



**Zoning Board of Appeals**  
**Tuesday, September 12, 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 – August 8, 2023**

**E. Announcements**

**F. New Business**

1. Case Number: **ZVR2023-00108**  
Applicant: Vanessa Nassi  
Owner: Elena Barreiro  
Contact: Vanessa Nassi  
Phone Number: 678.670.5503  
Zoning: R-100  
Location: 1039 Sammi Jo Lane  
Map Number: R7023 270  
Variance Requested: Rear yard setback encroachment  
Commission District: (4) Holtkamp
2. Case Number: **ZVR2023-00109 – Administratively Held**
3. Case Number: **ZVR2023-00110 – Administratively Held**
4. Case Number: **ZVR2023-00111 – Administratively Held**
5. Case Number: **ZVR2023-00112 – Administratively Held**
6. Case Number: **ZVR2023-00117**  
Applicant: Quinetta Shorter  
Owner: Atlanta Lifestyle Inc.  
Contact: Quinetta Shorter  
Phone Number: 404.625.7523  
Zoning: RA-200  
Location: 1572 Brooks Road  
Map Number: R5247 049  
Variance Requested: Accessory building larger than principal building  
Commission District: (3) Watkins

7. Case Number: **ZVR2023-00118**  
Applicant: Quinetta Shorter  
Owner: Atlanta Lifestyle Inc.  
Contact: Quinetta Shorter  
Phone Number: 404.625.7523  
Zoning: RA-200  
Location: 1572 Brooks Road  
Map Number: R5247 049  
Variance Requested: Accessory building in front yard  
Commission District: (3) Watkins
8. Case Number: **ZVR2023-00119**  
Applicant: Peter Vuong  
Owner: GW Real Estate of Georgia LLC  
Contact: Peter Vuong  
Phone Number: 678.717.8819  
Zoning: C-2  
Location: 2255 Pleasant Hill Road  
Map Number: R6231 134  
Variance Requested: Exceed maximum wall sign size  
Commission District: (1) Carden
9. Case Number: **ZVR2023-00120 – Administratively Withdrawn**

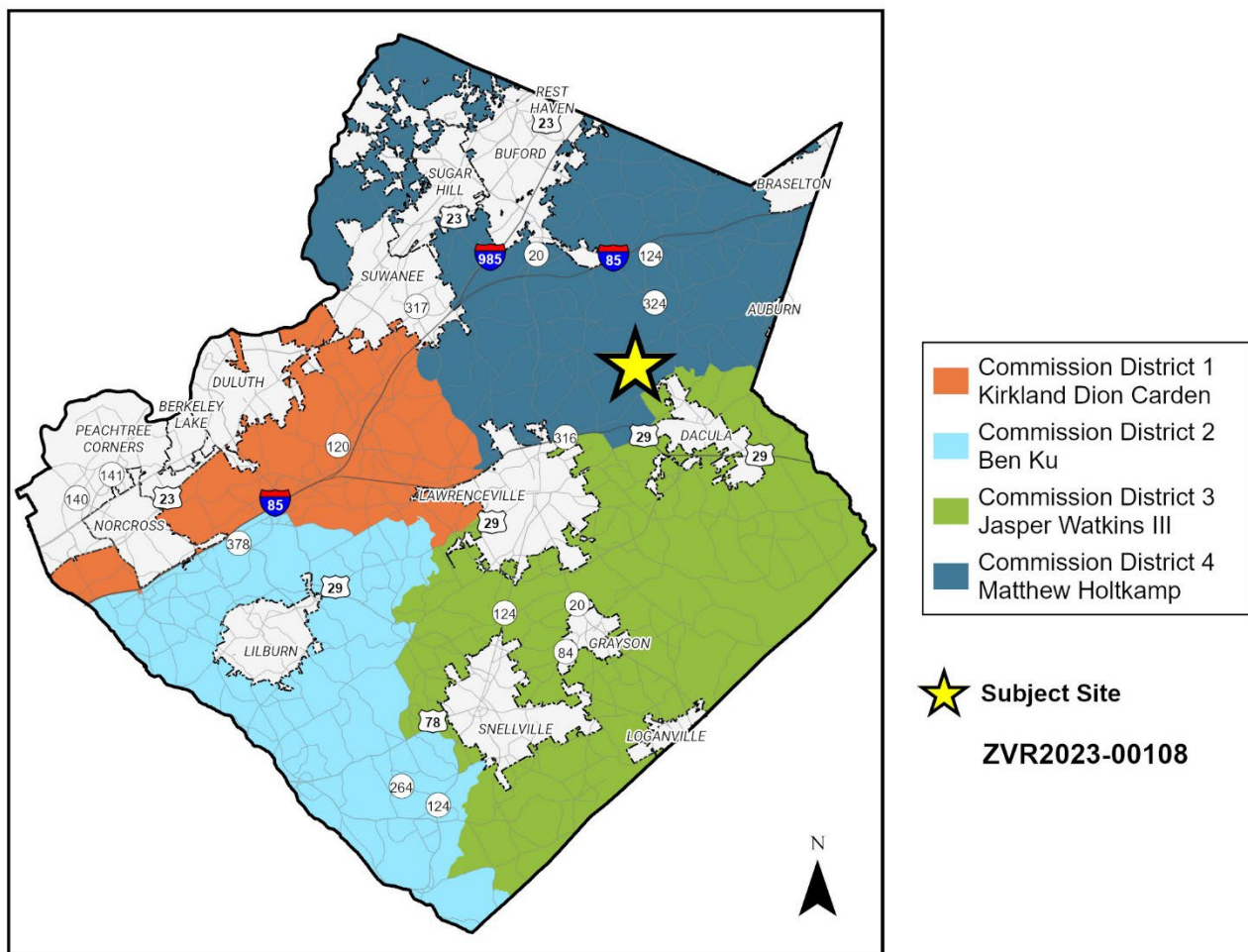
**G. OTHER BUSINESS**

**H. ANNOUNCEMENTS**

**I. ADJOURNMENT**

## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00108  
**Request:** Variance from the Rear Yard Setback Standard  
**Address:** 1039 Sammi Jo Lane  
**Map Number:** R7023 270  
**Zoning:** R-100 (Single-Family Residence District)  
**Site Area:** 0.35 acres  
**Proposed Development:** Single-Family Residential Addition  
**Commission District:** District 4 – Commissioner Holtkamp/Rumbaugh  
**Character Area:** Emerging Suburban



**Applicant:** Vanesa Nassi  
1039 Sammi Jo Lane  
Dacula, GA 30019

**Owners:** Elena Barreiro  
1039 Sammi Jo Lane  
Dacula, GA 30019

**Contact:** Vanessa Nassi

**Contact Phone:** 678.670.5503

## Zoning History

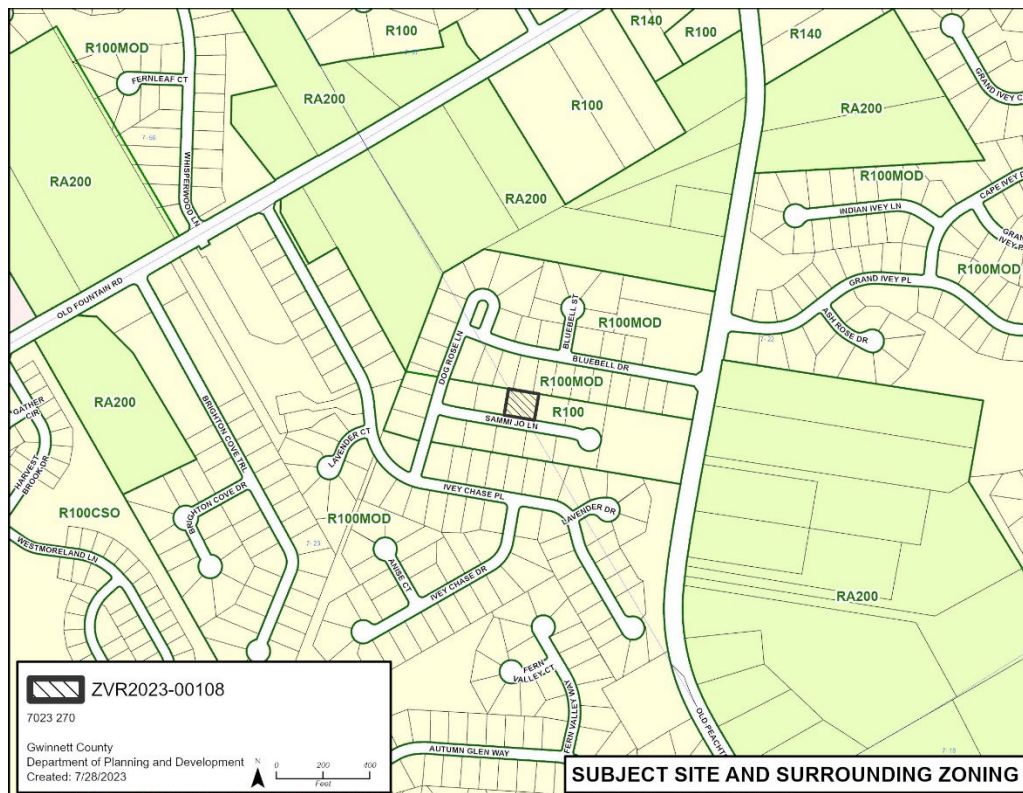
The subject property is zoned R-100 (Single-Family Residence District). In 2001, the property was rezoned to R-100 from RA-200, pursuant to RZR-01-001.

## Existing Site Condition

The subject site is a 0.35-acre parcel located on the north side of Sammi Jo Lane, east of the intersection with Dog Rose Lane, in the Nevils Cove Subdivision. There is a single-family house on the property, which was constructed in 2005. The site slopes downward approximately 22 feet from the street frontage to the rear of the property, where an open 20-foot-wide drainage easement traverses the property near the property line. In 2022, the applicant fully enclosed a deck attached to the back of the house without a permit, which Code Enforcement discovered in October of that year as part of CRS2022-00598 and COM2022-00350, issued October 24 and 25, 2022, respectively.

