



Zoning Board of Appeals
Tuesday, February 13, 2024, 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 – January 9, 2024**
- E. Announcements**
- F. New Business**
 - 1. Case Number: **ZVR2023-00160**
Applicant/Owner/Contact: Angela Albul
Phone Number: 770.374.2597
Zoning: R-100
Location: 2366 Centerville Rosebud Road
Map Number: R4275 021
Variance Requested: Allow acreage reduction for livestock
Commission District: (3) Watkins
 - 2. Case Number: **ZVR2024-00002 - Administratively Withdrawn**
 - 3. Case Number: **ZVR2024-00009 – Administratively Withdrawn**
 - 4. Case Number: **ZVR2024-00010 – Administratively Withdrawn**
 - 5. Case Number: **ZVR2024-00011**
Applicant/Owner/Contact: Salim Jiwa
Phone Number: 410.430.4925
Zoning: C-2
Location: 2379 Lawrenceville Highway
Map Number: R5047 527
Variance Requested: Emissions inspection stacking spaces
Commission District: (2) Ku

6. Case Number:	ZVR2024-00012
Applicant/Owner/Contact:	Salim Jiwa
Phone Number:	410.430.4925
Zoning:	C-2
Location:	2379 Lawrenceville Highway
Map Number:	R5047 527
Variance Requested:	Dumpster requirements
Commission District:	(2) Ku

