



### **Zoning Board of Appeals Tuesday, January 13, 2026, at 7:00pm**

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

**A. Call To Order, Pledge to Flag**

**B. Opening Remarks by Chairwoman and Rules of Order**

**C. Approval of Agenda**

**D. Approval of Minutes – December 10, 2025**

**E. Announcements**

**F. New Business**

1. Case Number: **VAR2025-00069**  
Applicant/Owner/Contact: Oscar Ortiz  
Phone Number: 470.902.6944  
Zoning: R-100  
Location: 1542 Pharrs Road  
Map Number: R5072 096  
Variance Requested: Accessory dwelling rear setback encroachment  
Commission District: (3) Watkins
2. Case Number: **VAR2025-00070**  
Applicant/Owner/Contact: Oscar Ortiz  
Phone Number: 470.902.6944  
Zoning: R-100  
Location: 1542 Pharrs Road  
Map Number: R5072 096  
Variance Requested: Accessory dwelling to exceed maximum heated square footage  
Commission District: (3) Watkins
3. Case Number: **VAR2025-00074**  
Applicant/Owner/Contact: Oscar Ortiz  
Phone Number: 470.902.6944  
Zoning: R-100  
Location: 1542 Pharrs Road  
Map Number: R5072 096  
Variance Requested: Exceed maximum number of accessory dwellings  
Commission District: (3) Watkins

4.	Case Number:	<b>VAR2026-00001</b>
	Applicant:	Jennifer Wolfe
	Owner:	Killian Hill Acquisition, LLC
	Contact:	Jennifer Wolfe
	Phone Number:	770.568.8867
	Zoning:	C-2
	Location:	4051 Stone Mountain Highway
	Map Number:	R6054 149
	Variance Requested:	Exceed maximum wall sign area
	Commission District:	(2) Ku

**G. OTHER BUSINESS**

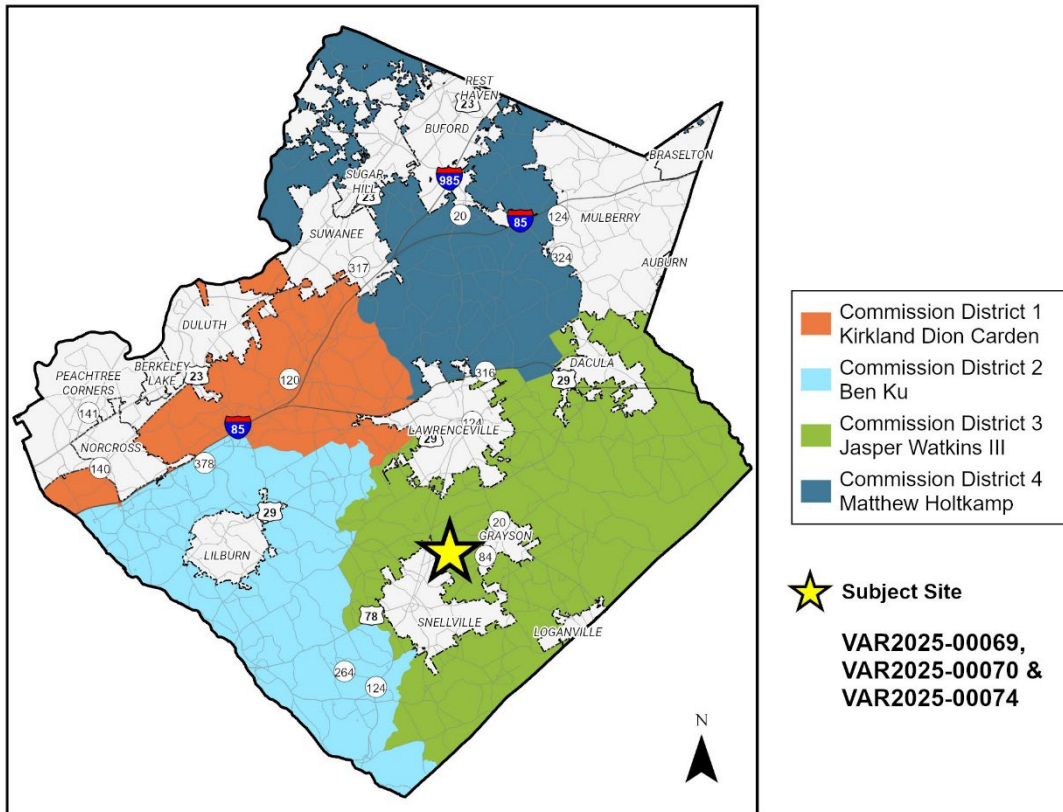
**H. ANNOUNCEMENTS**

**I. ADJOURNMENT**



## ZONING BOARD OF APPEALS CASE REPORT

**Case Numbers:** VAR2025-00069, 70, and 74  
**Variance Requests:** Accessory dwelling rear setback encroachment  
Exceed accessory dwelling maximum square footage  
Exceed number of accessory dwelling units  
**Zoning District:** R-100 (Single-Family Residence District)  
**Address:** 1542 Pharrs Road  
**Map Number:** R5072 096  
**Site Area:** 2.77 acres  
**Applicant/Owner:** Oscar Ortiz  
**Commission District:** District 3 – Commissioner Watkins  
**Staff Recommendation:** APPROVAL WITH CONDITIONS



## Existing Site Conditions

The subject site is a 2.77-acre property located on Pharrs Road, southwest of its intersection with Lakeview Drive and Hillside Drive. The property is zoned R-100 (Single-Family Residence District) and contains a 3,962-square-foot two-story residence, two attached accessory dwelling units within an accessory building totaling 2,544 square feet, and a shed located in the rear yard. The site is surrounded by single-family detached residences within subdivisions and on large lots. The City of Snellville abuts the property to the north.