## Surrounding Use and Zoning

The subject site is surrounded by similar single-family residences on all sides in the Nevil's Cove or Ivey Chase Subdivisions. All properties within a quarter mile of the subject site are zoned R-100, R-100MOD or RA-200 and contain single-family detached homes.





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

## Project Summary

The applicant requests a variance from the rear yard setback requirement to allow an existing sunroom to encroach into the rear yard setback, including:

- A 588 square foot sunroom addition to an existing single-family house, located approximately 30.8-feet from the rear property line.

## Zoning and Development Standards and Variance Request

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

1. **Section 5-210.C** The minimum rear yard setback for an R-100-zoned property shall be 40 feet.
  - The applicant requests a variance to encroach 9.2 feet into the 40-foot rear setback for a building addition.

## Staff Recommended Conditions

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

1. The site shall be developed in general conformance with Exhibit B: Site Plan and Elevations, dated received July 18, 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 the front of property from Sammi Jo Lane**



**West elevation view of sunroom and house**





**View of sunroom and drainage easement from rear property line.**

**Exhibit B: Site Plan**

**[attached]**



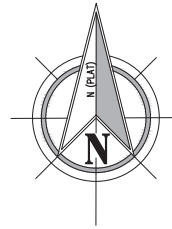
WINNETT COUNTY  
PLANNING AND DEVELOPMENT

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7/18/2023

GENERAL NOTES:

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



LEGEND	
BSL	BUILDING SETBACK LINE
DE	DRAINAGE EASEMENT (STORM)
SSE	SANITARY SEWER EASEMENT
EOP	EDGE OF PAVEMENT (CURB)
R/W	RIGHT OF WAY
S/W	SIDEWALK
FTE	FINISHED FLOOR ELEVATION
GFE	GARAGE FLOOR ELEVATION
MFFE	MIN. FINISHED FLOOR ELEVATION
1	PROPOSED FLOW ARROW
2	PROPOSED SILT FENCE
3	POWER POLE
4	1" IRON REBAR SET
5	IRON PIN FOUND
6	BOLLARD
7	OVERHEAD POWER
8	FIRE HYDRANT
9	WATER METER
10	WATER VALVE
11	GAS VALVE
12	GAS METER
13	LIGHT POLE
14	CONCRETE PAD
15	TELEPHONE MARKER
16	AIR CONDITIONER UNIT
17	MAIL BOX
18	CLEAN OUT
19	SANITARY SEWER MANHOLE
20	LEFT WING CATCH BASIN
21	RIGHT WING CATCH BASIN
22	DOUBLE WING CATCH BASIN
23	DROP INLET
24	HEADWALL

WINNETT COUNTY  
ZONING: R-100  
MINIMUM FRONT SETBACK - 35'  
MINIMUM SIDE SETBACK - 10' ONE  
YARD, 25' TWO YARDS  
MINIMUM REAR SETBACK - 40'

FIELD DATA:

DATE OF FIELD SURVEY 6-1-23.

THE CALCULATED POSITIONAL  
TOLERANCE BASED ON REDUNDANT  
LINEAR MEASUREMENTS OF  
OBSERVED POSITIONS WAS FOUND  
TO BE 0.00 FEET.

EQUIPMENT:  
ELECTRONIC TOTAL STATION AND NETWORK GPS  
GPS RECEIVER: SP 85  
SN: 6129500077  
NETWORK: TRIMBLE VRS Now RTK GNSS

TOTAL AREA: 15,071 SQ FT, 0.346 AC

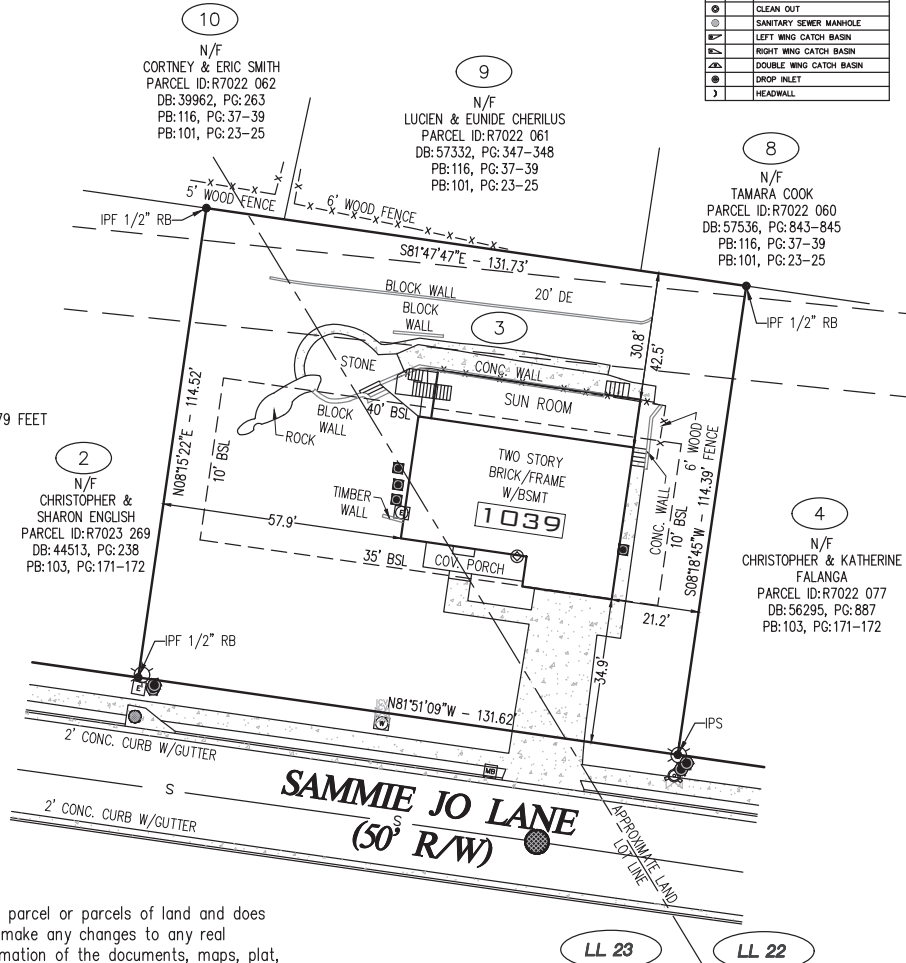
CALCULATED PLAT CLOSURE: 1 FOOT IN 181,779 FEET

SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT  
SOURCE OF TITLE DESCRIPTION FOR SUBJECT  
PROPERTY: DB 60470 PG 305  
PROPERTY OWNER AT TIME OF SURVEY:  
ELENA BARREIRO  
PARCEL NUMBER: R7023 270

REFERENCE: PLAT BOOK 103 PG 171-172  
DEED BOOK 60470 PG 305

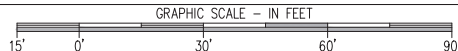
FLOOD HAZARD NOTE: THIS PROPERTY IS  
NOT LOCATED IN A FLOOD HAZARD AREA  
AS DEFINED BY FIRM MAP OF WINNETT  
COUNTY, GEORGIA 13135C0047F EFFECTIVE  
DATE SEPTEMBER 29, 2006



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

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

SCALE: 1"=30'



DESIGNED BY:  
JTF

SHEET NUMBER:  
1 of 1

FILE NAME:  
1039 SAMMIE JO LANE\_LN

JOB NUMBER:  
SURV-1645

CLIENT:  
VANESSA NASSI  
DATE:  
6-20-2023

Copyright-2023 | These drawings and their reproductions are the property of the surveyor and may not be reproduced, published, or used in any way without the written permission of this surveyor.