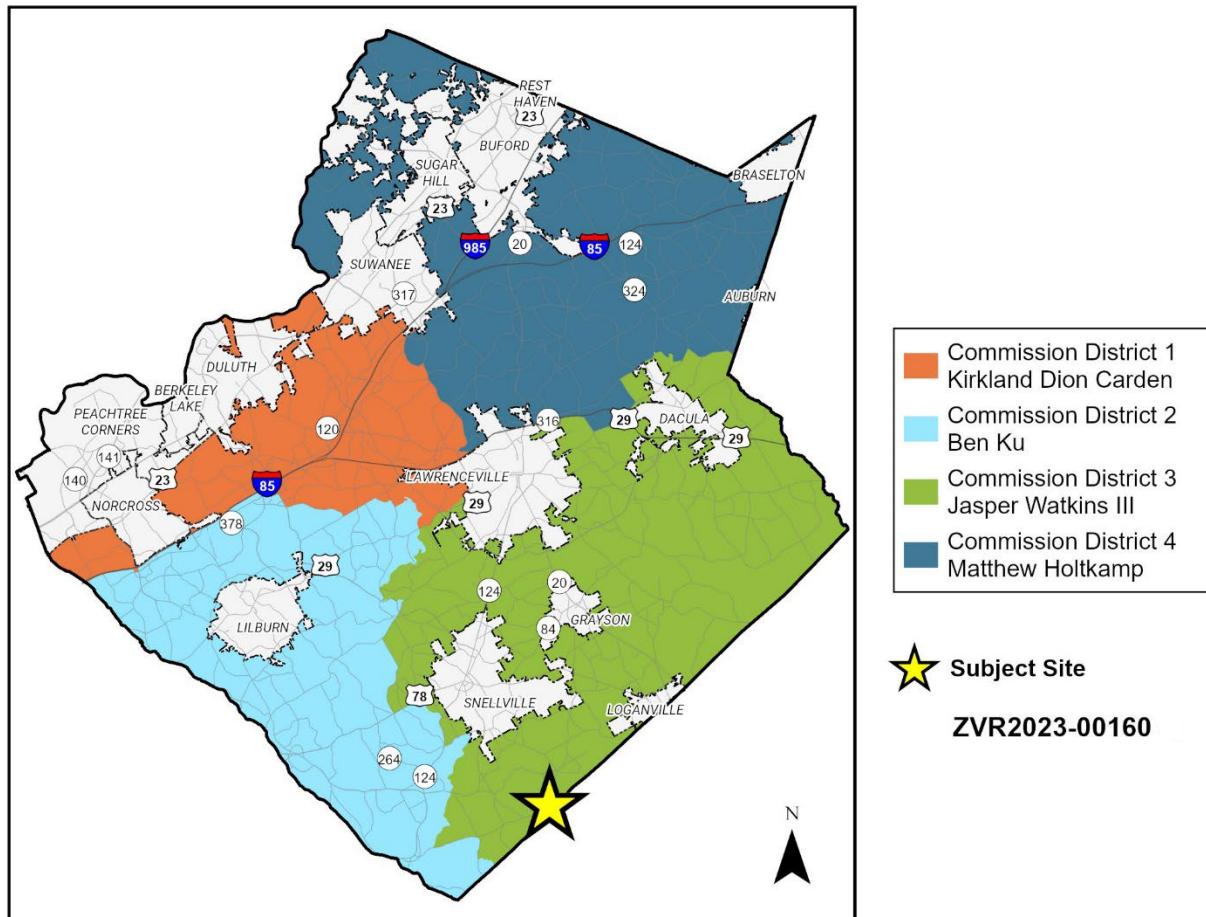
G. OTHER BUSINESS

H. ANNOUNCEMENTS

I. ADJOURNMENT

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: ZVR2023-00160
Request: Acreage reduction for livestock on a single-family residential lot
Address: 2366 Centerville Rosebud Road
Map Number: R4275 021
Zoning: R-100 (Single-Family Residence District)
Site Area: 2.36 acres
Proposed Development: Keeping of Livestock
Commission District: District 3 – Commissioner Watkins/ Timler
Character Area: Suburban Estate Living



Applicant: Angela Albul
2366 Centerville Rosebud Road
Loganville, GA 30052

Owners: Angela Albul
2366 Centerville Rosebud Road
Loganville, GA 30052

Contact: Angela Albul

Contact Phone: 770.374.2597

Zoning History

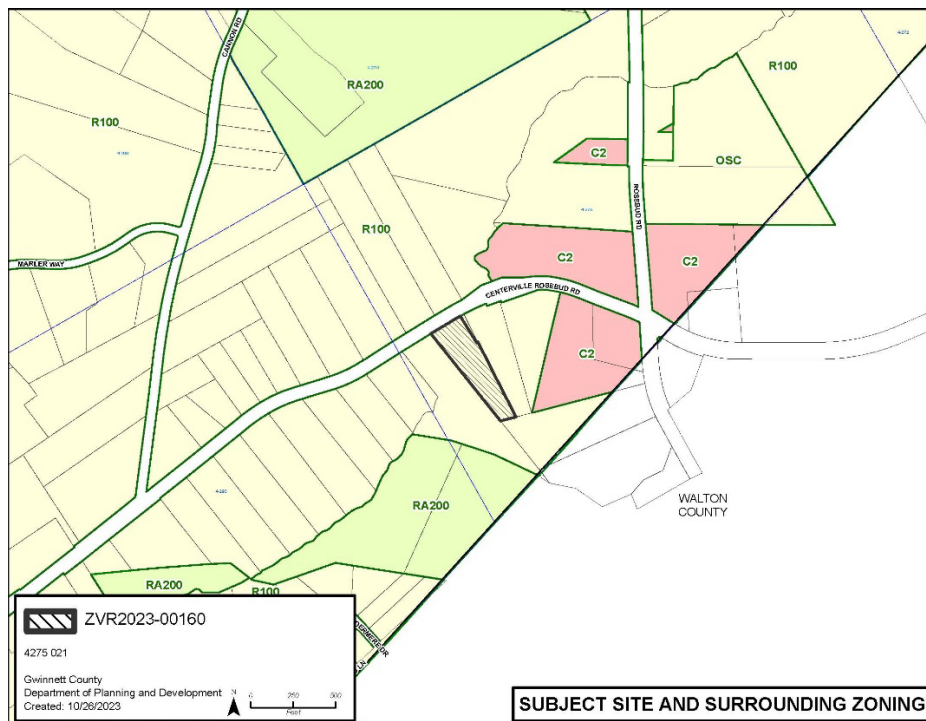
The subject property is zoned R-100 (Single-Family Residence District). The property was rezoned from R-100 and C-2 (General Business District) to R-100 in 1992, pursuant to RZ-92-018.

Existing Site Condition

The subject site is a 2.36-acre developed, single-family lot on Centerville Rosebud Road. A single driveway accesses the site from Centerville Rosebud Road. The property has a one-story stucco residence constructed in 1978. The side yard of the property has two existing accessory buildings. The site is relatively flat. There is a stream with its associated 75-foot-buffers traversing the lot from east to west. The 100-year floodplain extends on both sides of the stream. The property is located within the Rockdale Reservoir 7-mile buffer area. Stream buffers in this area are larger than typical stream buffers in order to better protect Rockdale Reservoir.

