the property owner in January 2023 (CE01534). As the appeal against the variance decision was dismissed and the time requirement for reapplication exceeds 12 months, the applicant is reapplying for the variance.

## Surrounding Use and Zoning

The surrounding properties include other single-family residences within the Rutledge Estates subdivision. The following is a summary of the surrounding uses and zoning:



*Surrounding Zoning*

Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-100
North	Single-Family Residential	R-100
East	Single-Family Residential	R-100
South	Single-Family Residential	R-100
West	Single-Family Residential	R-100

## Project Summary

The applicant is requesting a variance, including:

- To allow an 8-foot-tall wooden privacy fence within the front building setback along Amanda Louisa Court.
- The applicant states they have four Great Dane dogs which are over 6-feet-tall, and that would not be sufficiently contained by a 4-foot-tall fence when in the yard.
- The property is a corner lot and considered to have two front yards along Amanda Louisa Court and James Floyd Way.

## Variance Requested

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

1. **230-80.1** Except as provided in Section 230-80.2, no wall or fence in a residential zoning district shall exceed 4 feet in height within a required front building setback line or 8 feet in height in the balance of the yard.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Fence Height	Maximum 4' (in front building setback)	8'	NO

## Staff Recommended Condition

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

1. The site shall be developed in general conformance with Exhibit B: Site Plan, received April 3, 2023.



**Exhibits:**

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

## Exhibit A: Site Visit Photos



**View of residence and fence from Amanda Louisa Court**



**Fence in the front building setback along Amanda Louisa Court**





**Retaining wall and fence in the rear yard**



**View of adjacent property**

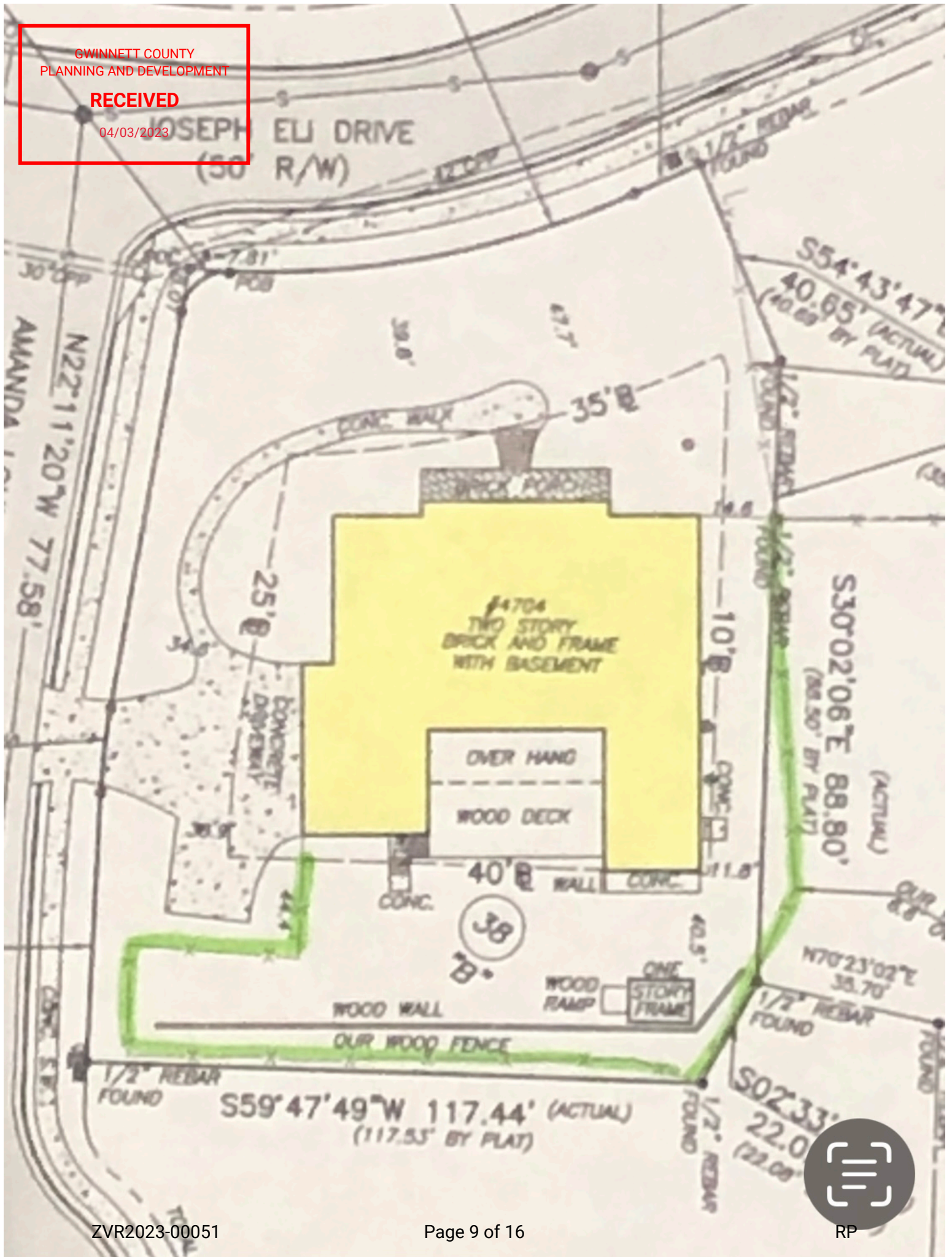
**Exhibit B: Site Plan**

**[attached]**




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04/03/2023



04/03/2023

## SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES. UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. PLEASE CALL ALL LOCAL UTILITY PROVIDERS AND OR 811 FOR FURTHER INFORMATION.
-  **Know what's below.  
Call before you dig.**
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE AND HAS A CALCULATED POSITIONAL TOLERANCE OF 0.03 FEET. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 51,539 FEET. A GEOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA.
5. BASIS OF BEARINGS: PLAT BOOK 130 PAGES 136-138.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. ALL REBARS SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.
8. THE EXISTENCE, SIZE, AND LOCATION OF IMPIEVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