KEYSTONE LAND SURVEYING, INC.  
162 EAST CROGAN STREET - SUITE G  
LAWRENCEVILLE, GEORGIA 30046  
770.545.8700

BOUNDARY SURVEY FOR  
NEVILS COVE SUBDIVISION  
LOT 3, BLOCK B  
1039 SAMMIE JO LANE

LAND LOT 22 & 23, 7TH DISTRICT  
WINNETT COUNTY, GEORGIA 30019

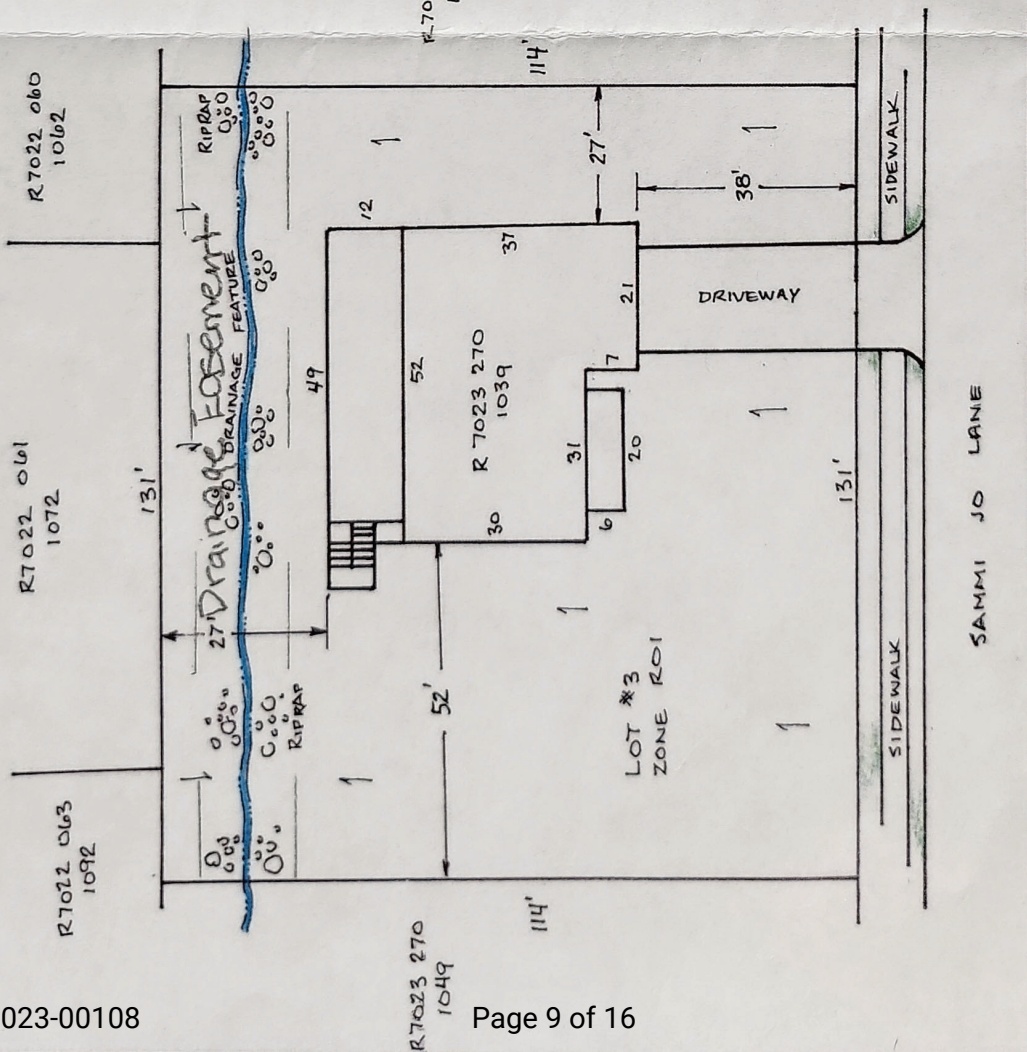
REVISIONS

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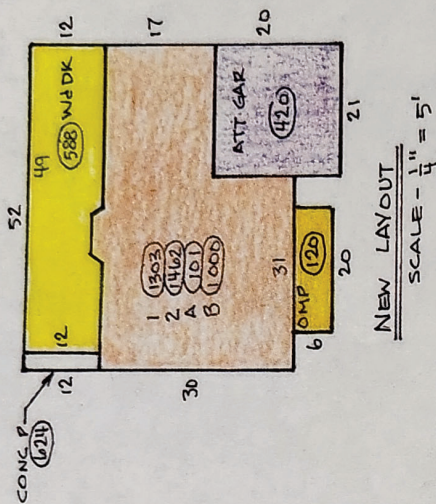
ZVR2023-00108



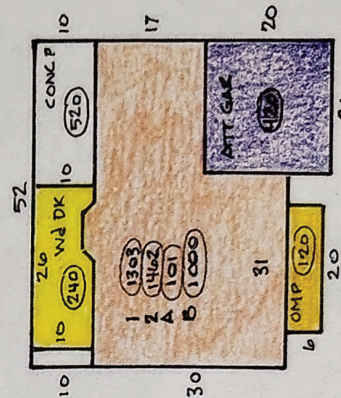


SITE LAYOUT  
SCALE - 1" = 20'

COLOR	CODE	DESCRIPTION	CONSTRUCTION	ORIGINAL FIN SQ FT	NEW FIN SQ FT
	1	1 <sup>ST</sup> FLOOR	WOOD FRAME	1303	1303
	2	2 <sup>ND</sup> FLOOR	WOOD FRAME	1462	1462
	A	ATTIC	WOOD FRAME	101	101
	B	BASEMENT	CONCRETE BLOCK	1000	1000
	ATT GAR	ATTACHED GARAGE	WOOD FRAME	420	420
	OMP	OPEN MASONRY PORCH		120	120
	WD DK	WOOD DECK		240	588
	CONC P	CONCRETE PATIO		520	624



NEW LAYOUT  
SCALE - 1/4" = 5'



ORIGINAL LAYOUT  
SCALE - 1/4" = 5'

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

**[attached]**

## Ford, Patrick

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**From:** vanessagn78 <vanessagn78@gmail.com>  
**Sent:** Tuesday, July 18, 2023 5:40 PM  
**To:** Ford, Patrick  
**Subject:** FW: Letter of Intent - Transforming Deck into a Sunroom and Variance Approval

**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).

Sent from my T-Mobile 5G Device

----- Original message -----

**From:** Valerie Castro <valerieashleyc@hotmail.com>  
**Date:** 7/18/23 5:33 PM (GMT-05:00)  
**To:** Vanessagn78@gmail.com  
**Subject:** Letter of Intent - Transforming Deck into a Sunroom and Variance Approval

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Elena Barreiro 1039 Sammi Jo Ln Dacula, Georgia, 30019 July 18, 2023

To Whom It May Concern,

I hope this letter finds you in good health and high spirits. I am writing to express my intent and seek your support for our proposed project to transform our deck into a sunroom at 1039 Sammi Jo Ln. This endeavor aims to enhance the value of our home and contribute to the overall improvement of our community.

First and foremost, our decision to convert our deck into a sunroom stems from our strong desire to elevate the quality of our living space. As homeowners, we recognize the significance of investing in our property and increasing its value. By undertaking this project, we aim to create an additional functional area that will not only enrich our daily lives but also add charm and appeal to our home.

Moreover, converting the deck into a sunroom will offer numerous advantages to our property. It will provide protection against unfavorable weather conditions, allowing us to enjoy the beauty of nature throughout the year. The sunroom will serve as a versatile space that can be utilized for various purposes, such as an extended living area, a recreational room, or even a home office. This transformation will undoubtedly enhance our overall comfort and well-being, ultimately contributing to our happiness as homeowners.



In order to proceed with this project, we understand that obtaining a variance is necessary. We assure you that we have given thorough consideration to the implications and requirements associated with this process. The variance we are seeking pertains to the setback regulations outlined by the local zoning guidelines. We firmly believe that granting the variance will not only benefit us as homeowners but also align with the broader goals of the community.

It is important to note that our request for a variance has been made after careful evaluation of the property's layout and its impact on neighboring residences. We have consulted with professionals and taken all necessary measures to ensure that the transformation adheres to safety standards and does not compromise the integrity or privacy of surrounding properties.

We kindly request your support in approving the variance necessary for the conversion of our deck into a sunroom. We firmly believe that this project will not only enhance the aesthetics and functionality of our home but also contribute to the overall improvement of the community.

Thank you for taking the time to consider our proposal. We would be grateful for an opportunity to discuss our project in further detail and address any concerns you may have. We are confident that with your support, we can successfully execute this project and create a valuable addition to our home.

Please do not hesitate to reach out to us at your convenience. We look forward to the possibility of receiving a positive response from you and working together to improve our beloved community.

Thank you for your attention.

Sincerely,

Elena Barreiro

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7/18/2023



### 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: Yes, the land that was holding up the deck was eroding.
- 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 house's deck with time was going to collapse with time.
- 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, our yard is the only one affected of the land decay that's causing our yard to collapse.
- 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, b/c the sunroom and retaining wall was built to prevent the collapse of our deck.
- 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 modifications done to the deck is not affecting anything listed above.
- 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's just needed to help secure the stability of the land underneath the sunroom.
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: Yes, it was built with the intention of making the home safer by avoiding any possible destruction.

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7/18/2023

Revised 8/3/2021 5 | 7

## **Exhibit D: Maps**

**[attached]**





DOG ROSE LN

BLUEBELL DR

BLUEBELL ST

SAMMI JO LN



ZVR2023-00108

7023 270

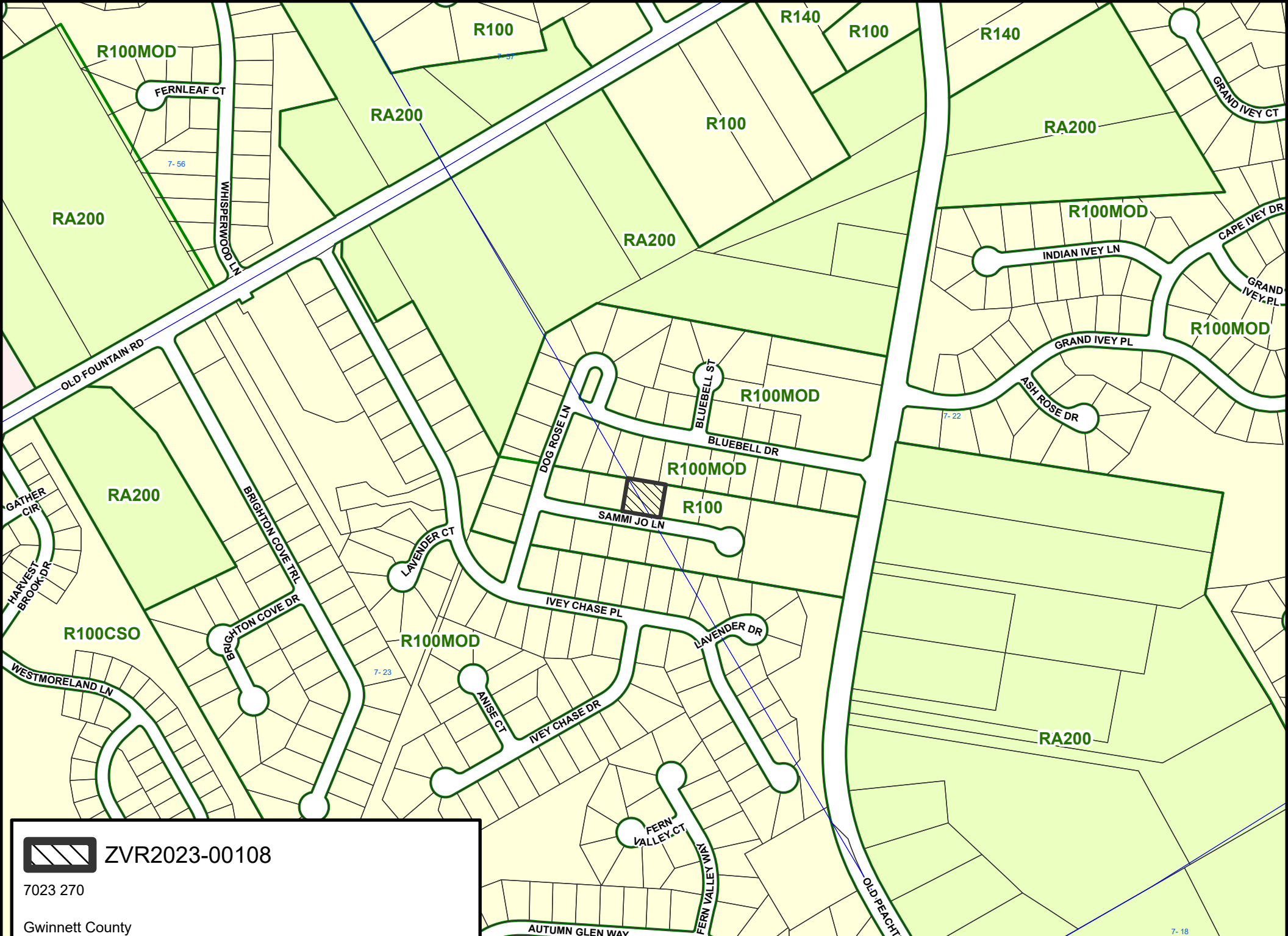
Gwinnett County  
Department of Planning and Development  
Created: 7/28/2023