Surrounding Use and Zoning

The surrounding properties are single-family residences on large lots. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

	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 keep livestock, including:

- Four pet goats, proposed to be free-roaming, on a 2.36- acre parcel.
- A notice of violation, CEU2023-02650 issued by Code Enforcement in April 2023 for the keeping of livestock on a lot that is less than three acres.

Zoning and Development Standards and Variance Requests

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

1. **210.140.2.B.** - In all other zoning districts: the raising and keeping of livestock for personal pleasure or utility on a parcel which contains the dwelling of the owner of the livestock is permitted, provided that the parcel is at least 3 acres in area and all animal quarters are located no closer than 100 feet from any property line.
 - The applicant requests a variance to keep four goats on a 2.36-acre parcel.

Staff Recommended Condition

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

1. A maximum of four goats shall be permitted on the site. No other livestock shall be permitted.

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 property from Centerville Rosebud Road



View of accessory in the side yard and temporary goat housing



Proximity to stream from accessory and temporary goat housing

Exhibit B: Site Plan

[attached]



AREA OF PERMANENT
SANITARY SEWER EASEMENT =
9,666 SQ. FT.

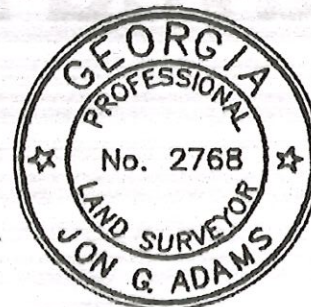


AREA OF TEMPORARY
CONSTRUCTION EASEMENT =
5,987 SQ. FT.

TOTAL AREA = 15,653 SQ. FT.

NOTE: PROPERTY LINES AS SHOWN AS PER
GWINNETT CO. TAX RECORDS.
A COMPLETE FIELD SURVEY OF
THE SUBJECT AND/OR ADJOINING
PROPERTIES WAS NOT PERFORMED.

NOTE: THE PERMANENT EASEMENT TO BE
CENTERED ON THE AS CONSTRUCTED
SANITARY SEWER LINE.