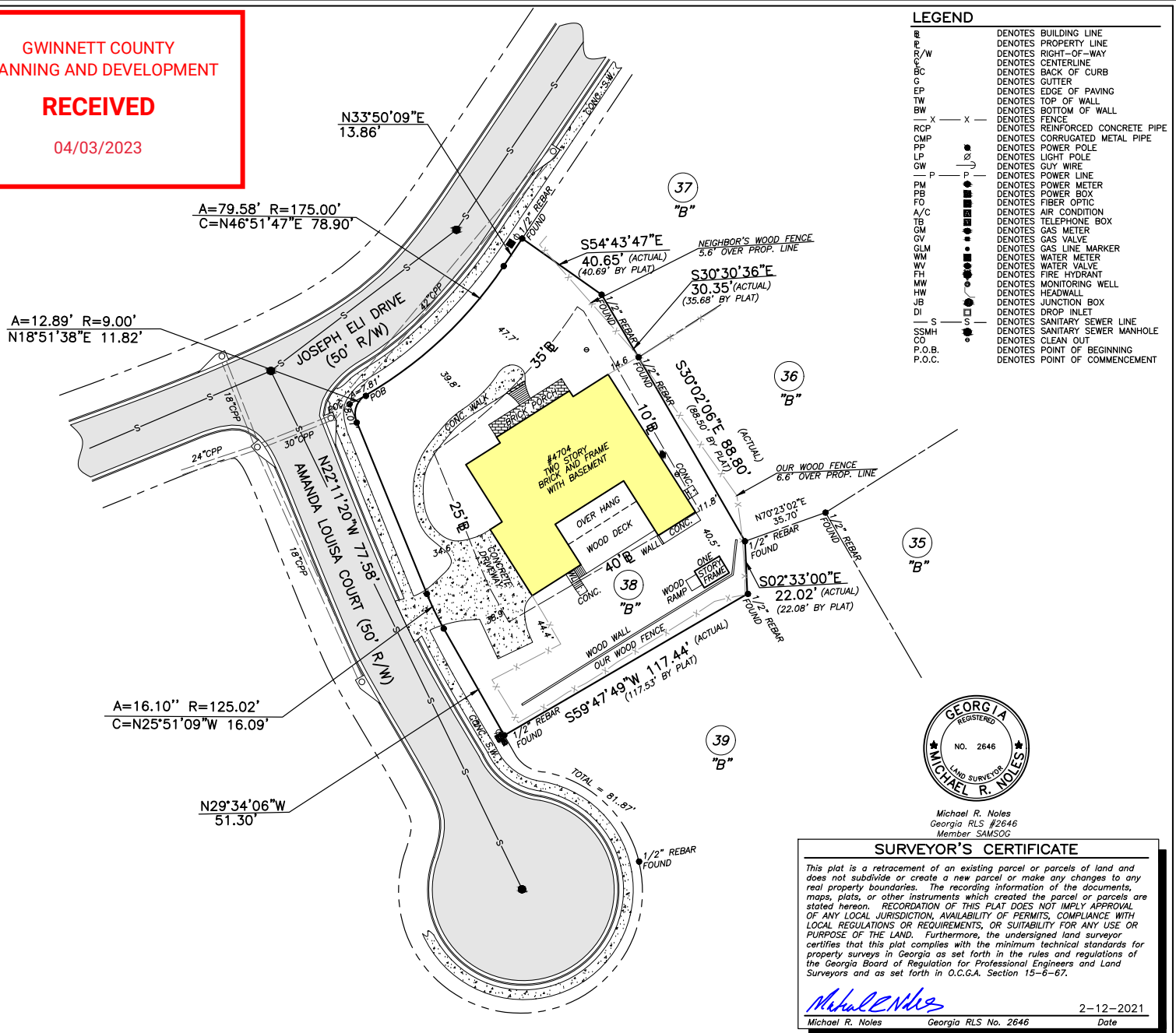


## REFERENCE MATERIAL

1. LIMITED WARRANTY DEED IN FAVOR OF  
VERRIA HAIRSTON  
DEED BOOK 52269 PAGE 584  
GWINNETT COUNTY, GEORGIA RECORDS

## FLOOD NOTE

THIS PROPERTY **IS NOT** LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS. THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. FOR MORE ACCURATE INFORMATION, A SECOND OPINION OF THE APPLICABLE FLOOD HAZARD AREA IS RECOMMENDED. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.



NO.	REVISIONS	DATE
.	.	.
	ZVR2023-00051	



McClung Surveying Services, Inc.  
4833 South Cobb Drive Suite 200  
Smyrna, Georgia 30080 (770) 434-3383  
www.mcclungsurveying.com Certificate of Authorization #LSF000752

SURVEY FOR  
VERRIA HAIRSTON  
RONALD HAIRSTON

4704 AMANDA LOUISA COURT  
SNELLVILLE, GEORGIA

TOTAL AREA= 0.445± ACRES OR 19,401± SQ. FT.
--

LOT 38 BLOCK "B"  
RUTLEDGE ESTATES  
(F.K.A. RUTLEDGE HOMESTEAD PHASE I)

LAND LOT 301  
4TH DISTRICT  
GWINNETT COUNTY, GEORGIA  
PLAT PREPARED: 2-12-2021  
FIELD: 2-12-2021 SCALE: 1"=30'

**RP**  
 JOB# 154999 PB 130  
 PG 136-138

**Exhibit C: Letter of Intent and Standards for Granting Variance**

**[attached]**



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04/03/2023

March 14, 2023

To Whom It May Concern:

I am requesting a variance for my side/front yard fence to increase from 4 feet to 8 feet. My home sits on a corner lot and a hill. The side yard where my garage is located is considered a second front yard. When my contractor installed my fence, they did not consider this county rule, so it is 8 feet on all sides.

I am requesting a variance from 4 feet to 8 feet of privacy fencing along my side/front/corner yard. I own four (4) Great Dane dogs that stand over six (6) feet tall and weigh over 125 pounds each. My neighbor that abuts my backyard is afraid of dogs and the fence helps to keep a good neighborly relationship.

We removed 14 very large trees in my backyard near the fence, which gives our neighbor a better sightline to the streets. We did replant smaller trees inside of the fence to ensure we did not disturb the environmental integrity of our land. The old trees were starting to rot and break during storms, which is no longer a concern.

If I were to reduce the size of my side/front fence down to four (4) feet, my dogs and family will not be able to freely enjoy our backyard. I will be forced to tether my dogs in my own yard, which is very restrictive according to Gwinnett County Animal Control Ordinance Number AC-2015-001, Section 10-29 (see attachment).

The variance will not be materially detrimental or injurious to other properties because the fence was approved by the HOA board and is inside my property lines.

I greatly appreciate your taking the time to consider my request.

Verria Hairston  
4704 Amanda Louisa Ct.  
Snellville, GA 30039

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04/03/2023

Standards for Granting Variances:

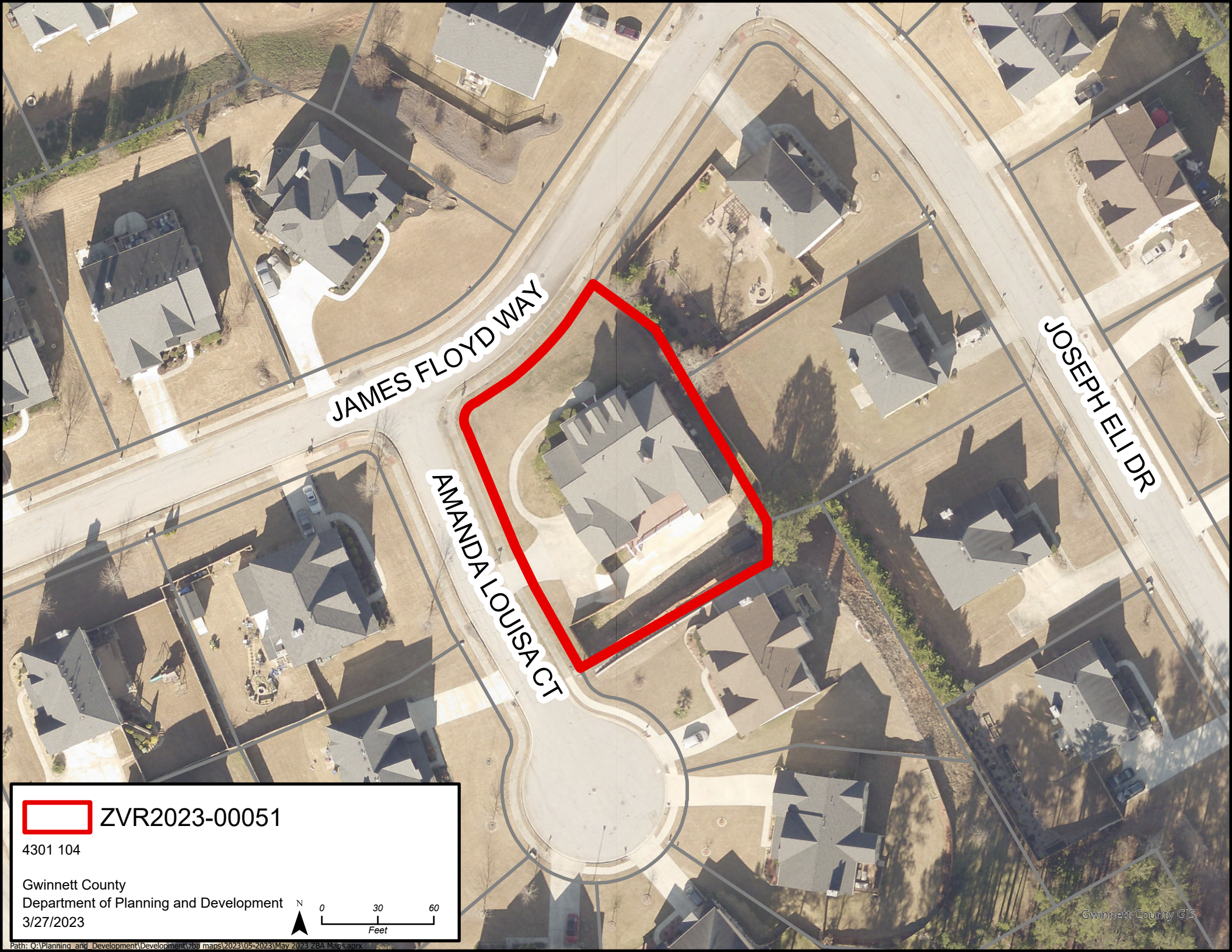
Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following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

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: My home is on a corner lot and the county considers my side yard as a second front yard.  
(See attached Survey and photos)
- 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: The hardship is based on having already removed trees and topography of the back fence.  
The home sits on a hill and the front/side yard increases in height as you move towards the back yard. There is a 109 foot long retaining wall in the back yard and the fence sits on top of the retaining wall due to it being the end of the property line.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: There are several other homes in this neighborhood with side/front yards where the fence is taller than 4 feet. The county has approved variance for similarly situated homes.
- 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: Yes,  
"no wall or fence in a residential zoning district shall exceed 4 feet in height within a required front building setback line"
- 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, there are several other properties in the neighborhood with six-foot fences on their second front yard,  
The adjacent property to my back yard, sits on a hill higher than my yard so there are no obstructions or public safety issues.  
The neighbor behind me is able to see from their front porch to the stop sign at the end of the road where our side/front yard intersects.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: \_\_\_\_\_  
Yes, because I have four dogs (Great Danes) that stand over 6 feet tall and I need to maintain control of my dogs in my yard.
- 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, the county allows 8 foot fences and our request is for safety and security reasons.