0 40 80  
Feet

Gwinnett County GIS

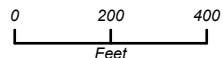





**ZVR2023-00108**

7023 270

Gwinnett County  
Department of Planning and Development  
Created: 7/28/2023



**SUBJECT SITE AND SURROUNDING ZONING**

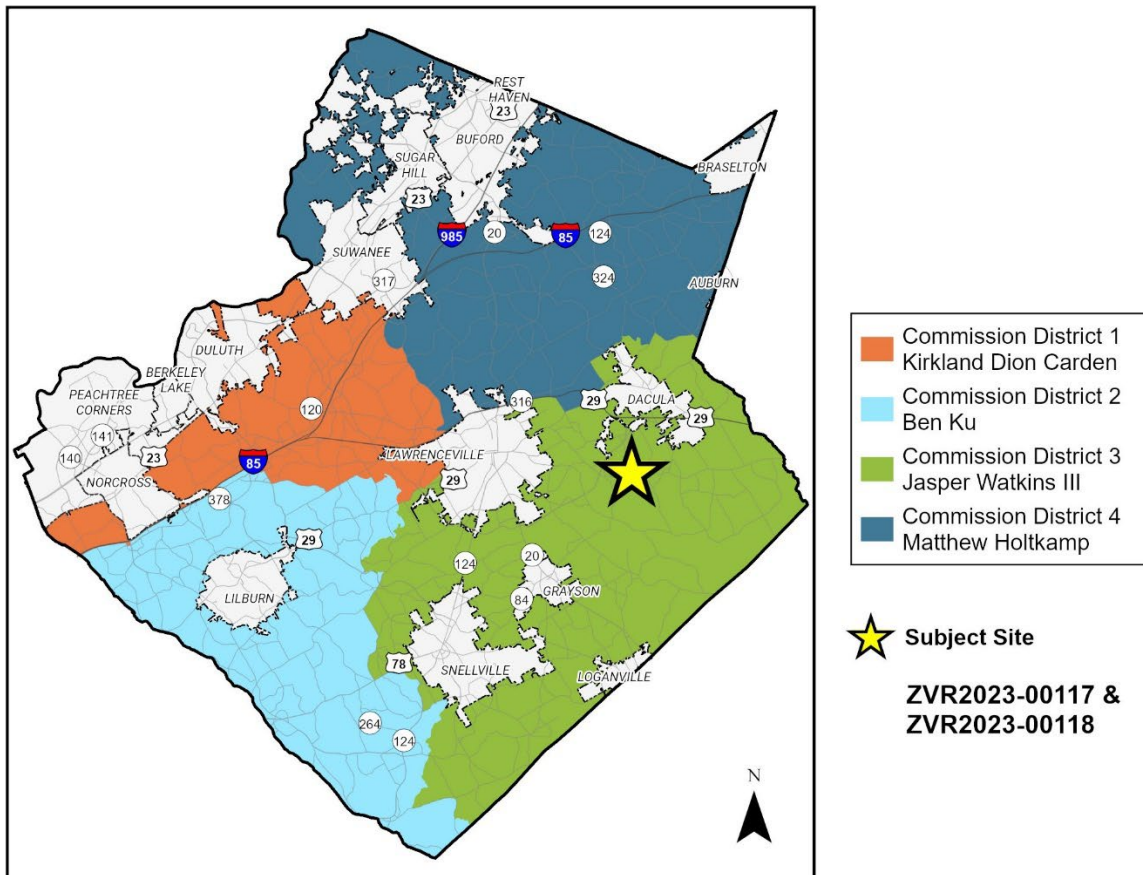


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00117  
**Request:** Variance from the accessory building ordinance standard

**Case Number:** ZVR2023-00118  
**Request:** Variance from the accessory building location standard

**Addresses:** 1572 Brooks Road  
**Map Numbers:** R5247 049  
**Zoning:** RA-200 (Agriculture-Residence District)  
**Site Area:** 4.74 acres  
**Proposed Development:** Accessory Building  
**Commission District:** District 3 – Commissioner Watkins/Timler  
**Character Area:** Suburban Estate Living





**Applicant:** Quinetta Shorter  
7247 Avalon Blvd  
Alpharetta, GA 30009

**Owner:** Quinetta Shorter  
7247 Avalon Blvd  
Alpharetta, GA 30009

**Contact:** Quinetta Shorter

**Contact Phone:** 404.625.7523

## Zoning History

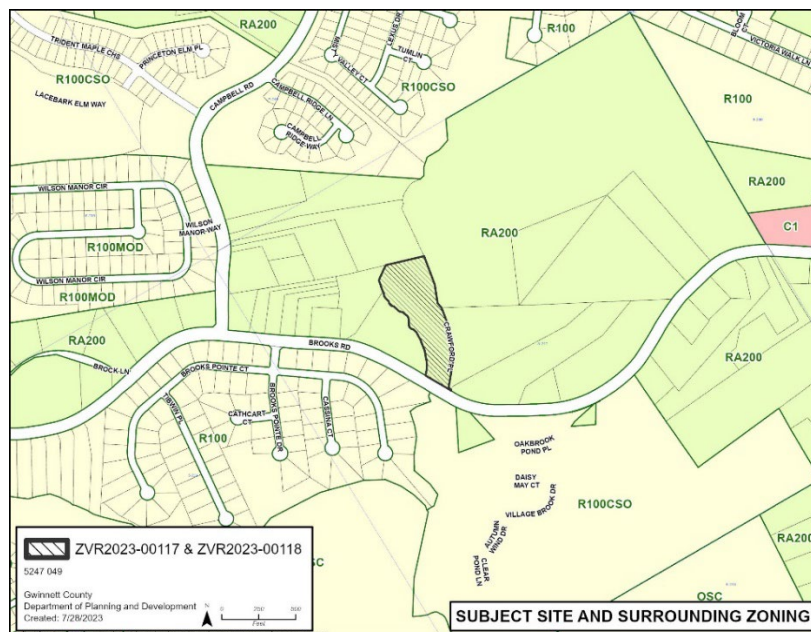
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning cases are on record for this property.

## Existing Site Condition

The subject site is a 4.74-acre lot located on Brooks Road, east of its intersection with Campbell Road. The property is developed with a two-story house on the lot, built in 1979, comprised of shake and stacked stone on the front façade with siding on the balance of the home. There is also an accessory on the lot, built in 2021, that is larger than the principal structure. The property is accessed via driveway on Crawford Place. The site is relatively flat. A tree canopy surrounds and screens the lot from view in the sides and rear. There are several streams and their associated 75-foot-buffers on the property near the western property line. There is also floodplain near the southern and western boundaries of the lot.

## Surrounding Use and Zoning

The subject site is surrounded by single-family detached residences. To the north, west, and east are other agricultural single-family residences. To the south, across Brooks Road are single-family detached residences within the Brooks Crossing subdivision. The following is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Single-Family Residential	RA-200
North	Single-Family Residential	RA-200
East	Single-Family Residential	RA-200
South	Single-Family Residential	R-100
West	Single-Family Residential	RA-200

## Project Summary

The applicant is requesting variances to allow an accessory building (detached home office and wood workshop), including:

- An existing 35-foot-tall, 4,500 square foot, two-story accessory building located in the front yard.
- A notice of violation, COM2023-00087 issued by Building Inspections in March 2023 for no permits on file for the accessory.

## Zoning and Development Standards and Variance Requests

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

1. **230-120.2.** - All accessory buildings, structures and uses of land shall be clearly subordinate to and supportive of the principal use and located on the same lot as the principal use to which they are accessory.
  - The applicant requests a variance to allow approximately 4500 square feet of total floor area for an accessory building while the principle is approximately 2500 square feet.
1. **230-120.7** – All accessory buildings or structures shall be located in the rear yard unless explicitly stated otherwise in this section.
  - The applicant requests to locate the accessory building in the front yard.