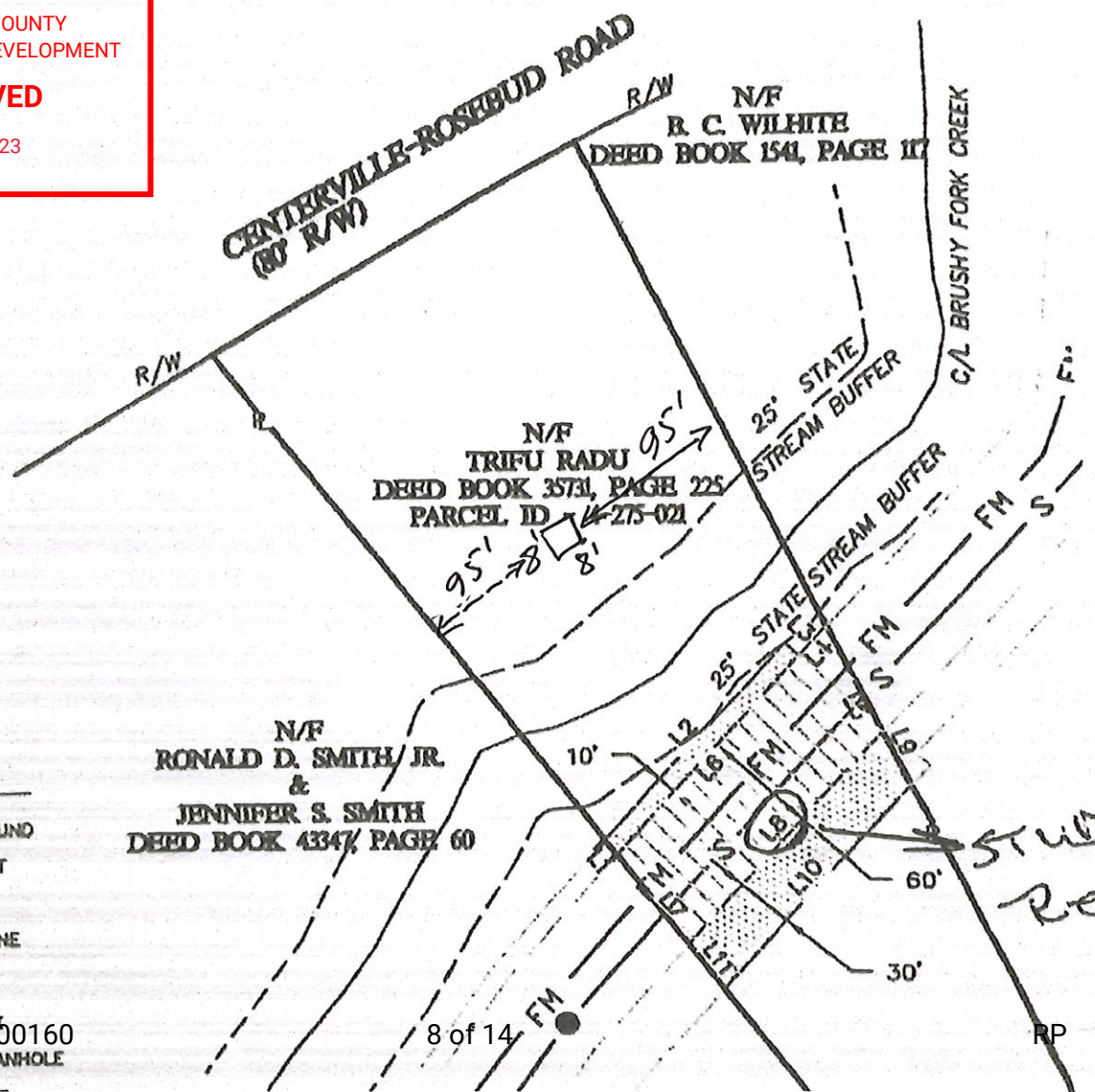


FOR THE FIRM OF:
HANNON, MEEKS & BAGWELL
SURVEYORS & ENGINEERS, INC.



LINE TABLE		
LINE	BEARING	LENGTH
L1	S37°44'01"E	10.16
L2	N42°07'29"E	144.23
L3	N47°52'31"W	10.00
L4	N42°07'29"E	21.69
L5	N26°08'13"W	64.59
L6	N42°07'29"E	146.02
L7	S37°44'01"E	60.95
L8	N42°07'29"E	154.52
L9	N26°08'13"W	32.30
L10	N42°07'29"E	147.92
L11	S37°44'01"E	30.48

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
6/15/2023



- LEGEND**
- I.P.F. = IRON PIN FOUND
 - I.P.S. = IRON PIN SET
 - CL = CENTERLINE
 - PL = PROPERTY LINE
 - LL = LAND LOT
 - B.M. = BENCHMARK
 - = SANITARY MANHOLE

ZVR2023-00160

Stub loc
Requ...

Exhibit C: Letter of Intent and Standards for Granting Variances

[attached]

RECEIVED

6/15/2023

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: Our property is 2.36 acreage, in order to keep the goats it's needed 3.00 acv.
- 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: Because of the size of our property
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: Umic due to the request for keepin the goats.
- 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: result of the Code enforcement CEN 2023-02650
- 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: Wil not
- 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

Albul Residence
2366 Centerville Rosebud Road
Loganville, Ga 30052
06/15/2023

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

6/15/2023

Re: Permission to have my goats on my property .

We are writing to you today to declare our intent in keeping our pet goats. As current, responsible owners, we make every effort to assure you we are courteous pet owners.

We are happy to discuss any requirements in order for us to keep these pets.

We provide appropriate level of care for our goats.

Kindly,

Angela Albul
2366 Centerville Rosebud Rd
770-374-2597

Exhibit D: Maps

[attached]