## **Exhibit D: Maps**

**[attached]**





JAMES FLOYD WAY

JOSEPH ELI DR

AMANDA LOUISA CT



ZVR2023-00051

4301 104

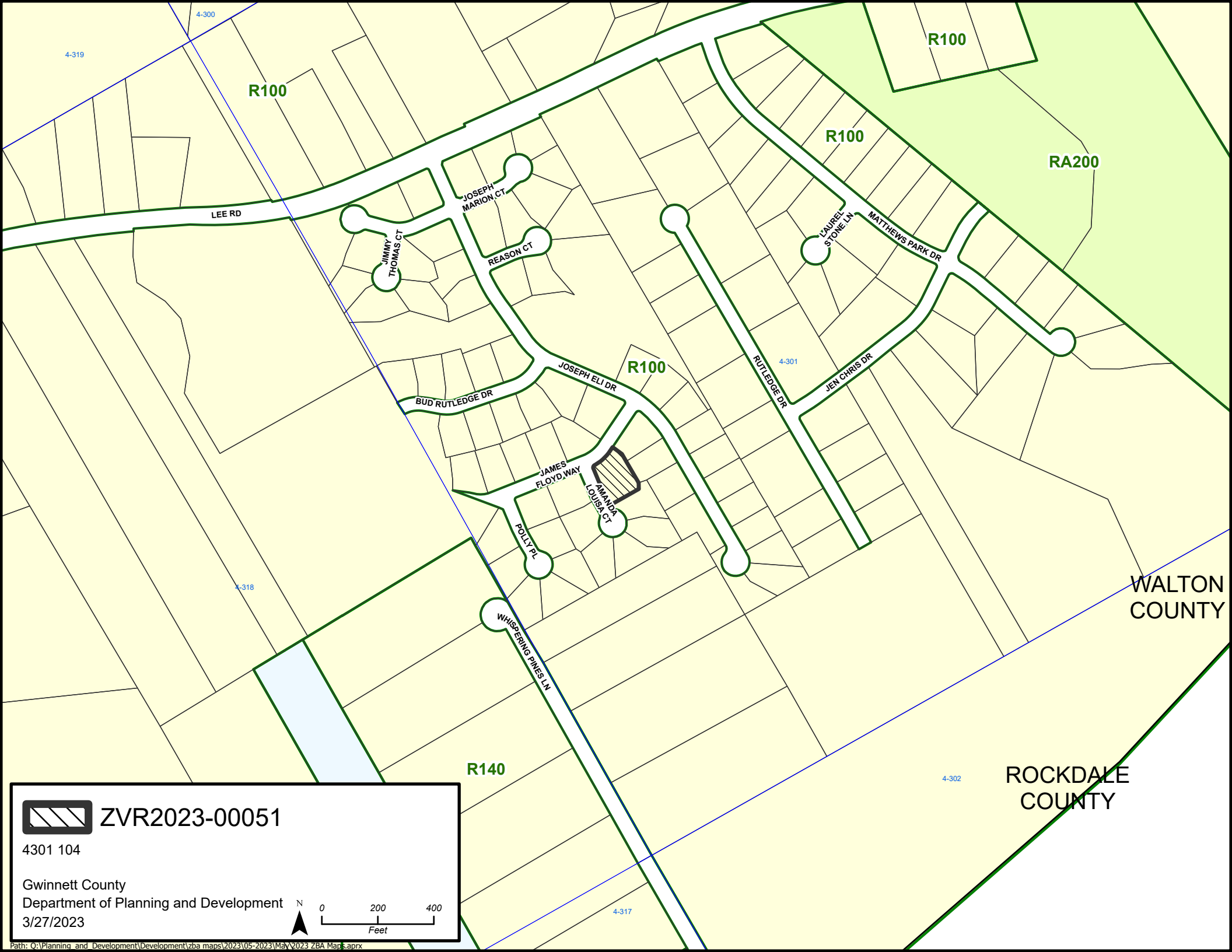
Gwinnett County  
Department of Planning and Development  
3/27/2023



0 30 60  
Feet

Gwinnett County GIS

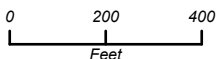




ZVR2023-00051

4301 104

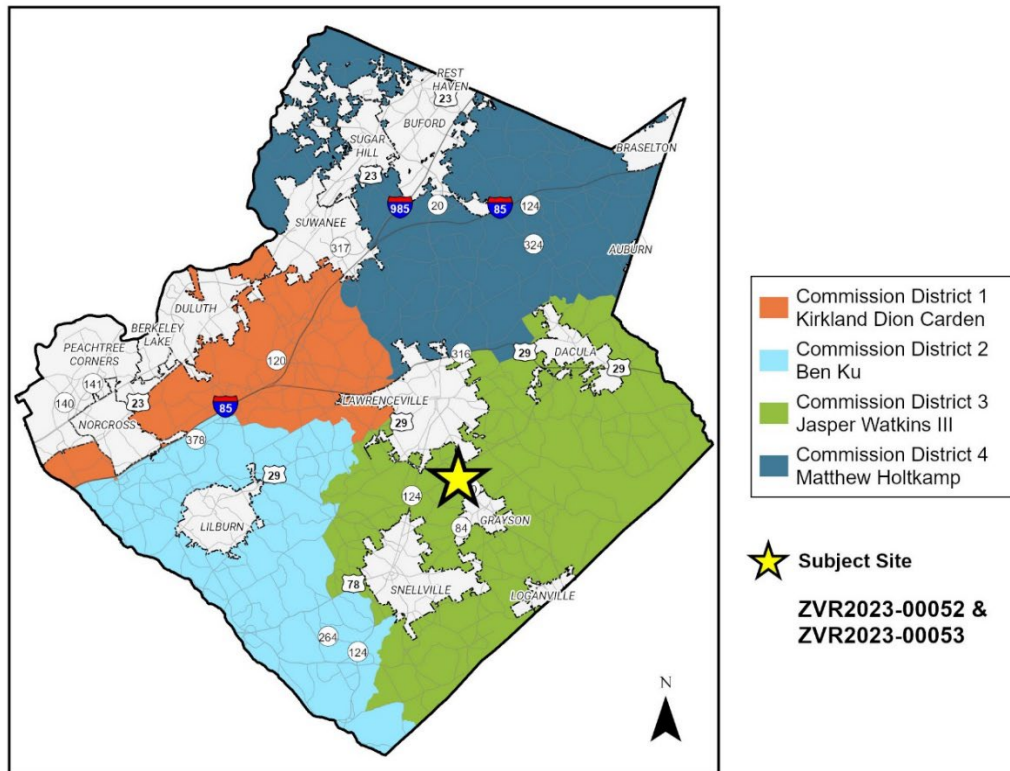
Gwinnett County  
Department of Planning and Development  
3/27/2023





## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00052  
**Request:** Wall sign to exceed maximum sign area  
**Case Number:** ZVR2023-00053  
**Request:** Direct illumination of a wall sign in a residential district  
**Address:** 550 Webb Gin House Road  
**Map Number:** R5138 014  
**Zoning:** RM-24 (Multifamily Residence District)  
**Overlay District:** Grayson/Highway 20 Corridor  
**Site Area:** 13.16 acres  
**Proposed Development:** Wall Sign  
**Commission District:** District 3 – Commissioner Watkins  
**Character Area:** Community Mixed-Use



**Applicant:** Webb Gin Multifamily Owner, LLC  
1776 Peachtree Road NW, Suite  
220S  
Atlanta, GA 30309

**Owner:** Webb Gin Multifamily Owner, LLC  
1776 Peachtree Road NW, Suite  
220S  
Atlanta, GA 30309

**Contact:** Andy Thompson

**Contact Phone:** 912.308.1074

## Zoning History

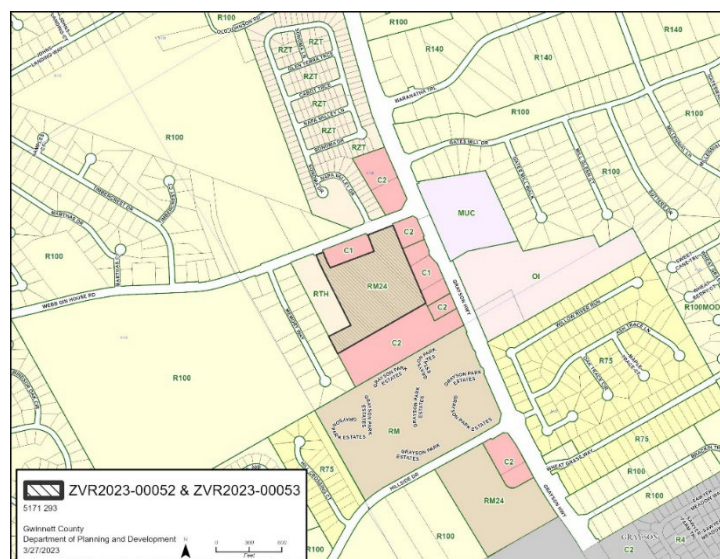
The subject property is zoned RM-24 (Multifamily Residence District). As part of an areawide rezoning in 1973, the property was rezoned from R-100 (Single-Family Residence District) to C-1 (Neighborhood Business District). In 2020, the property was rezoned from C-1 to RM-24, pursuant to RZM2020-00005. The property is located in the Grayson/Georgia Highway 20 Corridor Overlay District