## 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 July 25, 2023.

**Exhibits:**

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

## Exhibit A: Site Visit Photos



**View of property from Brooks Road**



**View of neighboring yard to accessory location**





**View of principal structure**



**View of accessory structure**



**Exhibit B: Site Plan**

**[attached]**

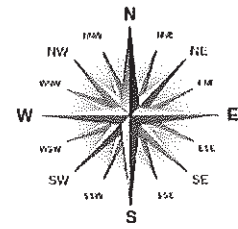
# SITE PLAN

Address: 1572 Brooks Rd

City, State, ZIP: Dacula, GA 30019

Country: USA

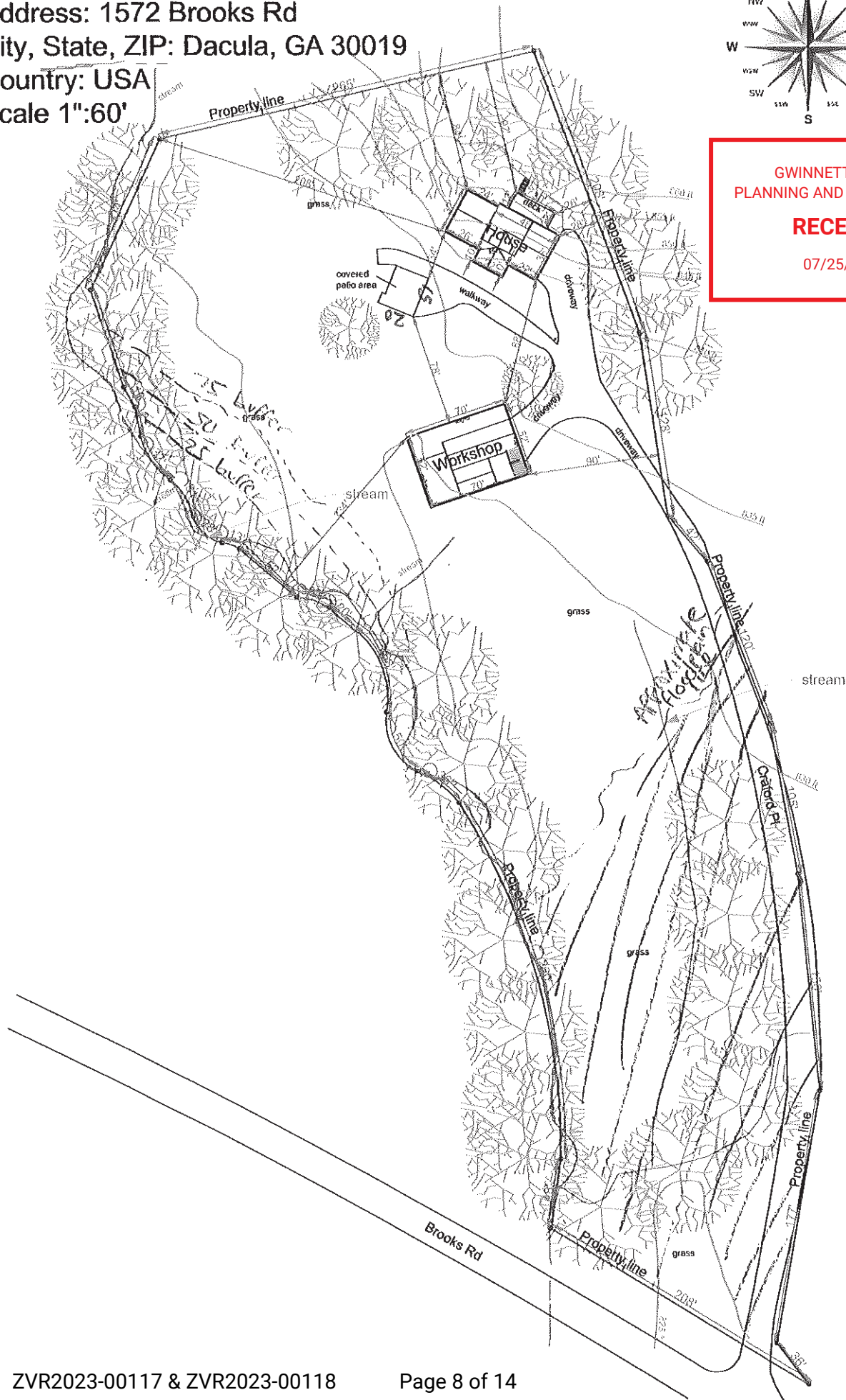
Scale 1"=60'



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PLANNING AND DEVELOPMENT

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07/25/2023



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

**[attached]**



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07/25/2023

# Letter of Intent

July 10, 2023

Quinetta Shorter  
1572 Brooks Rd.  
Dacula GA 30019

Hello I am requesting a variance for my property at 1572 Brooks Rd. Dacula, GA 30019. for section 230-120.1 and section 230-120.2 for change of use from Barn to Home office and wood workshop. This is not a business but my own personal use. It is not a dwelling unit. The Building materials is siding and height is 35ft.

Quinetta Shorter  
404 625-7523

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07/25/2023

**Standards for Granting Variances:**

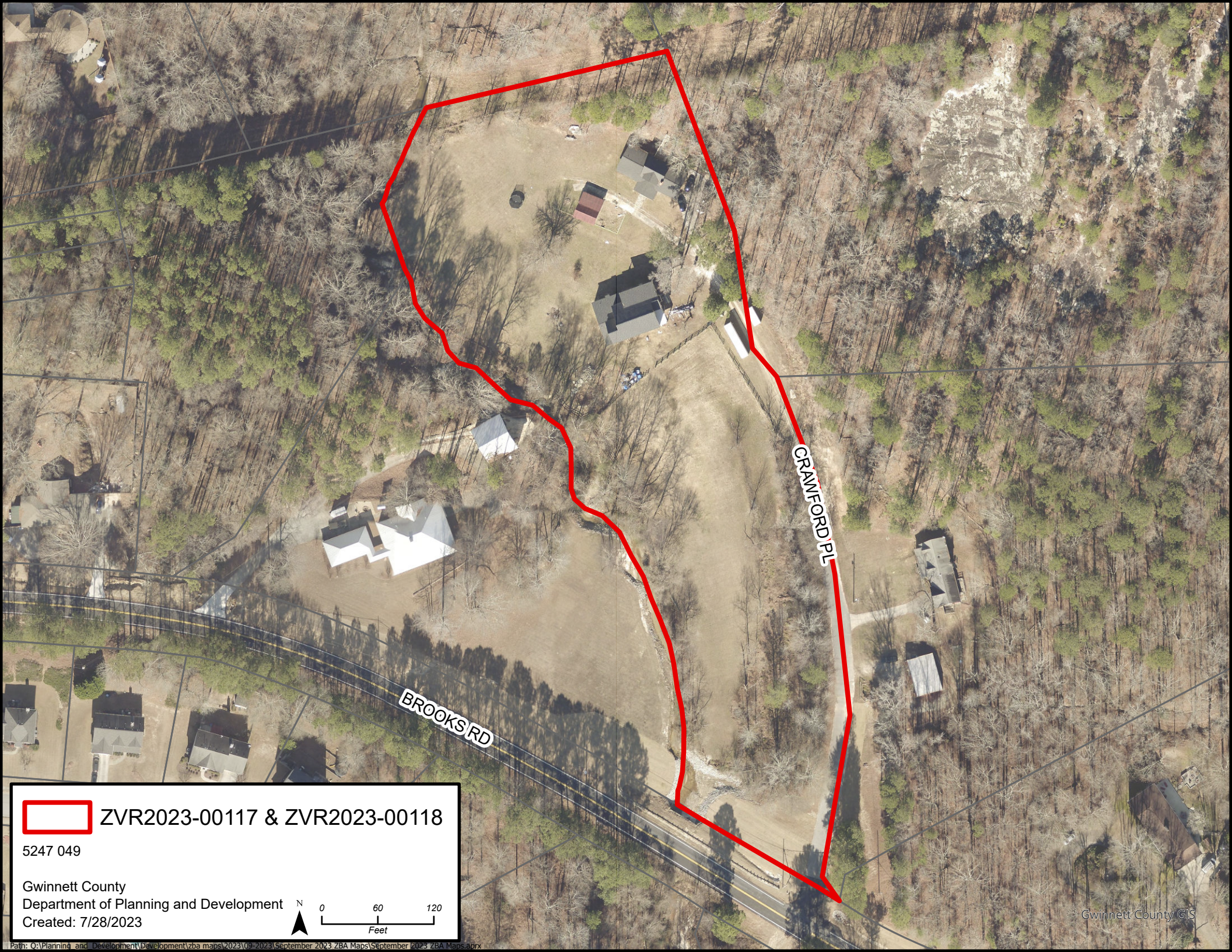
Responses to the following criteria must be submitted for each variance requested (attach additional sheets as needed). According to the Unified Development Ordinance (UDO), a variance shall not be granted unless evidence is presented supporting conclusions that the variance meets each of the following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

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: the accessory building is larger than the principal residence. principal residence is 2500sf & accessory is 4500sf
- 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 there is no unnecessary 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: there are similar Accessory dwellings in the same zoning. This property is 5 acres and sits far from the road.
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: It does not fit in the back of house
- 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: The variance does not affect any property or light or air adjacent to any 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 this variance only covers a small portion of the land
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: yes it does.