## Variance Requests

The applicant is seeking variances from the following provisions of the UDO:

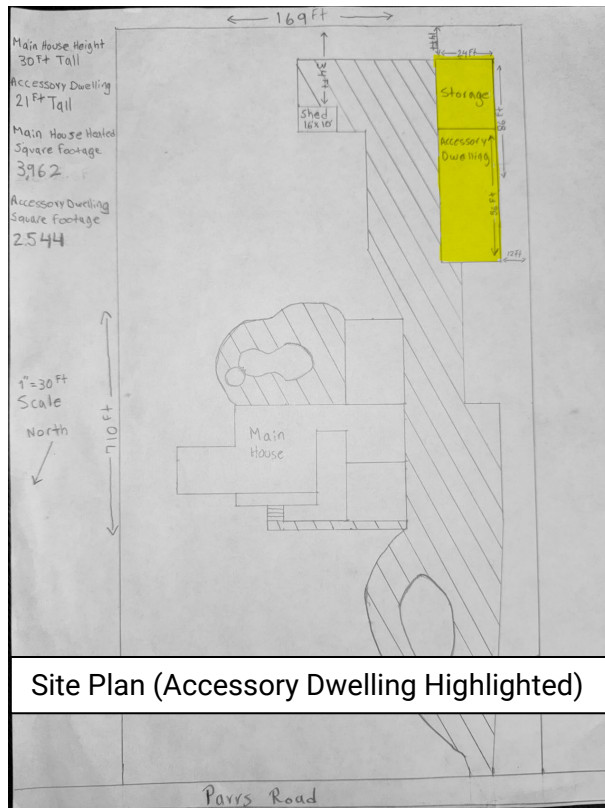
**Section 210-140.11B. Accessory Dwelling Unit Setback Requirement.** Detached accessory dwellings shall have a minimum rear setback of 20 feet in the R-100 zoning district.

**Section 210-140.11C. Number of Accessory Dwelling Units.** No more than one accessory dwelling unit per principal dwelling unit.

**Section 210-140.11E. Accessory Dwelling Unit Size.** The accessory dwelling unit shall not exceed 50 percent of the principal residence's heated floor area.

The applicant is requesting three variances regarding the existing accessory dwelling units, which were constructed by the previous owner without a permit. A notice of violation was issued in October 2024, as a result of an unrelated complaint. The accessory dwelling units are encroaching 6 feet into the required rear setback, resulting in a setback of 14 feet from the rear property line. The existing two accessory dwelling units exceed the maximum size of 1,981 square feet by 563 square feet.





Site Plan (Accessory Dwelling Highlighted)



Existing Accessory Dwelling Units



Existing Accessory Dwelling Units



View of Residence with Accessory Dwelling on the right side

## Standards for Granting Variances

Section 270-90.7.A. of the Unified Development Ordinance (UDO) lists the following criteria for granting variances:

1. The strict adherence to a provision creates a hardship due to topographical or site conditions, or
2. The applicant proposes a solution which does not circumvent the purpose and intent of the UDO.

## Staff Analysis

The accessory dwelling units were constructed by a previous owner and is located toward the rear of the property. Access is provided by a long, curved driveway extending approximately 600 feet from Pharrs Road, which is well screened by existing trees. The accessory dwelling units have been in existence and utilized without any adverse impacts to public safety, traffic, or infrastructure. Due to the depth of the lot and substantial tree coverage, the accessory dwelling units are not visible from the public right-of-way and are integrated into the site in a manner that minimizes visual and external impacts. In addition, the nearest residences on the adjacent properties are located more than 275 feet, and 375 feet from the accessory dwelling unit. Approval of the variance would not circumvent the purpose and intent of the UDO.

## Staff Recommendation

Based upon the findings and conclusions herein, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the variance requests, with the following conditions:

1. The property shall be in general conformance to the site plan dated received December 29, 2025, with revisions required by the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. A certificate of occupancy for the accessory dwelling units shall be obtained within 6 months of approval of this variance.

## Exhibits:

- A. Application
- B. Maps

**Exhibit A: Application**  
**(attached)**





## VARIANCE APPLICATION

See the Variance Application Submittal Instructions for general information and directions related to submitting this application.

### Property Information:

Property Address: 1542 Pharrs Road Property Parcel ID: 5072 096

Variance(s) Requested: ADU encroaching into the rear setback, no more than one ADU per principal dwelling, ADU exceeding maximum square footage,

Unified Development Ordinance (UDO) Code Section(s): 210-140.11B, 210-140.11C, 210-140.11E