## Existing Site Condition

The subject site is a 13.16-acre parcel currently under construction located on Webb Gin House Road, west of its intersection with Grayson Highway. The property contains two, four-story apartment buildings with 300-units. The site is accessed from three driveways, two on Webb Gin House Road and one on Grayson Highway. A sign permit was issued in March for a monument sign 25 feet from the right of way on Webb Gin House Road, across from its intersection with Napa Valley Drive. Permits are pending for the proposed wall sign and an additional ground sign to be located at the driveway entrance on Grayson Highway.

## Surrounding Use and Zoning

The subject site is primarily surrounded by single-family detached residences and commercial uses within the established neighborhoods and community mixed-use. North of the property across Webb Gin House Road is the Silver Oak subdivision. West of the property are single-family detached residences within the Memory Woods subdivision. East of the property is a convenience store with fuel pumps and retail stores. South of the property is Gwinnett Self Storage. The following is a summary of the surrounding uses and zoning:





Location	Land Use	Zoning
Subject Property	Multi-Family Residential	RM-24
North	Commercial Single-Family Residential	C-1 R-ZT
East	Commercial	C-1 and C-2
South	Self-Storage Facility	C-2
West	Single-Family Residential	R-TH

## Project Summary

The applicant is requesting variances to allow a wall sign, including:

- An internally illuminated, approximate 48 square-foot wall sign to be located on the fourth story of Building A.
- The proposed wall sign will face north towards Webb Gin House Road.

## Variance Requested

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

1. **Sec. 78-112.e** – Signs located within any residential district may only be indirectly illuminated.
2. **Sec. 78-113A.3.** – Primary ground and wall signs for an individual building on an individual residential lot.
  - Maximum 18 square feet for any wall sign in a lot that is 5 acres or greater.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Illumination of Signs	Indirectly Illuminated	Directly Illuminated	NO
Wall Sign Area	<u>Lot Acreage</u> 5 or greater  <u>Maximum Sign Size</u> 18 square feet	<u>Lot Acreage</u> 13.16  <u>Maximum Sign Size</u> 48 square feet	NO

## Staff Recommended Conditions

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

1. The direct illumination and location of the wall sign shall be in general conformance with Exhibit B: Site Plan and Exhibit C: Sign Elevations, dated received March 16, 2023.

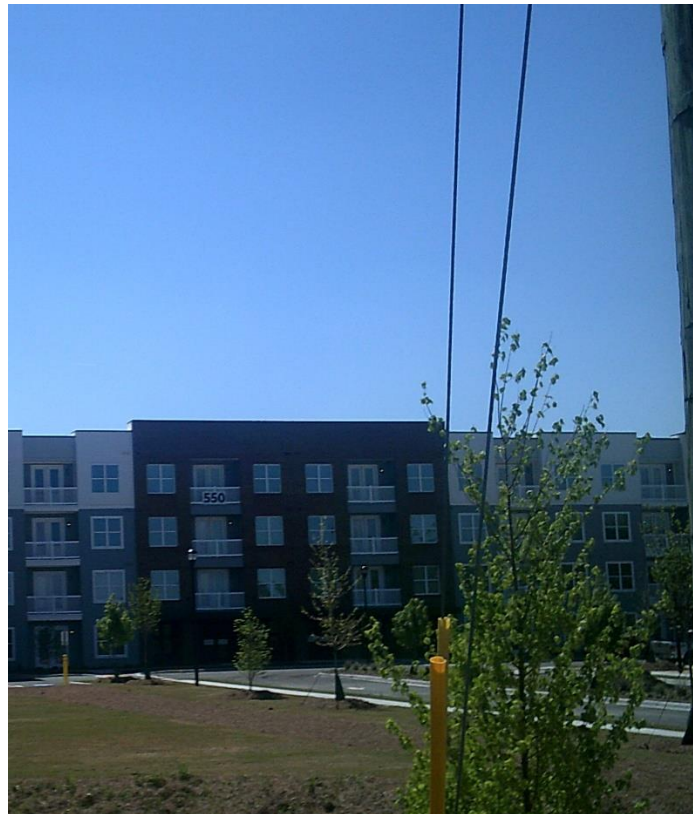
**Exhibits:**

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

## Exhibit A: Site Visit Photos



**View of the Whitby Apartments from Webb Gin House Road**



**Approximate location of wall sign**



**Exhibit B: Site Plan**

**[attached]**

# LEGEND

## SITE SIGNAGE

- AA Primary Project Entry Signage
- BB REMOVED FROM SCOPE try Signage
- CC Building ID Signage (Vehicular)
- DD Leasing Center ID Sign
- EE Building Address Signage
- FF Vehicular Regulatory Signage
- GG Garage Unit ID Sign

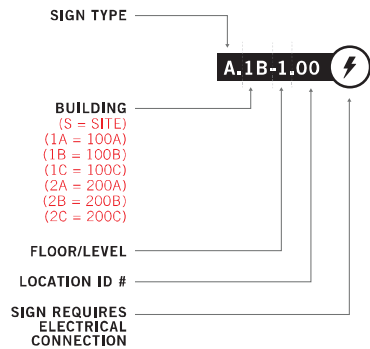
Exact location stubbed out by sign contractor for approval by owner before installation

MONUMENT AA  
LOCATION AA.S.01

## INTERIOR SIGNAGE

- A Unit Identification Signage
- B ADA Code Signage with Pictogram
- C ADA Code Signage without Pictogram
- D Fire Egress Map @ Elevators
- E Interior Stairwell Egress Plaques (FLS)
- F Vinyl Entry Door ID
- G Common Area ID Signage
- H Fitness Center Rules Sign
- J Specialty Sign
- K Building Entry ID Signage (Pedestrian)