## **Exhibit D: Maps**

**[attached]**

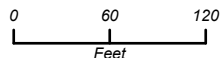




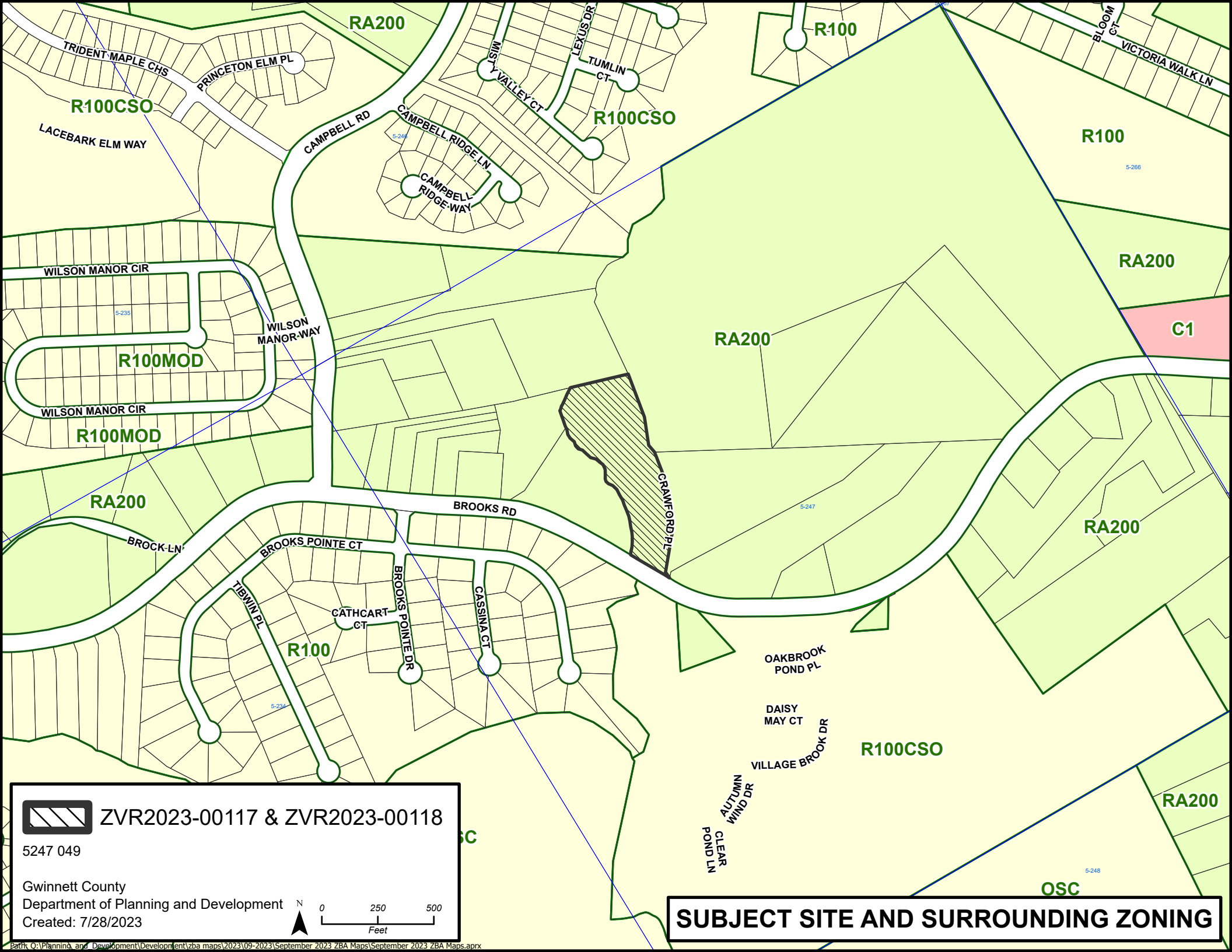
ZVR2023-00117 & ZVR2023-00118

5247 049

Gwinnett County  
Department of Planning and Development  
Created: 7/28/2023







**ZVR2023-00117 & ZVR2023-00118**

5247 049

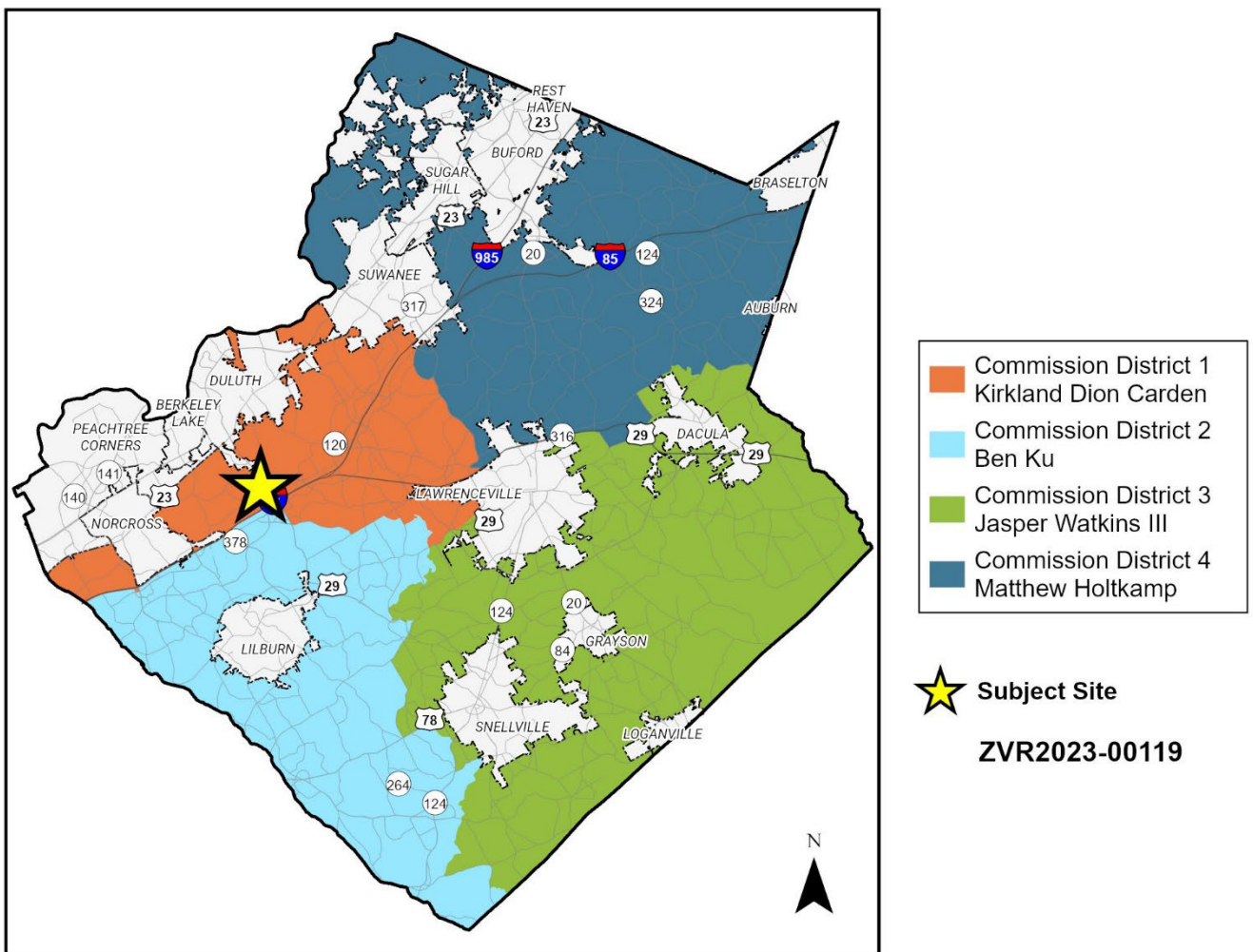
Gwinnett County  
Department of Planning and Development  
Created: 7/28/2023



**SUBJECT SITE AND SURROUNDING ZONING**

## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** ZVR2023-00119  
**Request:** Variance from wall sign area standard  
  
**Address:** 2255 Pleasant Hill Road  
**Map Number:** R6231 134  
**Zoning:** C-2 (General Business District)  
**Site Area:** 18.07 acres  
**Proposed Development:** Restaurant  
**Commission District:** District 1 – Commissioner Carden/Walthour  
**Character Area:** Regional Activity Center





**Applicant:** Peter Vuong  
4825 Buford Highway Northeast  
Atlanta Georgia, 30341

**Owners:** GW Real Estate of Georgia LLC  
2255 Pleasant Hill Road  
Duluth Georgia, 30096

**Contact:** Peter Vuong

**Contact Phone:** 678.717.8819

## Zoning History

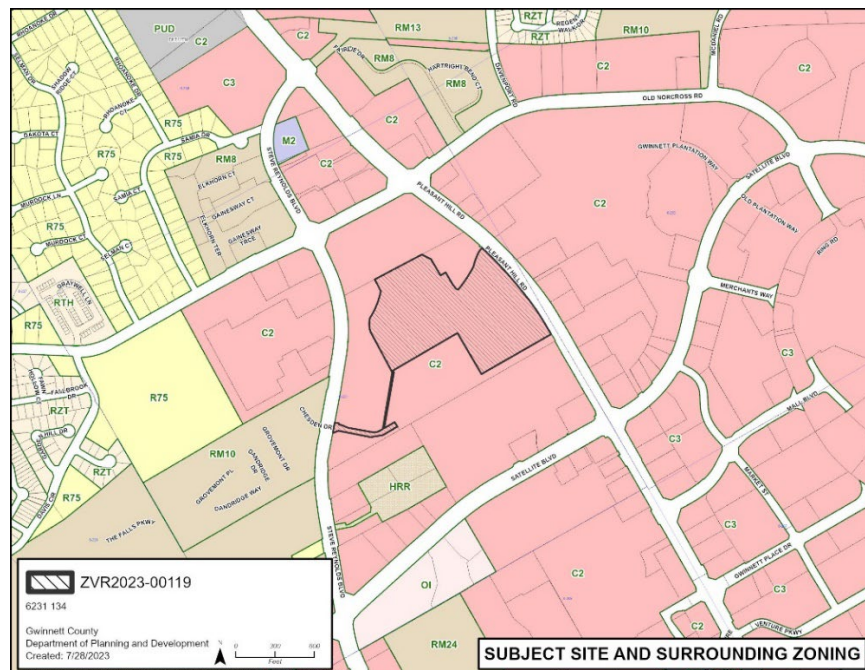
The subject property is zoned C-2 (General Business District). The property was rezoned from R-75 to C-2 in 1995, pursuant to RZ-95-107.

## Existing Site Condition

The subject site is an 18.07-acre property, located on Pleasant Hill Road northwest of its intersection with Satellite Boulevard. The property is developed with an approximately 272,737-square-foot shopping center comprised of stucco with stacked stone, constructed in 1997 and a large surface parking lot. The subject suite is approximately 22,989 square feet and is situated on the western portion of the parcel, over 800 feet from Pleasant Hill Road. The site is accessed by three driveways on Pleasant Hill Road and one driveway on Steve Reynolds Boulevard to the rear of the site. There are sidewalks located around the perimeter of the site along both Pleasant Hill Road and Steve Reynolds Boulevard.

## Surrounding Use and Zoning

The subject site is surrounded by other commercial uses. An automobiles sales and service facility is located to the north of the subject property. A automobile body shop is located to the west. Multi-tenant shopping centers are located to the east and south. The following is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning
Subject Property	Commercial	C-2
North	Commercial	C-2
East	Commercial	C-2
South	Commercial	C-2
West	Commercial	C-2

## Project Summary

The applicant is requesting a variance to exceed wall signage area including:

- A wall sign containing 200 square feet of sign area.

## Zoning and Development Standards, and Variances Requests

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

1. **Section 78-113A.7.** Walls signs for individual establishments, shops, etc. within a planned commercial center. Gross Building Space: 15,001 – 50,000 square feet: 100 square feet.
  - The applicant requests a variance to allow for 200 square feet on one elevation, exceeding the maximum square footage by 100 square feet.