Sign Ordinance Code Section(s): N/A

### Applicant Information:

Name: Oscar Ortiz

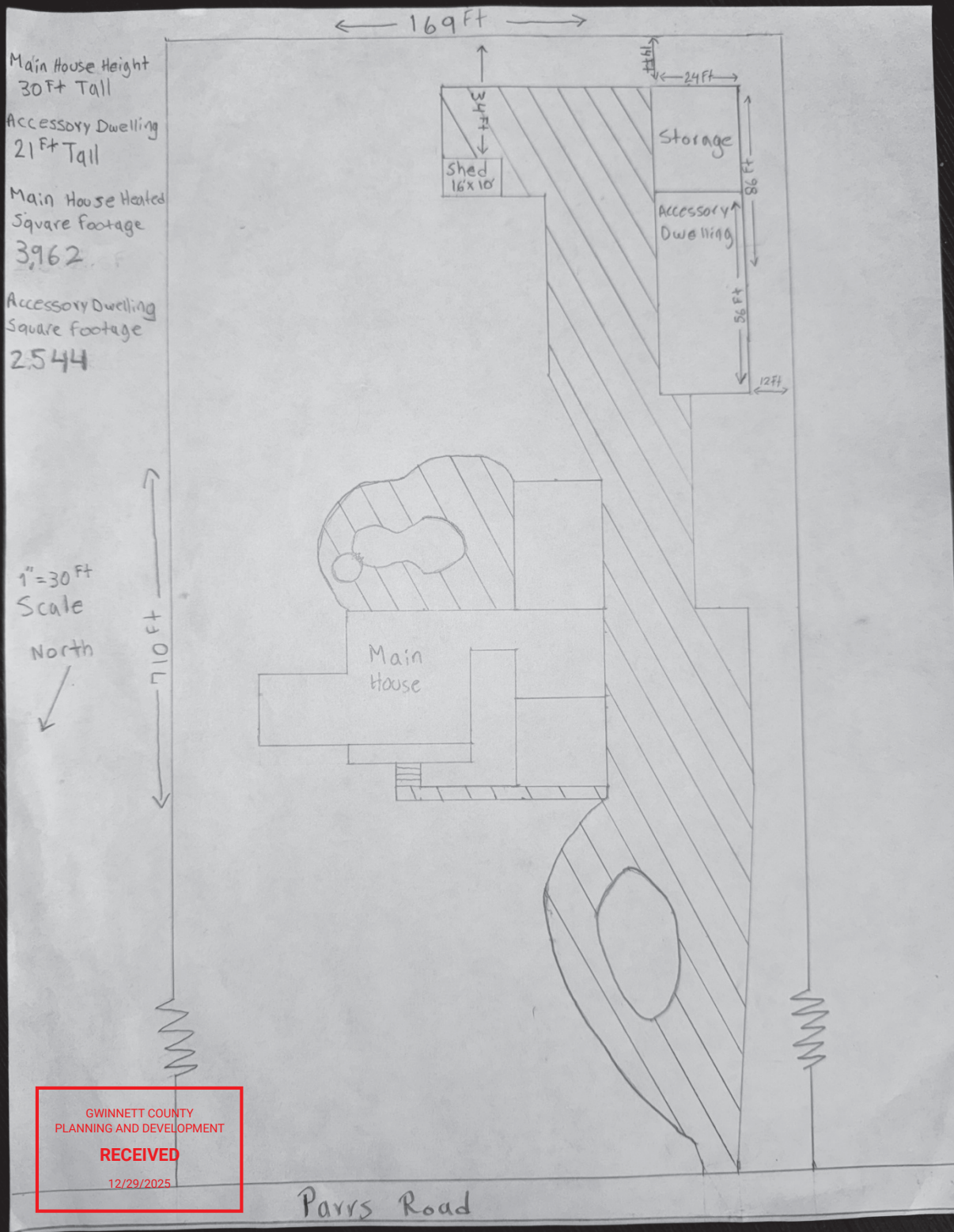
Contact Person: Oscar Ortiz

Mailing Address: 1542 Pharrs Road

City, State, Zip Code: Grayson, GA 30017

Phone Number: 470.902.6944 Email Address: Orlandin498@gmail.com

Applicant is (check, if applicable): ☒ Property Owner ☐ Owner's Agent





**Oscar Ortiz**  
1542 Pharrs Rd  
Grayson, GA 30017  
Parcel: R5072 096  
Phone: 470-902-6944

**October 20, 2025**

**Letter of Intent – Zoning Variance Request**

**Re: Case Number ZONV2025-00043**  
**Property Address: 1542 Pharrs Rd, Grayson, GA 30017**  
**Parcel: R5072 096**

**To Whom It May Concern,**

I am writing in reference to my property located at 1542 Pharrs Rd, Grayson, GA 30017 (Parcel R5072 096), to respectfully explain the circumstances related to an existing structure on the property.

In July 2022, a pre-existing three-car garage on the property — already equipped with electrical, plumbing, and septic systems — was converted into an additional living unit, commonly referred to as a “mother-in-law suite.” The purpose of this conversion was to provide a safe and adequate living space for a close family member, my mother-in-law, who currently resides there.

During a recent visit by the County — originally prompted by a matter related to a tree — it was noted that this structure may be in violation of **UDO code section 210-140.11B: detached ADU’s shall have a rear setback of 20 feet, UDO code section 210-140.11C: no more than one ADU unit per principal dwelling, and also UDO code 210-140.11E: the ADU shall not exceed 50% of the principal residence’s heated floor area.”**

We are fully committed to cooperating with the County, following the established procedures, and ensuring that the property complies with all applicable rules. Our sole intent was to provide a dignified living space for a family member, and at no time did we intend to bypass any laws or requirements.