## SIGN LABEL KEY

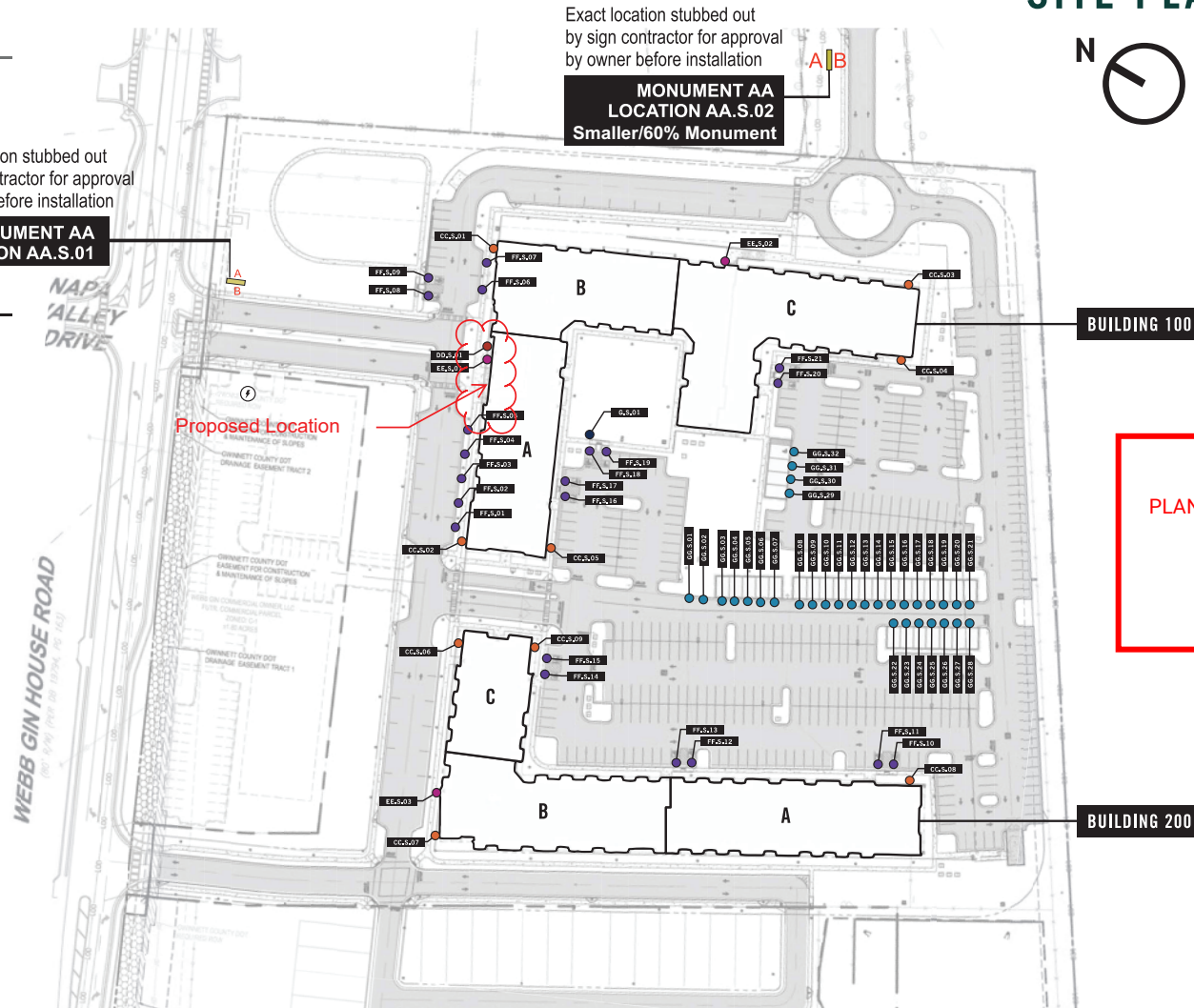


## SITE PLAN



1254 Old Alpharetta Road  
Alpharetta, GA 30005

770.753.4001



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PLAN FOR REFERENCE ONLY. NOT TO SCALE.

Page

L.1

## **Exhibit C: Sign Elevations**

**[attached]**



## INTERNALLY ILLUMINATED HALO-LIT CHANNEL LETTERS - INSTALLATION LOCATION

### SIGN TYPE HH



1254 Old Alpharetta Road  
Alpharetta, GA 30005

770.753.4001

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

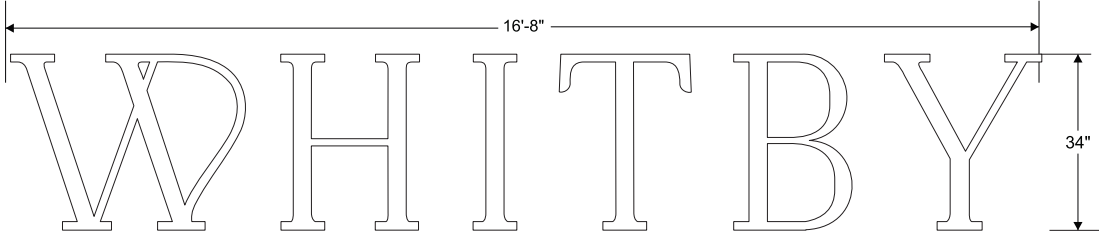
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INTERNALLY ILLUMINATED CHANNEL LETTERS

SIGN TYPE HH

NOTE: SIGN WILL REQUIRE PERMANENT ACCESS TO AREA BEHIND WALL BEHIND ENTIRE SIGN FOR INSTALLATION AND FUTURE ELECTRICAL SERVICE



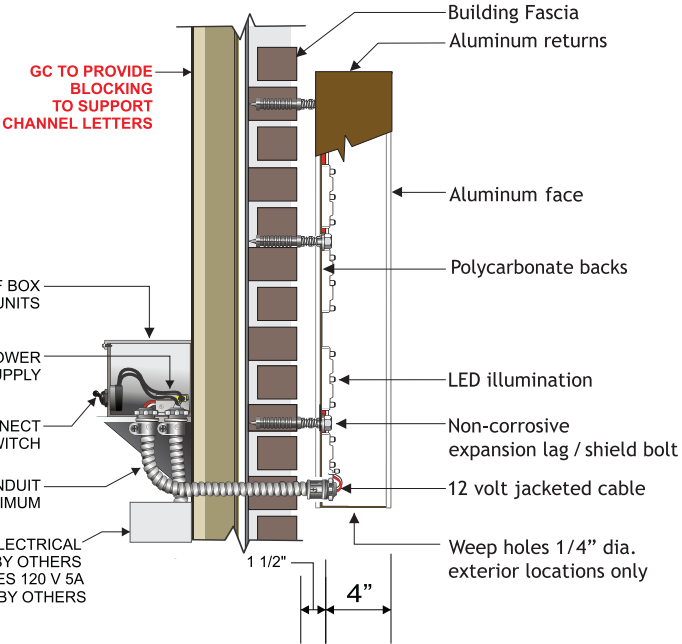
1254 Old Alpharetta Road  
Alpharetta, GA 30005

770.753.4001

GWINNETT COUNTY  
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FABRICATE AND INSTALL (1) ONE NEW SET OF FLUSH MOUNTED INTERNALLY ILLUMINATED CHANNEL LETTERS FRONT ELEVATION.

BACKS: CLEAR 1/4" POLYCARBONATE

RETURNS: .080 ALUMINUM PAINTED P8

FACES: 1/8" ALUMINUM FACES PAINTED P8.

ILLUMINATION: WHITE PRINCIPLE QUIK MOD 2 L.E.D.s OPERATING ON REMOTE POWER SOURCE LOCATED BEHIND FASCIA

Channel Letter Sign Details

Scale: 1/2" = 1'-0"

Colors & Finishes

Colors shown here may not exactly match manufacturers color chart swatch, or actual sample Client to provide samples or specifications for custom colors prior to production or approve Pinnacle 33 color samples or specifications

	<b>P8</b>	MANUFACTURER: Matthews	NAME: Dark Bronze	SPEC #: Match Custom Sample From Skyscape	FINISH: Satin		<b>M12</b>	MATERIAL: Aluminum	THICKNESS: (.080")		<b>M5</b>	MATERIAL: Aluminum	THICKNESS: 1/8" (.125")
--	-----------	------------------------	-------------------	---	---------------	---	------------	--------------------	--------------------	---	-----------	--------------------	-------------------------

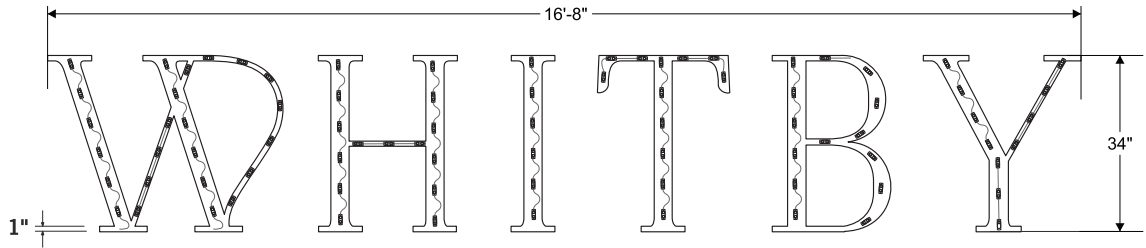
CUSTOMER APPROVAL

Approved: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

This Drawing is the property of Pinnacle 33 Signage Solutions and cannot be reprinted or used without permission of the same Copyright 2023©

CHANNEL LETTERS LED LAYOUTS  
SIGN TYPE HH



1254 Old Alpharetta Road  
Alpharetta, GA 30005  
770.753.4001

Lighting LED Module	Module (93) Qwik Mod 2 3000K	Power Supply (2) Universal HE 60W	Total Watts 72.54 watts	Area 13.0 sq ft
Layout Type Face Lit	Module Part Number PL-QM2-DW150-P	Power Supply Part Number P-OH060-12-HE	Letter Height 34.00 in	Perimeter 98.0 feet
	Module SKU M-QMDX0-30	Power Supply SKU P-OH060-12-HE	Can Depth 5.00 in	Max Modules per PS 76

Layout Type	Face Lit	Module Name	Qwik Mod 2 3000K
Letter Count	6	Module Part Number	PL-QM2-DW150-P
Size	34.00 in	Module Count	93
Font	Garamond	Module Color	White
Depth	5.00 in	Module Watts	72.54 watts
Area	13.0 sq ft	Module Voltage	12v
Perimeter	98.0 feet	Watts per Module	0.78 watts
Power Supply Location	Remote	Total Module Length	34.9 feet
Power Supply Count	2	Ordering Length	54.7 feet
Power Supply Mode	Optimal by Letter	Amp Draw	1.220
Job ID			