### **Staff Recommended Condition**

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

1. The location and size of the sign shall be in general conformance with Exhibit B: Site Plan and Exhibit C: Sign Elevations, dated received July 25, 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 restaurant from Pleasant Hill Road

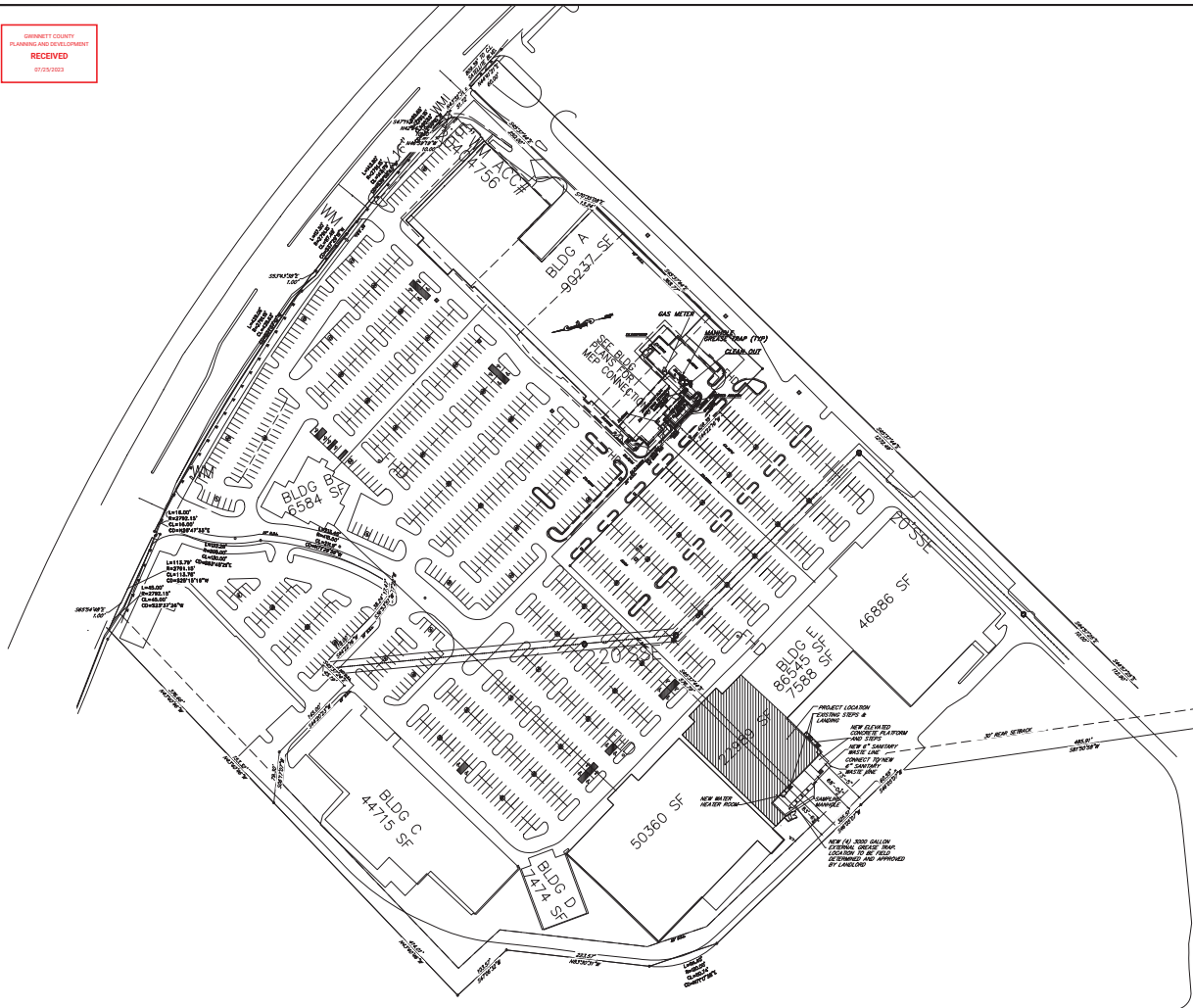


View of proposed wall sign location

**Exhibit B: Site Plan**

**[attached]**





SITE UTILITY PLAN

SCALE: 1/8"=1'-0"

ZVR2023-00119

FIRM NAME AND ADDRESS  
NEW SPACE DESIGN, INC.  
3311 NORTH BERKLEY LAKE ROAD  
SUITE 200  
DULUTH, GA 30096  
Phone: (404) 217-3458  
Fax: (770) 783-2978  
Email: newspacedesign@gmail.com



REVISIONS

PROJECT NAME AND ADDRESS  
INTERIOR FINISH DESIGN FOR  
CANTON HOUSE  
2255 PLEASANT HILL ROAD, UNIT #02  
DULUTH, GA 30096

DATE  
7/29/22

SHEET TITLE  
SITE UTILITY  
PLAN

SHEET NUMBER  
S-1

PERMIT STAMP  
PROJECT NUMBER:

RP

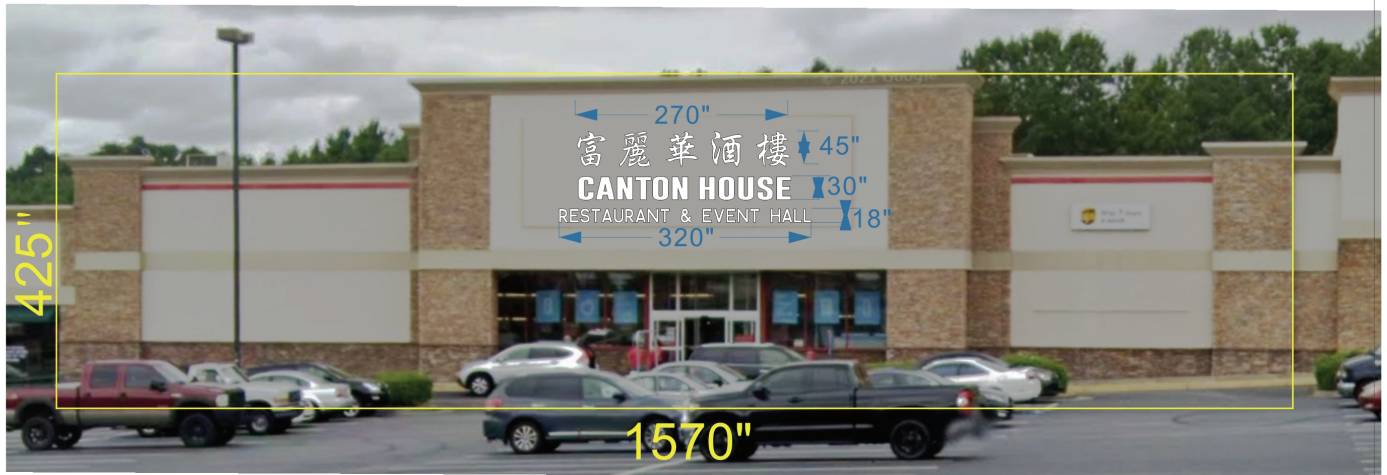
## **Exhibit C: Sign Elevations**

**[attached]**

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07/25/2023

## Store wall sign simulation View



$45'' \times 270'' = 84.37$        $84.37 + 56.25 + 40$   
 $30'' \times 270'' = 56.25$        $= 180.62$   
 $18'' \times 320'' = 40$

Store floor area : 27283 / sq.ft

Client Signature: \_\_\_\_\_

Property Owner  
Signature: \_\_\_\_\_

Wall area : 4633.68 / sq.ft

Signage area : 180.62 / sq.ft

**Note:**

All colours in this technical drawing are simulated. Please refer to the corresponding material's colour chart for the correct colour match.

By signing this document the client and property owner agrees that everything in this drawing is correct and meet all requirements.

**Client information:**

**2255 Pleasant Hill Rd,**

**STE 250,**

**Duluth, GA 30096**

Scale: 1/16" : 1'



Date: 07/12/2023



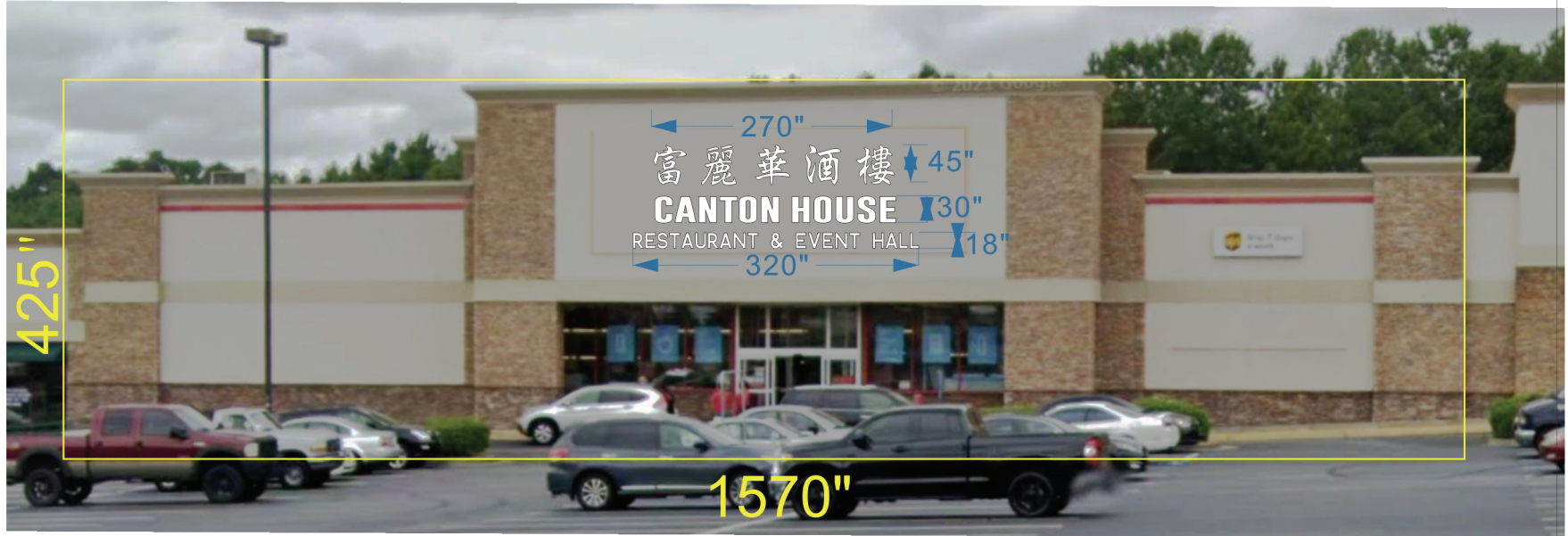
770.312.4993  
482 Mitchell Rd NW,  
Norcross, GA 30071