CENTERVILLE ROSEBUD RD



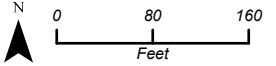
WALTON
COUNTY



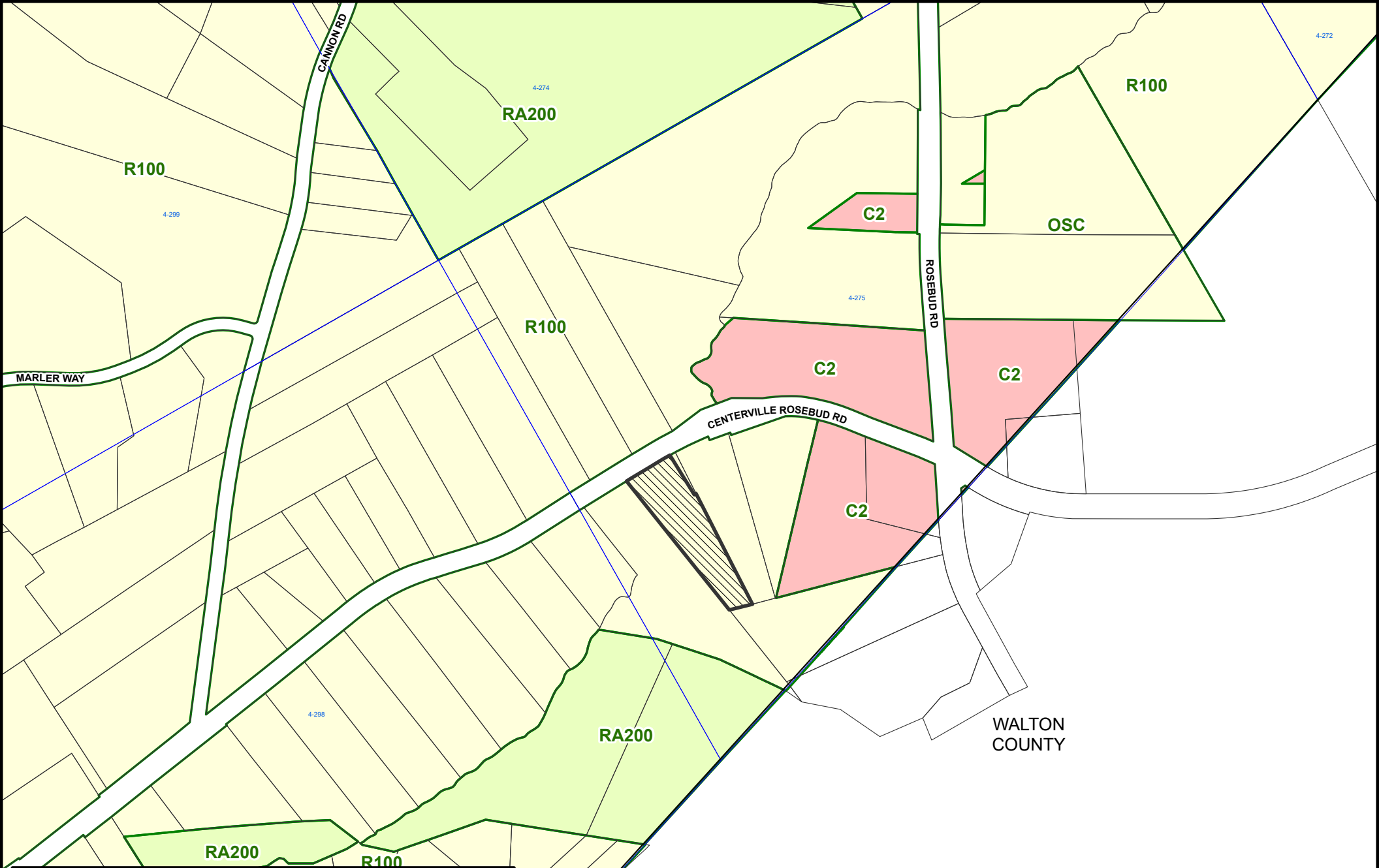
ZVR2023-00160


4275 021

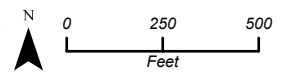
Gwinnett County
Department of Planning and Development
Created: 10/26/2023