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3/16/2023

Power Supplies

NOTICE: THIS LAYOUT IS ONLY AN ESTIMATE

Channel Letter Sign Details Scale: 1/2" = 1'- 0"	PS #	Name	Part Number	Max Watts	Load	Module Count	Module Watts	Letters
	1	Universal HE 60W	P-OH060-12-HE	60	79.3 %	61	47.6	WHIT
	2	Universal HE 60W	P-OH060-12-HE	60	41.6 %	32	25.0	BY

Colors & Finishes

Colors shown here may not exactly match manufacturers color chart swatch, or actual sample Client to provide samples or specifications for custom colors prior to production or approve Pinnacle 33 color samples or specifications

P3

MANUFACTURER: Sherwin Williams

NAME

Gale Force

SPEC #

SW 7605

FINISH

Satin

M

T

A

y

W

A

y

M2

MATERIAL Brick

COLOR/SPEC

Cherokee Charger Blend

CUSTOMER APPROVAL

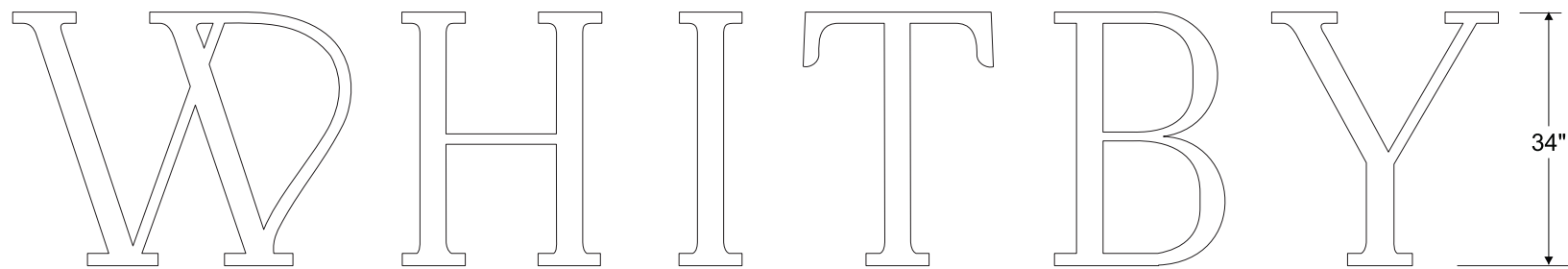
Approved: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



1254 Old Alpharetta Road  
Alpharetta, GA 30005  
770.753.4001

Enlarged Letter Layout



GWINNETT COUNTY  
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3/16/2023  
ZVR2023-00052 and ZVR2023-00053



**Exhibit D: Letter of Intent and Standards for Granting Variance**

**[attached]**

3/14/23

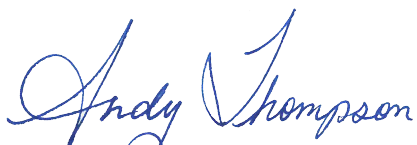
Department of Planning and Development  
Gwinnett County  
446 West Crogan Street, Suite 300  
Lawrenceville, GA 30046

VIA EMAIL**RE:** Webb Gin- Whitby Building Sign Variance

To Whom it May Concern,

The project for Webb Gin- Whitby Multi-Family Residential Dwellings located at 550 Webb Gin House Road, Lawrenceville, GA 30045 is requesting a variance for the proposed 48 sf building signage as it pertains to Section 78-113A Dimensional Standards Table (3) and Section 78-112 Illumination of signs (e). There is a gray area in the sign code between 2 and 5 stories which is not clearly defined. This sign is to be installed at the 4<sup>th</sup> story, Building 1000. Per the intent of the UDO Title 2, this sign will not only lessen congestion in the street by providing a clear and inviting wayfinding feature for the community, but also provides a high-end, Class A amenity to the area which will promote the prosperity and general welfare of the present and future inhabitants of the area. Due to the amount of structures, and screen trees located around the property, the concern is that the property will be entirely too difficult to locate from Webb Gin and SR-20 which are the two main entrances into the community. It is our belief that the proposed building signage will not only alleviate congestion of traffic but will also provide a desired upgrade to the community and its surrounding areas.

Sincerely,



Andy Thompson  
Construction Manager  
TPA Residential, LLC

## Attachments:

- Pre-Application Acknowledgment Form
- Completed and Signed Application Form
- Site Plan
- Standards Granting Variances
- Sign Rendering

### 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. This variance request would be for a building sign similar to one across the street.
- 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: \_\_\_\_\_  
Yes. Due to the amount of pinetrees and screen trees in the surrounding lots, it will be extremely difficult to locate the property without this sign.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: \_\_\_\_\_  
Yes. The building has four (4) stories which makes the sign code unclear since there is not a specific rule of what can take place between 2 and 5 stories.
- 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: \_\_\_\_\_  
This is more of a condition created by the sign code with the gray area of between 2 and 5 stories.
- 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. If anything, this would make the surrounding areas more desirable by providing a Class A establishment that the community can be proud of.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: \_\_\_\_\_  
Yes. Since the scope between stories 2 and 5 is unclear, this is the most appropriate use of the building due to the layout.
- 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. As referenced in Title 2, this variance will promote the prosperity of the area while protecting the property against blight and depreciation.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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3/16/2023

ZVR2023-00052 and ZVR2023-00053 Page 15 of 18

5 | 6

JA

## **Exhibit E: Maps**

**[attached]**






WEBB GIN HOUSE RD

NAPA VALLEY DR

GRAYSON HWY  
GRAYSON HWY

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GRAYSON PARK ESTATES

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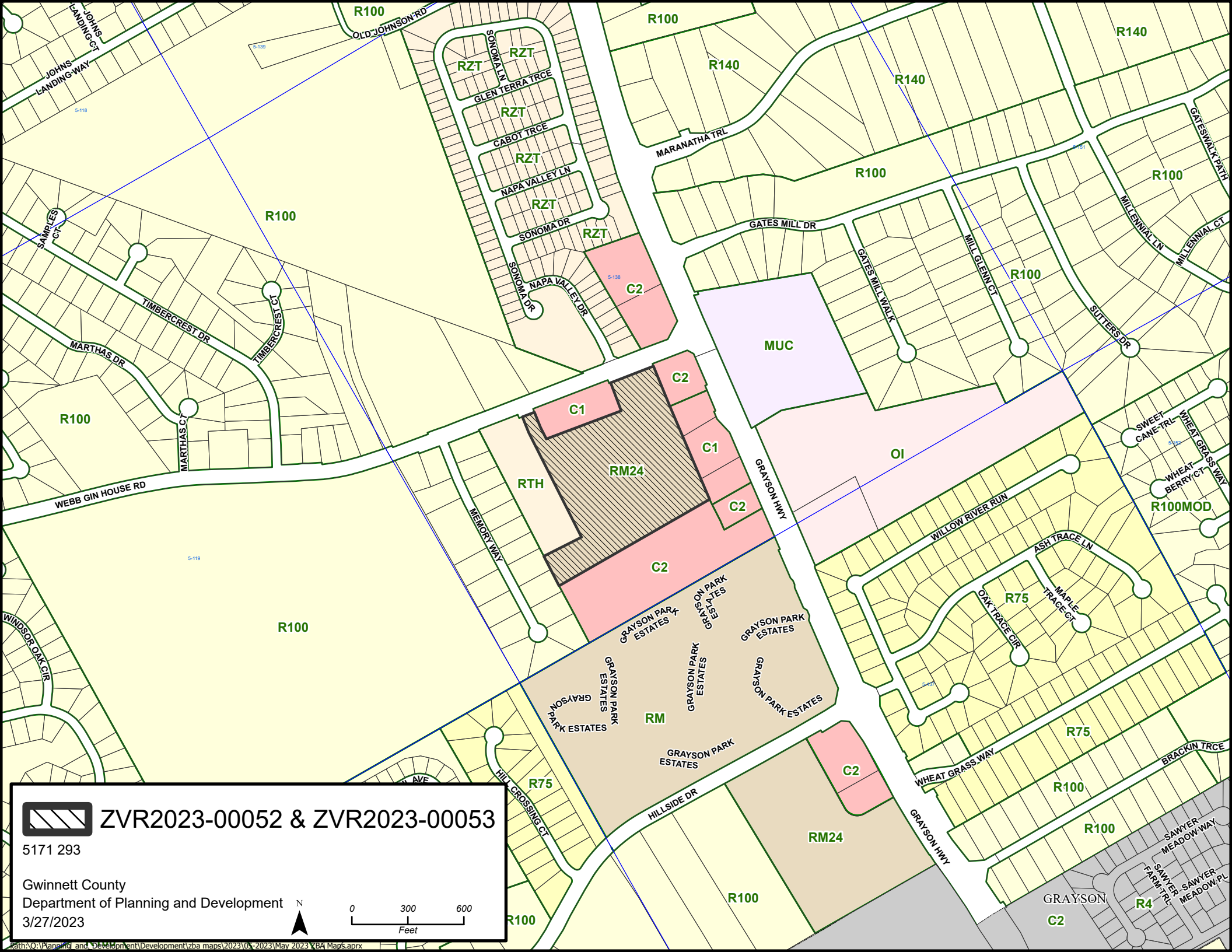
Gwinnett County  
Department of Planning and Development  
3/27/2023