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07/25/2023

## Store wall sign simulation View



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30" x 270" = 56.25      =180.62  
18" x 320" = 40

Store floor area :27283 /sq.ft

Client Signature: \_\_\_\_\_

Property Owner  
Signature: \_\_\_\_\_

Wall area :4633.68/sq.ft

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**STE 250,**

**Duluth, GA 30096**

Scale:1/16" : 1'



Date:07/12/ 2023



770.312.4993

482 Mitchell Rd NW,  
Norcross, GA 30071



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

**[attached]**

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07/25/2023

Peter Vuong  
Canton House Restaurant  
4825 Buford Hwy NE  
Atlanta, GA, 30341  
678 717 8819

May 26, 2023

Susan Owen  
Administrative Associate II,  
Gwinnett County Government  
446 West Crogan Street  
Lawrenceville, GA, 30046

#### Letter of Intent: Sign Size Variance Request

Dear Ms. Owens,

It is a pleasure to write to you. I am Peter Vuong from Canton House Restaurant. My family and I are incredibly excited to expand our 30-year-old family-owned restaurant legacy into Gwinnett County, as we were encouraged by numerous Gwinnett citizens to expand to serve the local community! Currently, the sign company, my team, and I are in the process of designing the storefront sign, and we would like to request for a 200 sq. ft. sign variance for my new business. Please regard this Letter of Intent as a request to grant us a variance to the signage ordinance.

The current code section states that allow 100 sq. ft. for the wall sign for my building (above 25,000 sq. ft.). However, it is not enough for my current business due to certain circumstances. The 100 sq. ft. wall sign is disproportionate and insufficient to the front of my new restaurant location, and there are many obstacles covering up a significant portion of my storefront. The proposed sign that we like to request would be 200 sq. ft., as this will create a balanced and visible sign for my patrons to view and support my business.

The current allowed sign size of 100 sq. ft. is disproportionate to the face of this building. The current space for the sign has an already established border frame. I plan to put our sign inside the established border frame. The previous tenant, Staples, had a large sign with red tiles that filled up to the border frame. I believe the sign is significantly bigger than 100 sq. ft. It was proportionate to the established border frame. I hope my company will have the same balanced and proportionate sign, as it will be aesthetically pleasing to the eye.



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The current allowed sign size is not easily visible on the main street because of unique conditions.

- The location suite of my business is situated in the back of the parking lot and far away from the main street.
- The topography of the plaza is sloped downwards away from the main street.
- There are obstacles in the plaza's parking lot that block up a significant portion of the front face of my building.
  - There is a restaurant called Royal Flush Bar and Grill with large mature trees that cover up my storefront and other businesses
  - Tall and dense trees spread out in the plaza's parking lot cover up my storefront and other businesses deep in the plaza.
  - There are tall trees next to the sidewalk of the main street that covers up my storefront and other businesses in the plaza.

A more prominent storefront sign would significantly improve the visibility of my local business, especially being situated deep into the parking lot. Increased visibility would enhance my brand recognition and attract more foot traffic to the plaza, benefiting my business, the local businesses, and the City of Gwinnett's economy. My restaurant is a household name in Asian Community, and we have customers from all over to dine at my family's restaurant. I strongly believe my beloved customers will patronize the plaza's other businesses as well. Granting the sign variance will create growth for my business, thus enabling my family's restaurant to hopefully serve the citizens of Gwinnett County for another 30 years to come!

Considering these factors, I respectfully request that the Gwinnett City Government review this variance for the current storefront sign regulations to allow for the larger signage. I am willing to participate in person in any discussions related to this matter. Thank you for your attention to this important matter. I appreciate your dedication to the betterment of our city!

Sincerely,



Peter Vuong  
General Manager

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07/25/2023

### 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: Yes, our building is situated deep inside the parking lot. There are many trees covering the whole face of our current property from the main street. There also is a restaurant in front of the shopping plaza that blocks the face of our property. With the current topography, there is a slope that hinders the view of my storefront away from the main street. The previous tenant of the property had a large red sign (more than 100 sq. ft.) that is visible to the street, and we would like to do apply for this 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: This request is necessary for my business. The distance away from the main street, the parking lot and main road trees, building visibility obstruction from Royal Flush's Bar and Grill and their mature trees, and the descending slope from the main street. are the causes of poor visibility of my business storefront. If my sign is small, I am afraid we will not be visible to attract my future patrons. Because monthly rent is very high, we need to have as much business as possible to keep our business in operation for the next 30 years.
- 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 set conditions of a larger sign square footage above 100 sq. ft. is ordinary and was found in the same zoning district and the same plaza. In fact, the large storefront sign was present at this exact building and suite from the previous tenant. Staples ( the previous tenant ) had a well developed sign that fit perfectly with the building size and style of construction.
- 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 made by the applicant, Peter Vuong. My family's business are the current tenant of the property. My sign company informed me on this request as they also believe a bigger size is extremely suitable for the property size and function. I have checked with property owner to accept our request for a large sign, and they are also in agreement of a bigger storefront sign. It is important to my family as we invested our life savings and retirement accounts for this project.
- 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: Granting the variance will not impair any of the conditions mentioned. For the past 30 years of doing business, my family way of doing business is structured on strong morals, values, and principles. We will always operate with a great moral compass and intergity, and we will never want to hurt anyone's property or cause harm or hazard to the neighboring areas and the community. The sign company uses only UL products.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: The 200 sq. ft. requested variance is currently sufficient and will satisfy the issues mentioned above with obstruction, topography, and structure. With the size of the building, previous red tile from Staples, and building's border frame, granting the variance will be perfectly balanced with the space and front of the building. If the sign is not large, the proportion of the sign and the established border frame on building structure will not be attractive and cause the storefront of the building to be not proportionate.
- 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. My family strongly believe in operating in good faith in our business! This request will not only benefit me, but my local community as well. As mentioned above, we operate with strong morals, values, and principles.

## **Exhibit E: Maps**

**[attached]**





ZVR2023-00119

6231 134

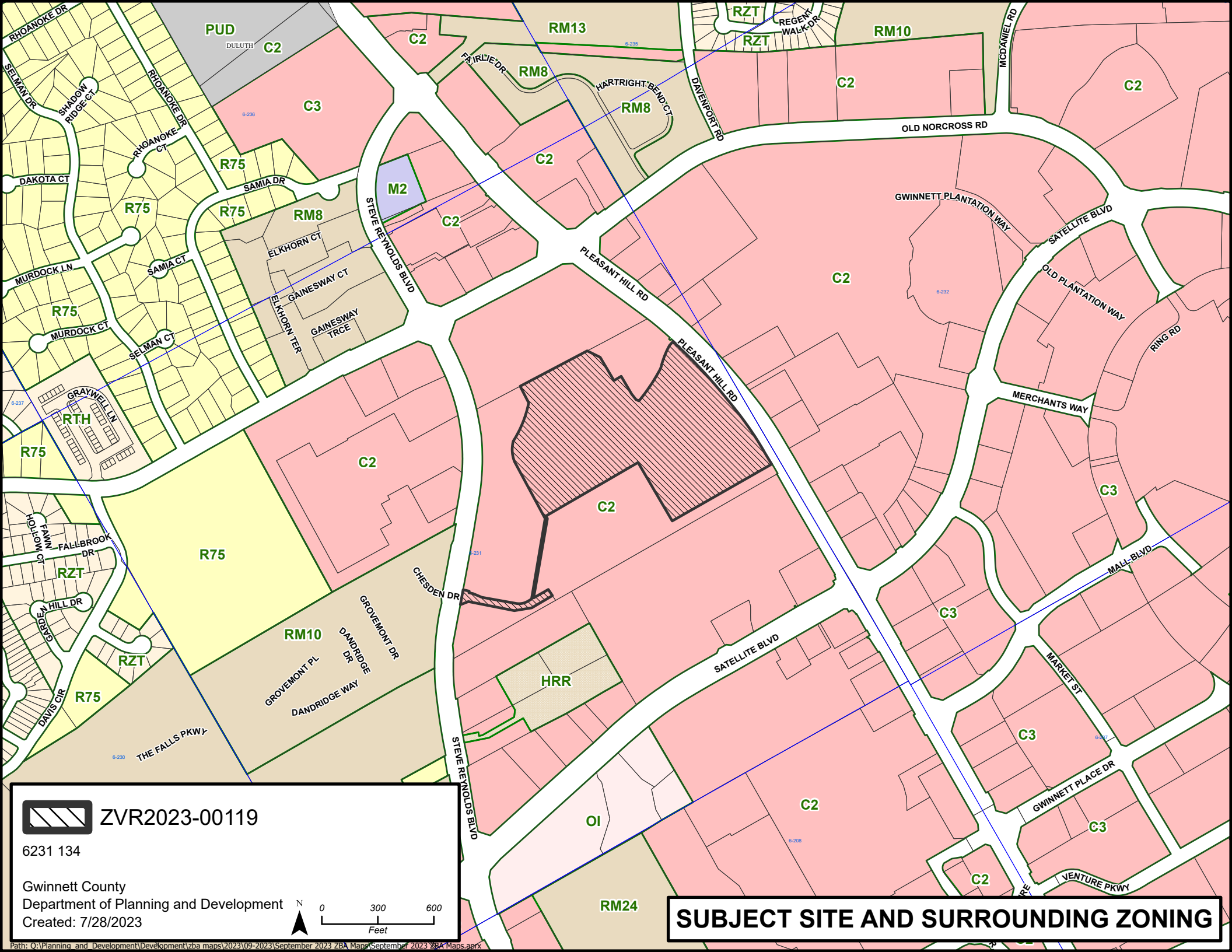
Gwinnett County  
Department of Planning and Development  
Created: 7/28/2023



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Feet

Gwinnett County GIS

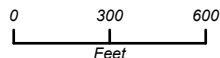




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Gwinnett County  
Department of Planning and Development  
Created: 7/28/2023



**SUBJECT SITE AND SURROUNDING ZONING**