Gwinnett County GIS



 **ZVR2023-00160**
 4275 021
 Gwinnett County
 Department of Planning and Development
 Created: 10/26/2023



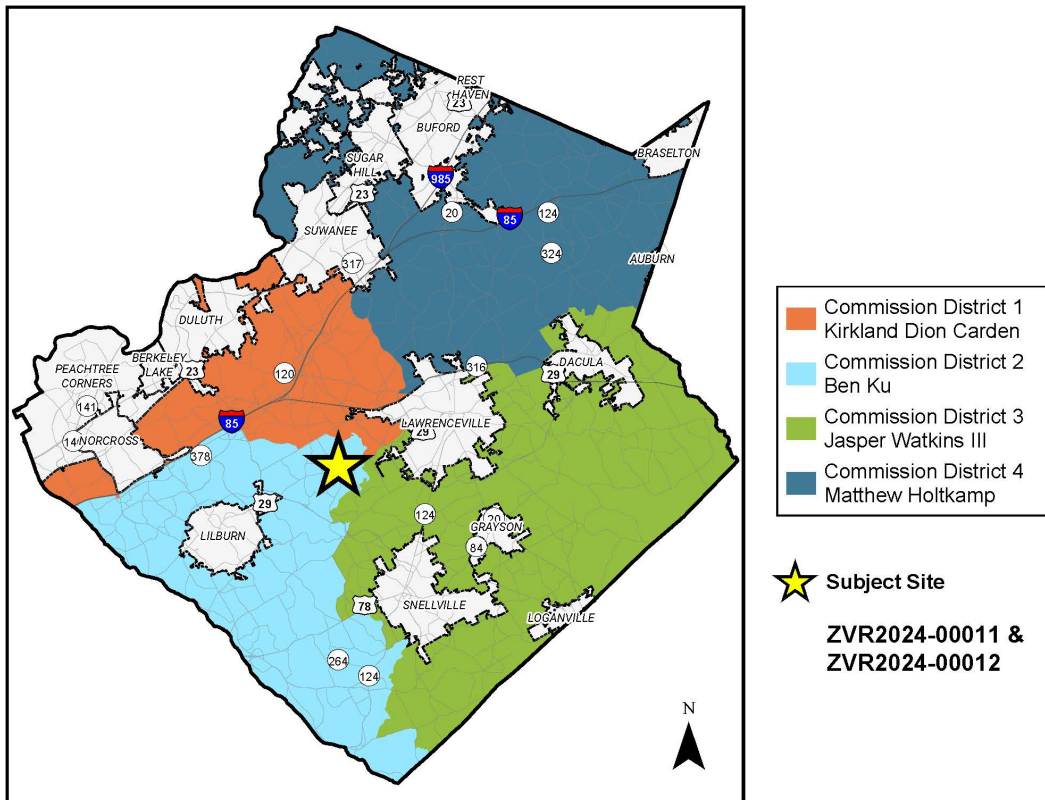
SUBJECT SITE AND SURROUNDING ZONING

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: ZVR2024-000011
Request: Variance from the emissions inspection station stacking spaces

Case Number: ZVR2024-000012
Request: Variance from the dumpster regulations

Address: 2379 Lawrenceville Highway
Map Number: R5047 527
Zoning: C-2 (General Business District)
Site Area: 0.62 acres
Proposed Development: Convenience Store with Fuel Pumps and Emissions Inspection Station
Commission District: District 2 – Commissioner Ku/Graham
Character Area: Community Node



Applicant: Salim Jiwa
1815 Severbrook Place
Lawrenceville, GA 30043

Owner: Salim Jiwa
1815 Severbrook Place
Lawrenceville, GA 30043

Contact: Salim Jiwa

Contact Phone: 410.430.4925

Zoning History

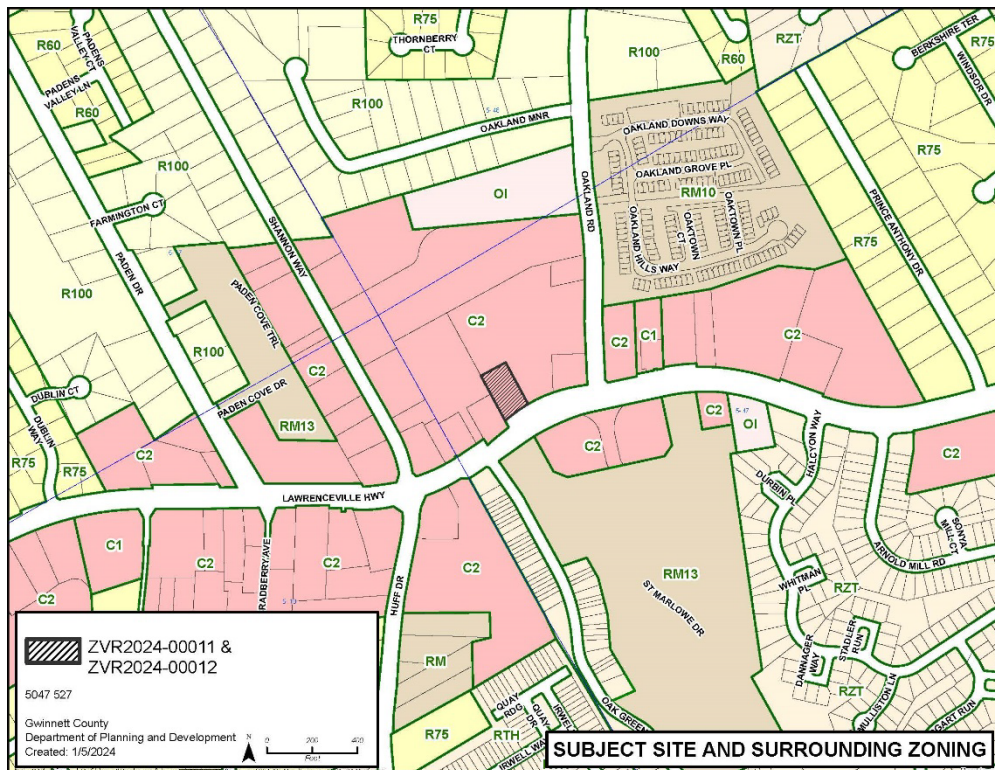
The subject property is zoned C-2 (General Business District). The property was rezoned from R-75 (Single-Family Residence District) to C-2 in 1973, pursuant to RZ-050-73. The property is not located within an Overlay District.