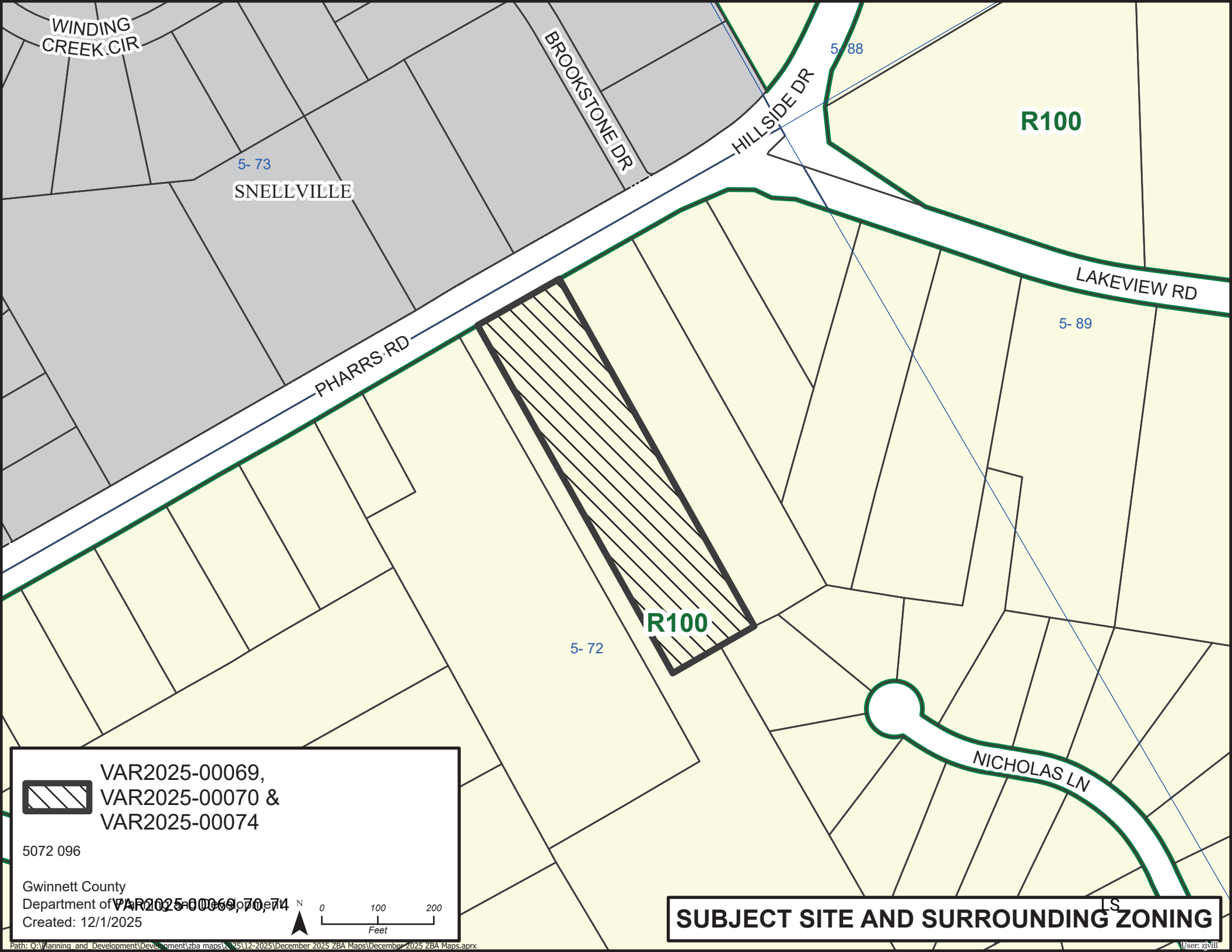
Thank you for your attention to this matter. Please let me know if any further information or documentation is needed.



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

- A. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain:  
*No*
- B. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain:  
*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*
- D. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain:  
*No*
- E. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain:  
*No*
- F. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain:  
*No*
- 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 make sense*

**Exhibits B: Maps**  
**(attached)**



WINDING CREEK CIR

BROOKSTONE DR

HILLSIDE DR

5- 73  
SNELLVILLE

R100

LAKEVIEW RD


5- 89

PHARRS RD

R100

5- 72

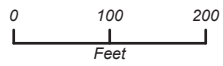
NICHOLAS LN



VAR2025-00069,  
VAR2025-00070 &  
VAR2025-00074

5072 096

Gwinnett County  
Department of Planning and Development  
Created: 12/1/2025



**SUBJECT SITE AND SURROUNDING ZONING**



SNELLVILLE

PHARRS RD

LAKEVIEW RD



VAR2025-00069,  
VAR2025-00070 &  
VAR2025-00074

5072 096

Gwinnett County  
Department of Planning and Development  
Created: 12/1/2025



0 50 100  
Feet

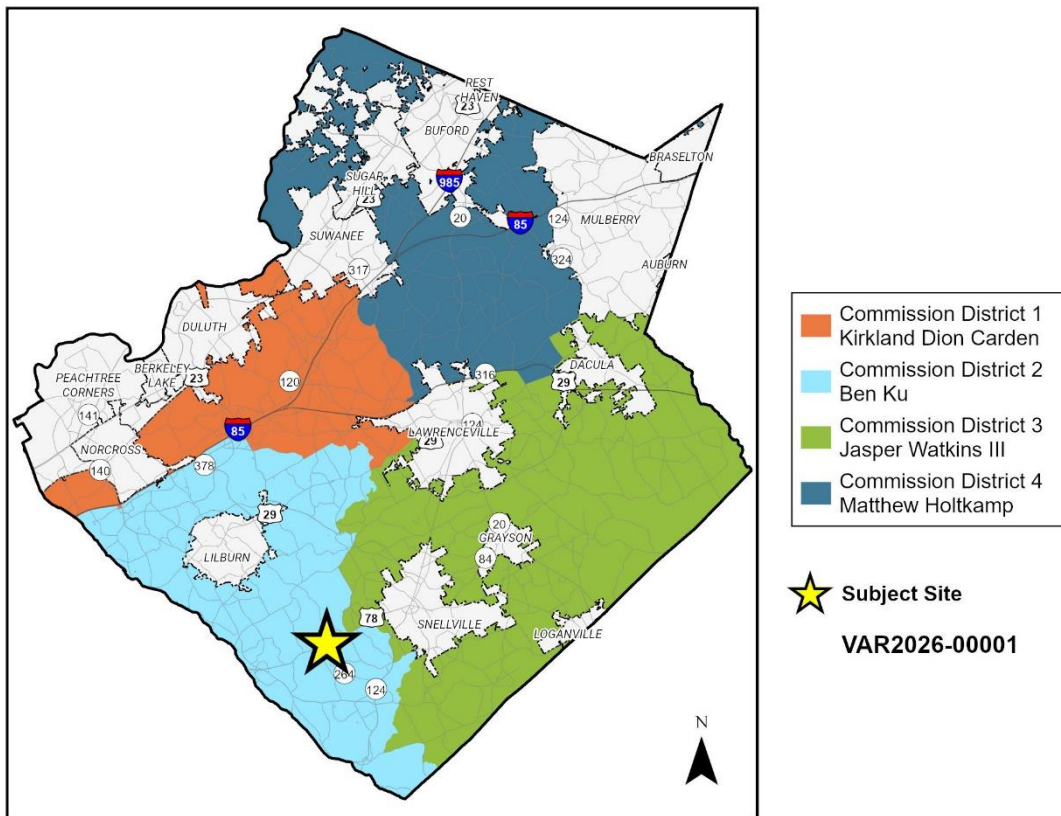
NICHOLAS LN  
LS  
Gwinnett County GIS  
User: 2/2/2025