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Gwinnett County GIS





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Gwinnett County  
Department of Planning and Development  
3/27/2023

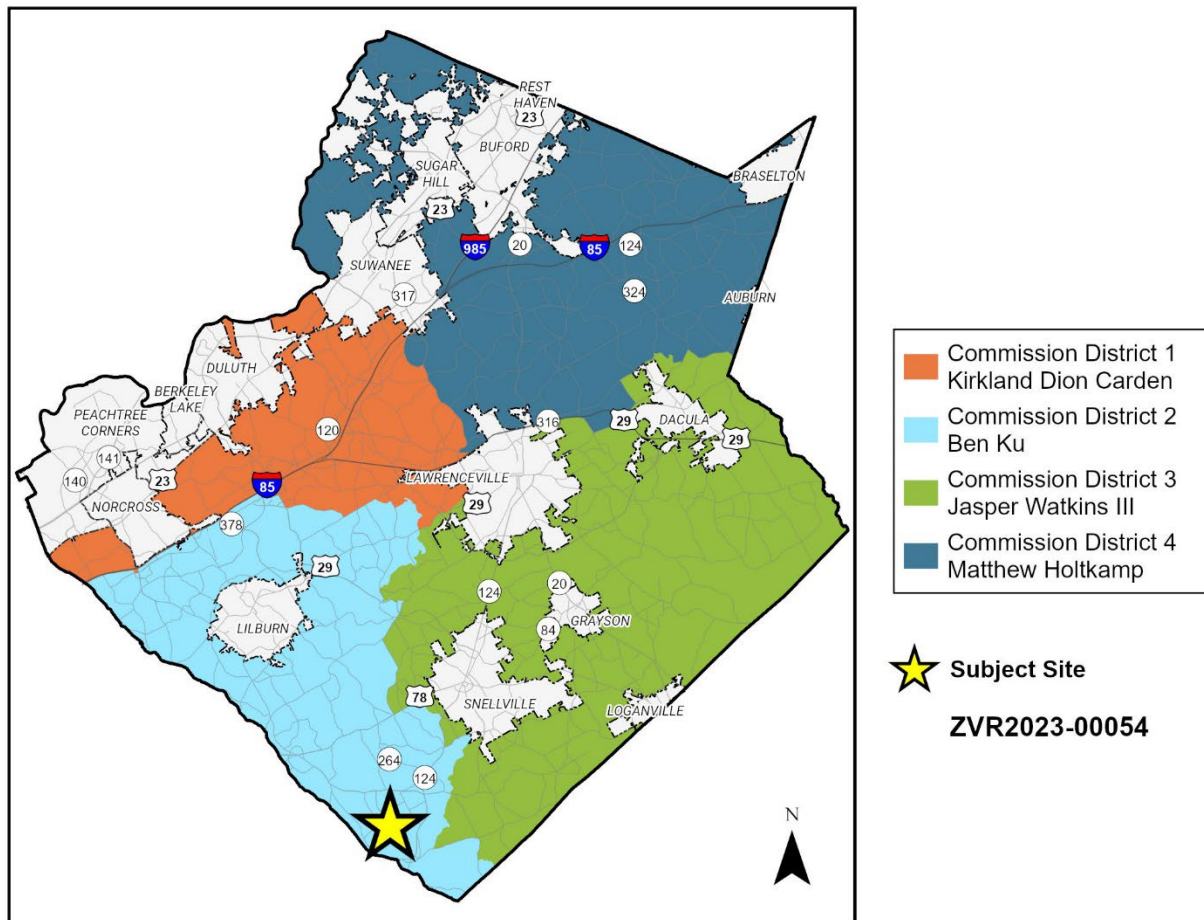


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## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023- 00054  
**Request:** Exceed maximum fence height in the front building setback  
**Address:** 4661 Hadley Place  
**Map Number:** R6011 069  
**Zoning:** R-100 (Single-Family Residence District)  
**Site Area:** 0.46 acres  
**Proposed Development:** 6-Foot-Tall Fence  
**Commission District:** District 2 – Commissioner Ku  
**Character Area:** Established Neighborhoods



**Applicant:** Eugene and Te'quilla Hollis  
4661 Hadley Place  
Snellville, GA 30039

**Owner:** Eugene and Te'quilla Hollis  
4661 Hadley Place  
Snellville, GA 30039

**Contact:** Eugene Hollis

**Contact Phone:** 678.906.7412

## Zoning History

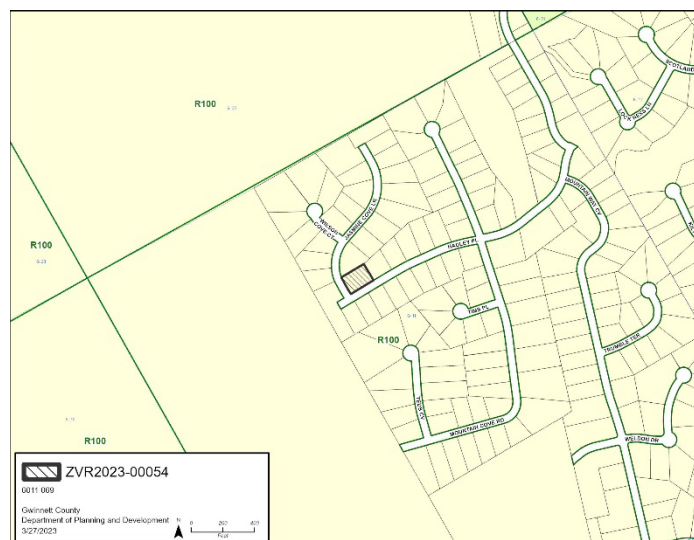
The subject property is zoned R-100 (Single-Family Residence District). In 1973, an areawide rezoning rezoned the property from RA-200 (Agriculture-Residence District) to R-100.

## Existing Site Condition

The subject site is a 0.46-acre parcel located at the northeast corner of the intersection of Jasmine Cove Lane and Hadley Place within the Mountain Cove subdivision. The site includes a brick single-family residence built in 1986 and is accessible from a single driveway on the Hadley Place road frontage. The site slopes upwards approximately 20 feet from the southeastern corner of the lot towards the northwest corner of the lot on Jasmine Cove Lane. There is an existing wooden fence enclosing the property on all sides. The height of the fence on the east side of the property and the rear yard is 6-foot-tall and 8-foot-tall, respectively. The fence within the required front building setback line along Jasmine Cove Lane is 6-foot-tall. The fence along Hadley Place is also 6-foot-tall but is not within the required front building setback. Inside this exterior fence is a 4-foot-tall white wooden fence, enclosing a swimming pool located in the west side yard. The white fence enclosing the swimming pool appears to be taller than the exterior fence and is visible from Hadley Place and Jasmine Cove Lane because of the upward rising topography in the side yard. There is a 20-foot-wide drainage easement in the rear yard along the northern property line. A notice of violation was issued by Code Enforcement in July 2022 regarding the 6-foot-tall fence in the front building setback (CEU2022-07071).

## Surrounding Use and Zoning

The surrounding properties include other single-family residences within the Mountain Cove subdivision and the Yellow River Park to the west of the site. The following is a summary of the surrounding uses and zoning:





Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-100
North	Single-Family Residential	R-100
East	Single-Family Residential	R-100
South	Single-Family Residential	R-100
West	Undeveloped	R-100

## Project Summary

The applicant is requesting a variance to allow a 6-foot-tall wooden privacy fence in the front building setback along Jasmine Cove Lane.

## Variance Requested

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

1. **230-80.1** Except as provided in Section 230-80.2, no wall or fence in a residential zoning district shall exceed 4 feet in height within a required front building setback line or 8 feet in height in the balance of the yard.

## Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Fence Height	Maximum 4' (in front building setback)	6'	NO

## Staff Recommended Condition

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

1. The site shall be developed in general conformance with Exhibit B: Site Plan, received April 3, 2023.

**Exhibits:**

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

## Exhibit A: Site Visit Photos



**View of residence and fence from Hadley Place**



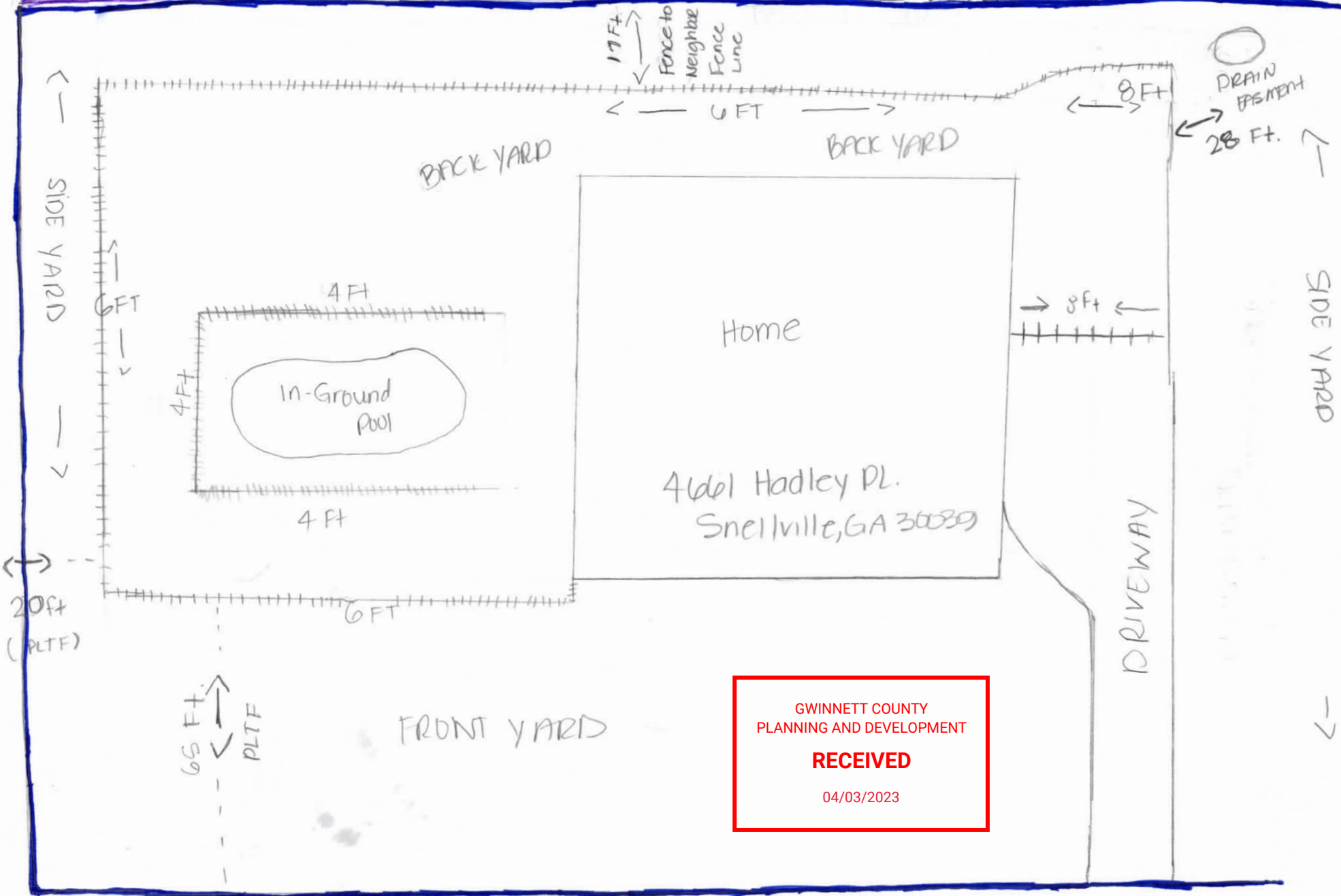
**Location of fence in the front building setback along Jasmine Cove Lane**

**Exhibit B: Site Plan**

**[attached]**



**LEGEND:** PLTF = Property line to Fence in Ft.  
 ##### = Fence Line — = Neighbor's Fence Line  
 ~~~~~ = Drain Easement



GWINNETT COUNTY  
 PLANNING AND DEVELOPMENT

**RECEIVED**

04/03/2023

**Exhibit C: Letter of Intent and Standards for Granting Variance**

**[attached]**

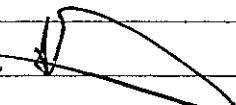
Letter Of Intent For Variance For:  
Mr. Eugene and TeQuilla Hollis  
4661 Hadley PL.  
Snellville GA 30039  
(Fence)

Dear Planning and Development,

We are requesting a variance for the above address to seek relief of the required front road fence height of four foot to six foot on Jasmine Cove Road. We had the fence built six foot all the way around in order to keep our three German Shepherds in the back yard. We had no idea Jasmine Cove Road was considered a front road. Please consider our request in this matter. Granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

Thank You For Your Consideration

Sincerely,

Eugene and TeQuilla 

Property Owners.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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**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: Yes. I own 3 German Shepherds. 4 foot will not keep them in the yard.
- 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
- 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. I have noticed other properties with the same kind of fence.
- 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. Complaints came from unknown source.
- 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 fence is surrounding my yard only.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes. It will sense to keep my dogs secured in the back yard.
- 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. The fence is 6 foot. All the way around except the drive way is 8 foot.



## **Exhibit D: Maps**

**[attached]**





JASMINE COVE LN

HADLEY PL



ZVR2023-00054

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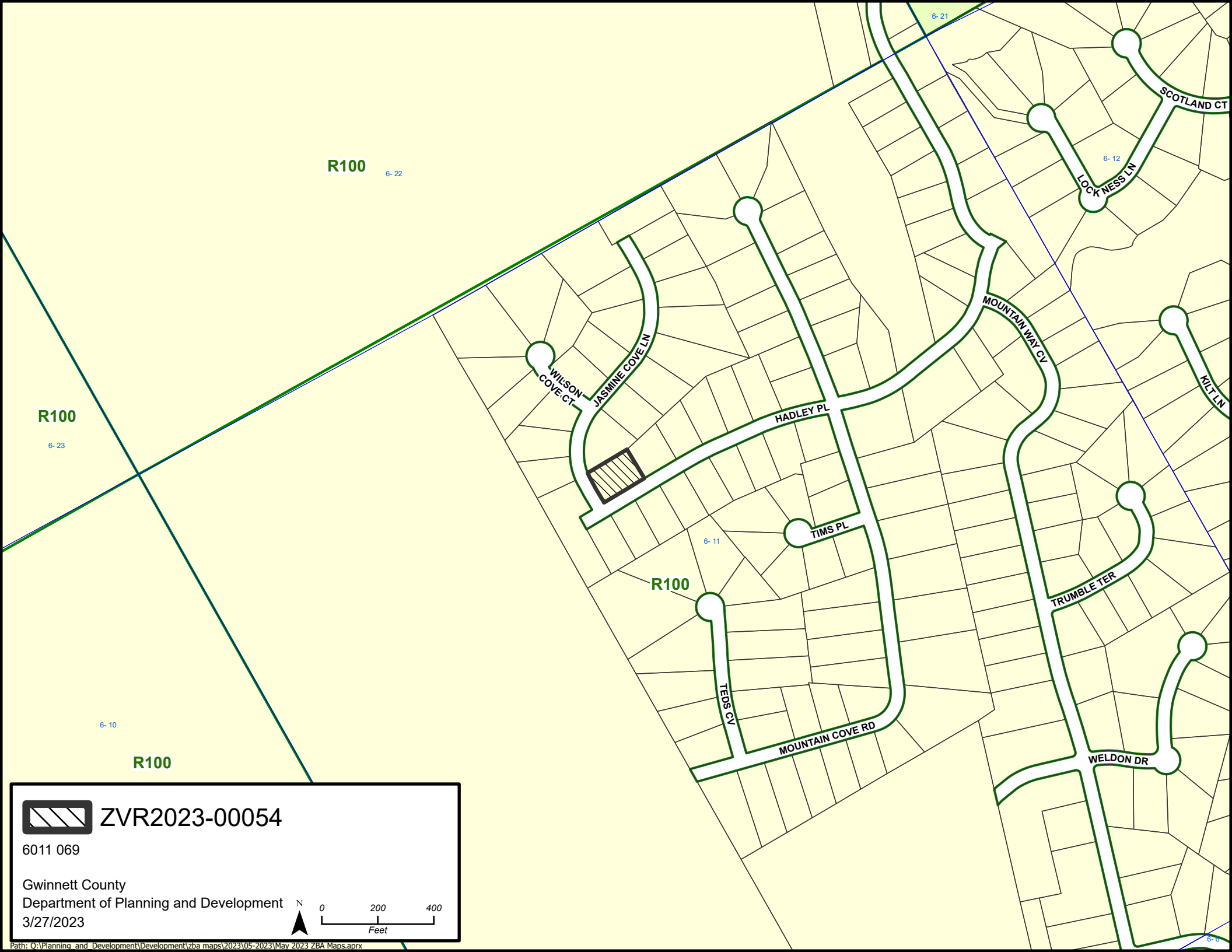
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