Existing Site Condition

The subject site is a 0.62-acre out-parcel located within the Shannon Oaks shopping center on Lawrenceville Highway, west of its intersection with Oakland Road. The site is developed with a car wash and emissions inspection station including three self-service carwash bays, one drive-through carwash bay, and an emissions drive-through. The site shares inter-parcel access with the adjacent shopping center with an entrance to the property from Lawrenceville Highway. The majority of the site is impervious with two parking lot landscaping islands located in the rear of the property.

Surrounding Use and Zoning

The subject site is surrounded by commercial uses to the north, east, and west. There are apartments and a convenience store with fuel pumps to the south of the site across Lawrenceville Highway. 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 Apartments	C-2 RM-13
West	Commercial	C-2

Project Summary

The applicant requests variances from the required stacking spaces for an emission inspections station and from the dumpster requirements, including:

- A 2,591 square foot convenience store with fuel pumps.
- A 315 square foot drive-through emissions inspection station.
- 11 parking spaces including four spaces at the front of the property adjacent to the right-of-way and seven spaces in the rear of the convenience store.
- Four fuel pumps located underneath a canopy.
- A dumpster enclosure located within the parking lot landscape island and a parking space on the northeast corner of the site.

Zoning and Development Standards and Variance Requests

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

230-120.13.A Dumpsters shall be located in the rear or side yard. Dumpsters are not allowed in front yards. Dumpsters, including the enclosure structure, shall be located a minimum of 5 feet from property lines and buffers.

- The applicant requests a variance to allow the dumpster enclosure to be located in the rear yard within a portion of an existing parking lot landscape island and parking space.

230-130.3.W.3 Emissions inspection stations shall meet the following design standards: The facility shall provide a minimum of four paved parking spaces. Drive-through facilities shall also provide a paved stacking lane for a minimum of four vehicles. Parking spaces and stacking lane shall be striped.

- The applicant requests a variance to allow two stacking spaces.

Staff Recommended Conditions

Should the Zoning Board of Appeals choose to approve the 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 January 16, 2024.

Exhibits:

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

Exhibit A: Site Visit Photos



View of the Principal Building

Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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1/16/2024

0 10' 20'
SCALE: 1"=30'



SITE LEGEND

- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- PROPOSED RIGHT-OF-WAY
- PROPOSED SETBACK LINE
- 24" CURB AND GUTTER
- ⊙ STORM MANHOLE
- ⊙ SANITARY SEWER MANHOLE
- STANDARD DUTY CONCRETE
- HEAVY DUTY CONCRETE PAVING

SITE AREA CALCULATIONS

LOT SIZE = 26,900 SQ. FT. (0.62 AC)
EXISTING IMPERVIOUS AREA = 25,849 SQ. FT. (0.59 AC) -86.1%
EX. PVIOUS AREA = 1,055 SQ. FT. (0.02 AC) -3.9%
MAX. LOT COVERAGE = NONE

BUILDING AREA CALCULATIONS

-EXISTING BUILDING AREA = 2,430 SQ. FT.
-EX. BLDG. AREA TO BE RETRO = 2,104 SQ. FT.
-EX. "C-STORE" BLDG. ADD = 1,545 SQ. FT.
-EX. EMISSIONS SPACE = 315 SQ. FT.
TOTAL BUILDING AREA = 3,964 SQ. FT.

ZONING

JURISDICTION UNINCORPORATED GWINNETT CO.
ZONING C2 (GENERAL BUSINESS)

PARKING

MIN. PARKING REQ'D "C-STORE" 5 SPACES - 1 SPACE/500 SF (GFA)
MAX. PARKING REQ'D "C-STORE" 9 SPACES - 1 SPACE/250 SF (GFA)
EMISSIONS PARKING REQ'D 4 SPACES
TOTAL PARKING PROVIDED 11 SPACES (1 ADA SPACE INCLUDED)

NOTE: PARKING REQUIREMENT MET.