## ZONING BOARD OF APPEALS CASE REPORT

**Case Number:** VAR2026-00001  
**Variance Request:** Exceed maximum wall signage area  
**Zoning District:** C-2 (General Business District)  
**Address:** 4051 Stone Mountain Highway  
**Map Number:** R6054 149  
**Site Area:** 11.39 acres  
**Applicant:** Jennifer Wolfe - It's Permittable, LLC  
**Owner:** Killian Hill Acquisition, LLC  
**Commission District:** District 2 – Commissioner Ku  
**Staff Recommendation:** **APPROVAL WITH CONDITIONS**





## Existing Site Conditions

The subject site is an 11.39-acre property located at the intersection of Killian Hill Road and Stone Mountain Highway. The property contains a large multi-tenant shopping center containing restaurant, retail, and service uses. The building sits at the rear of the site and is separated from Stone Mountain Highway by a large surface parking lot featuring landscaped islands with trees. The Crunch Fitness suite contains an existing 99-square-foot wall sign. The subject site is surrounded by similar commercial developments along the highly developed Stone Mountain Highway corridor.



## Variance Request

The applicant is seeking a variance from the following provision of Chapter 78 of the Gwinnett County Code of Ordinances:

**Section 78.113.A. Signage Standards.** Individual establishments between 15,001 – 50,000 square feet within a shopping center shall have a maximum of 100 square of signage per elevation.

The applicant is requesting to exceed the maximum allowable wall signage area by 67.5 square feet. The applicant proposes a second 68.5-square-foot wall sign (left) and retain the existing 99-square-foot wall sign.



✗ = placement of proposed wall sign



## Standards for Granting Variances

Section 270-90.7.A. of the Unified Development Ordinance (UDO) lists the following criteria for granting variances:

1. The strict adherence to a provision creates a hardship due to topographical or site conditions, or
2. The applicant proposes a solution which does not circumvent the purpose and intent of the UDO.

## Staff Analysis

The shopping center is undergoing renovations which includes splitting the anchor tenant into multiple suites. The newly created suite which will contain the Crunch Fitness is approximately 37,000 square feet which limits the maximum square footage of signage to 100 square feet. If the anchor tenant were divided into smaller suites, the total amount of signage would be more than the requested variance. In addition, the shopping center is located approximately 336 feet from the right-of-way and is separated from Stone Mountain Highway by a large parking lot containing several landscaping trees and features a large blank parapet wall that was designed to accommodate signage. The proposed additional signage is not out of character for the area or the design of the building. Approval of the variance would not circumvent the purpose and intent of the UDO.

### **Staff Recommendation**

Based upon the findings and conclusions herein, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the variance request, with the following condition:

1. The proposed wall sign shall be located in general conformance with the elevations and sign details dated received December 2, 2025.

### **Exhibits:**

- A. Application
- B. Maps

**Exhibit A: Application**

**[attached]**



## VARIANCE APPLICATION

See the Variance Application Submittal Instructions for general information and directions related to submitting this application.

### Property Information:

Property Address: 4051 Stone Mountain Hwy Property Parcel ID: 6054 149

Variance(s) Requested: Exceed maximum wall sign area

Unified Development Ordinance (UDO) Code Section(s): N/A

Sign Ordinance Code Section(s): 78.113.A

### Applicant Information:

Name: IT'S PERMITTABLE, LLC

Contact Person: Jennifer Wolfe

Mailing Address: 4113 North Swann Street

City, State, Zip Code: Covington, GA 30012

Phone Number: 770.568.8867 Email Address: itspermittablegeorgia@gmail.com

Applicant is (check, if applicable): ☐ Property Owner ☒ Owner's Agent



RECEIVED

12/2/2025

APPLICATION FOR VARIANCE FOR SIGN BELOW

PREVIOUSLY PERMITTED AND APPROVED- SLP2025-00419



**Rothco**  
Signs & Design, Inc.

4526 Gorgas St., North Port, FL 34287  
Cell: 941-706-6160 [Dave@Rothcosigns.com](mailto:Dave@Rothcosigns.com)  
[www.Rothcosigns.com](http://www.Rothcosigns.com)

**DESIGN #25B1712-R0-1/5 DATE: 02/12/25**

**SCALE: 3/32" = 1' 0"**

**DRAWN BY: DTR**

**JOB NAME:** Crunch Fitness (Lilburn)

**ADDRESS:** 4051 STONE MOUNTAIN HWY

**CITY:** LILBURN **STATE:** GA **ZIP:**

*This design is the sole property of Rothco Signs & Design Inc.  
until signs are paid for in full by customer and is not to be shared  
with others without permission from Rothco Signs & Design Inc.*

**CUSTOMER APPROVAL**

☐ **APPROVED** ☐ **APPROVED AS NOTED**

**DATE:** / /

**BY:** \_\_\_\_\_

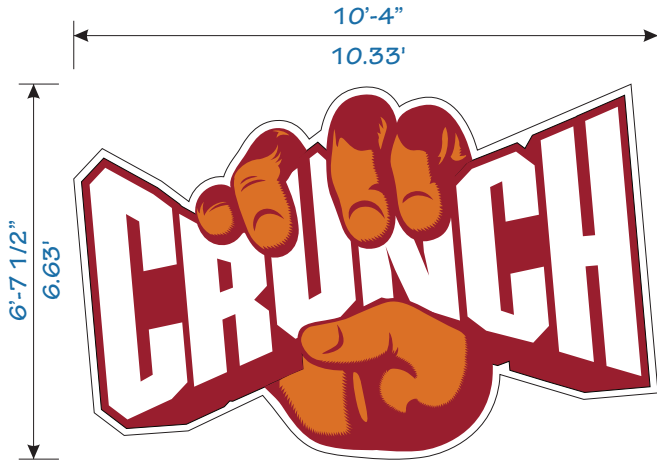
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign

VAR2026-00001

MM



FRONT LEFT SIDE WALL SIGN DETAILS



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

12/2/2025

Manufacture and install (1) 6' 7 1/2" High by 10' 4" wide by 6" deep "CRUNCH" contour channel fabricated white painted aluminum cabinet with bleed flex face tension extrusion. Face to be white 15 oz flexible vinyl material with 1st surface red and orange translucent 3M vinyl. Cabinet to be internally illuminated with high output white LED lighting for front lighting and halo lighting. Clear poly carbonate back to be mounted 1 1/2" off the wall with stainless steel stand offs on 3mm thick white composite aluminum backer to create a white halo effect. All wiring and power supplies will be inside the wall with metal enclosure for power supplies. Connect to existing power supplied by others if within 6' feet of letter location. Note: building must have adequate access behind the wall to allow for installation crew to mount hardware and connect to primary power.

CHANNEL LETTER SQUARE FOOTAGE:

LOGO 6.63 x 10.33 = 68.49

GENERAL SPECIFICATIONS:

SIGN TO BE MANUFACTURED TO U.L. STANDARDS & BEAR MARK. INSTALLATION SHALL CONFORM TO NATIONAL ELECTRIC CODE AND ALL OTHER APPLICABLE LOCAL CODES.

STD. CHANNEL LETTER SPECIFICATIONS / COLORS:

RETURNS: .040 x 5" / WHITE  
BACKS: .050 / BLACK  
INTERIOR: .#W558 PURE WHITE  
TRIMCAP: 1" / WHITE  
FACES: 3/16" WHITE ACRYLIC  
LED COLOR: WHITE/WHITE

COLORS

TRANSLUCENT  
3M VINYL 3630-53  
CARDINAL RED  
PMS 187 C

TRANSLUCENT  
3M VINYL 3630-74  
KUMQUAT ORANGE  
PMS 151 C

LOGO CABINET  
PAINTED  
WHITE

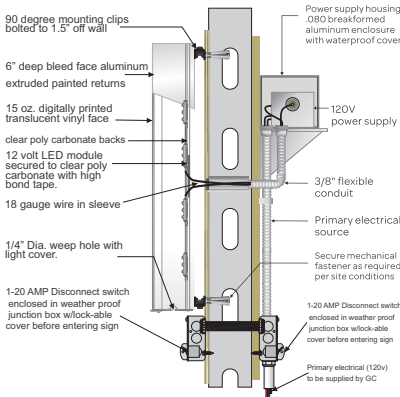
5" DEEP  
RETURNS  
WHITE

FACES 3/16"  
WHITE ACRYLIC

WHITE LED  
LIGHTING

Flex face Logo Detail

Letter Section Detail (typ.) U.L. listed Conforms to NEC 600.6



Rothco  
Signs & Design, Inc.

4526 Gorgas St., North Port, FL 34287  
Cell: 941-706-6160 [Dave@Rothcosigns.com](mailto:Dave@Rothcosigns.com)  
[www.Rothcosigns.com](http://www.Rothcosigns.com)

DESIGN #25B1712-R0-3/5 DATE: 02/12/25

SCALE: 3/8" = 1' 0"

DRAWN BY: DTR

JOB NAME: Crunch Fitness (Lilburn)

ADDRESS: 4051 STONE MOUNTAIN HWY

CITY: LILBURN STATE: GA ZIP: 30039

This design is the sole property of Rothco Signs & Design Inc.  
until signs are paid for in full by customer and is not to be shared  
with others without permission from Rothco Signs & Design Inc.

CUSTOMER APPROVAL

☐ APPROVED ☐ APPROVED AS NOTED

DATE: / /

BY: \_\_\_\_\_

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign

VAR2026-00001

MM



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

12/2/2025

## Letter of Intent

Gwinnett County Department of Planning and Development  
Attention: Zoning Board of Appeals  
446 West Crogan Street, Suite 300  
Lawrenceville, GA 30046

Re: Variance Petition for Additional Wall Sign – Crunch Fitness  
Property Address: 4051 Stone Mountain Highway, Lilburn, GA 30047  
Zoning District: C-2 General Business District  
Parcel ID: R6054-149

On behalf of Crunch Fitness, the undersigned respectfully submits this petition for zoning relief from code section 78-113A.7 of the Gwinnett County Sign Ordinance. The applicant hereby seeks a variance to exceed the maximum wall sign square footage allowed per façade. For buildings ranging from 15,001 to 50,000 square feet, the maximum permitted wall signage per façade is 100 square feet.

We are requesting relief to allow one additional wall sign on the front façade (left side) of the building, measuring approximately 68.5 square feet. The purpose of this request is to enhance business identification and ensure adequate visibility for motorists traveling along Highway 78, a high-traffic corridor with posted speeds of approximately 45 mph.

The Crunch Fitness facility occupies approximately 28,000 square feet within the Burlington-anchored neighborhood shopping center located at 4051 Stone Mountain Highway. The center encompasses 11.39 deeded acres and features approximately 786 feet of combined road frontage along Killian Hill Road and Highway 78.



Currently, Crunch Fitness has one approved wall sign, measuring 99 square feet, located on the right side of the storefront above the main entrance doors (approved under SLP2025-00419). This existing sign is within the 100 sq. ft. per-sign limit and well under the 200 sq. ft. total aggregate wall signage allowance permitted by ordinance.

However, due to the large width of the storefront (138'-6"), the deep setback from the highway, and the volume and speed of passing traffic, the single existing sign does not provide adequate visibility for drivers approaching from the westbound direction on Highway 78.

This request represents the minimum variance necessary to achieve effective visibility while maintaining full compliance with all other design and construction standards.

The intent of this variance request is to:

- Provide adequate and safe business identification for westbound motorists on Highway 78;
- Maintain compliance with the Unified Development Ordinance (UDO) and Sign Ordinance intent for proportional, attractive signage;
- Support the continued success of an anchor tenant within a high-performing neighborhood center; and
- Enhance public safety and wayfinding by allowing sufficient visual recognition distance for approaching drivers.

This petition does not seek to exceed the maximum allowable aggregate signage area and will not negatively impact adjacent properties or the visual character of the development.



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

12/2/2025

For these reasons, the applicant respectfully requests that the Gwinnett County Zoning Board of Appeals grant the requested variance to allow one additional 68.5-square-foot wall sign on the front elevation of the Crunch Fitness building.

This variance is both reasonable and consistent with the spirit and intent of the Gwinnett County Unified Development Ordinance, balancing visibility, safety, and aesthetic integrity.

Respectfully submitted,

Jennifer Wolfe

Applicant Representative, Crunch Fitness

**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:**

1. Does the strict adherence to a provision create hardship due to topographical or site conditions?

Yes.

*Strict adherence to the current sign ordinance creates a hardship due to the site's physical layout and frontage conditions. The Crunch Fitness building is situated within a large commercial center totaling 11.39 deeded acres, with approximately 786 feet of combined frontage along Killian Hill Road and Highway 78. The building sits deeply recessed from the highway, well beyond the typical setback of smaller commercial sites.*

*This extended setback, coupled with heavy daytime traffic and posted speeds of approximately 45 mph, limits visibility of existing signage for motorists approaching from the westbound direction on Highway 78. Although the site has a clear line of sight, the distance from the right-of-way and the scale of the building façade (138'-6") create a practical hardship when the sign code's standard size limitations are strictly applied.*

*As a 28,000-square-foot anchor tenant, Crunch Fitness requires signage proportional to both its façade and its distance from the roadway. The hardship is therefore a direct result of the site's physical and dimensional conditions, not the result of any self-created circumstance by the property owner or tenant.*

2. Does the applicant propose a solution that does not circumvent the purpose and intent of this UDO?

Yes.

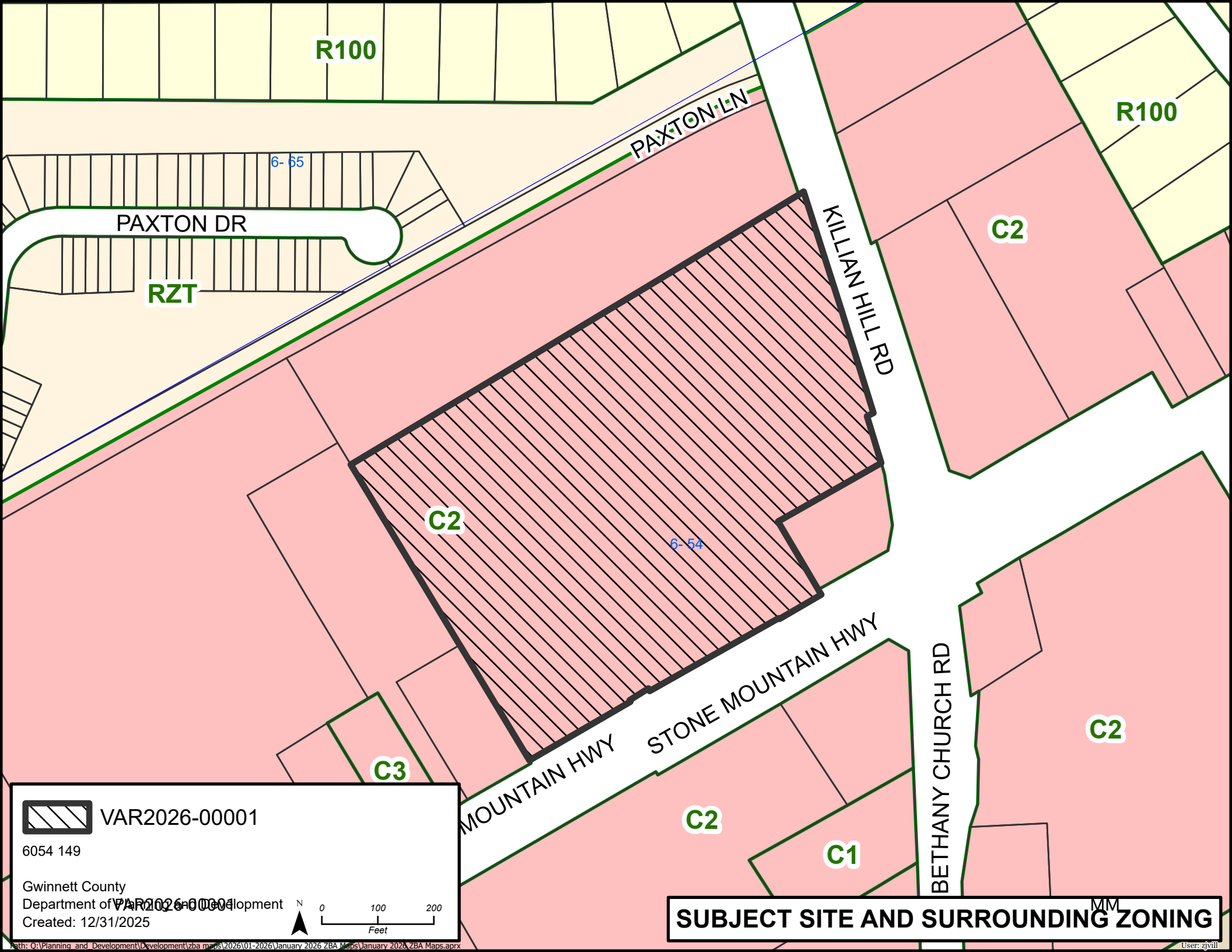
*The requested additional wall sign is consistent with the purpose and intent of the Unified Development Ordinance because it remains within the maximum aggregate wall signage allowance of 200 sq. ft., maintains architectural proportion, and supports safe and effective wayfinding for a large anchor tenant within a deep-set commercial center.*

*The variance seeks only the minimum relief necessary to achieve visibility appropriate to the site's scale, road conditions, and building dimensions. It does not undermine the intent of the UDO to regulate signage for aesthetic quality, public safety, or orderly development. Instead, it enhances these goals by improving motorist recognition, reducing abrupt maneuvers, and supporting the viability of an existing anchor tenant without creating clutter or excessive signage.*

**Exhibit B. Maps**

**[attached]**





R100

R100

PAXTON LN

6-65

PAXTON DR

RZT

KILLIAN HILL RD

C2

C2

6-54

C3

STONE MOUNTAIN HWY

STONE MOUNTAIN HWY

C2

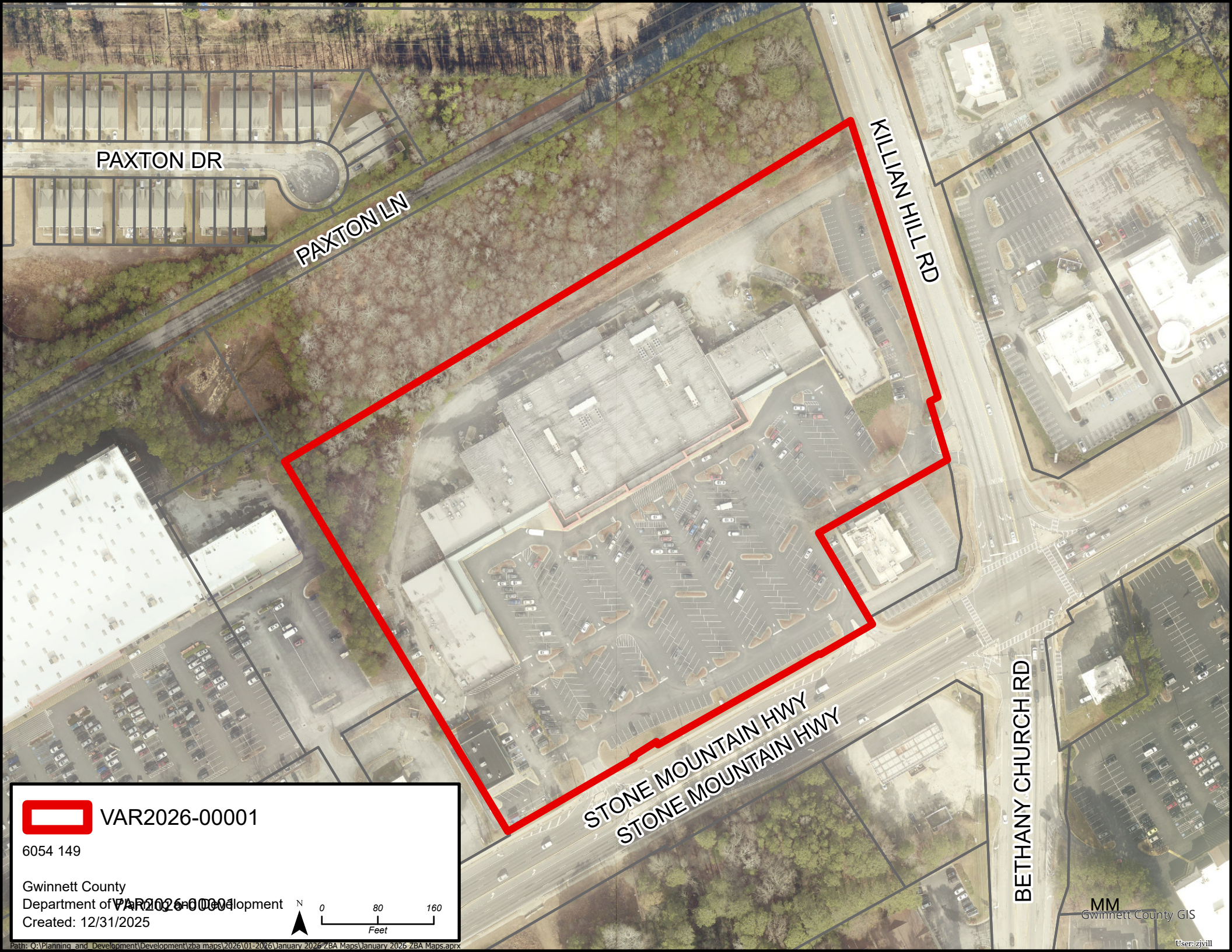
C1

BETHANY CHURCH RD

C2

MM





PAXTON DR

PAXTON LN

KILLIAN HILL RD

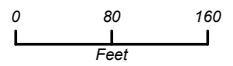
STONE MOUNTAIN HWY  
STONE MOUNTAIN HWY

BETHANY CHURCH RD

 VAR2026-00001

6054 149

Gwinnett County  
Department of Planning and Development  
Created: 12/31/2025



MM  
Gwinnett County GIS