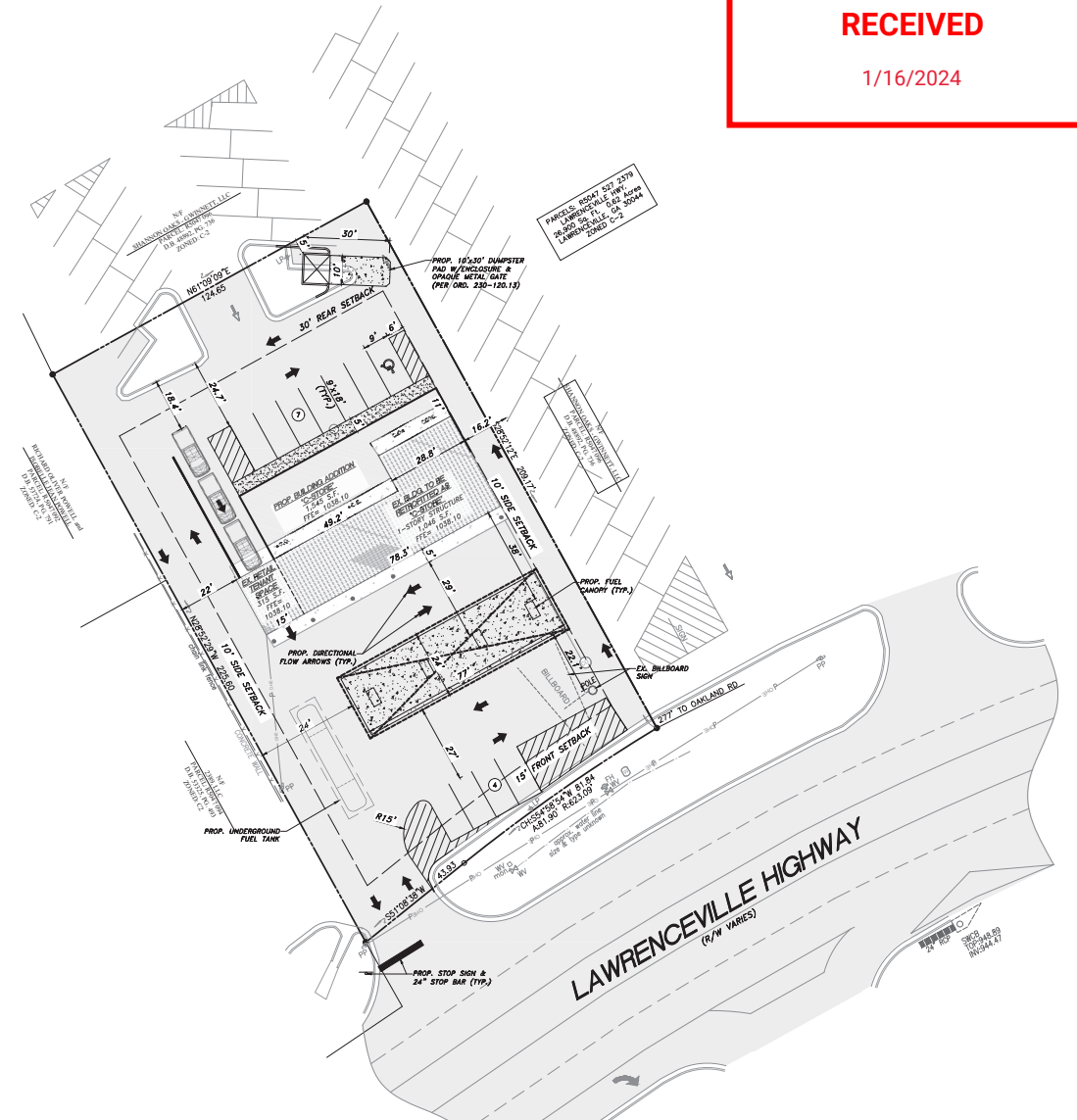
SETBACKS

FRONT YARD SETBACK 15'
SIDE YARD SETBACK 10'
REAR YARD SETBACK 30'
MAX. LOT COVERAGE NONE
MAX. BLDG. HEIGHT 45'

*NOTE: VARIANCE REQUIRED TO REDUCE THE FOUR (4)-CAR MINIMUM STACKING REQUIREMENT AS PER GWINNETT COUNTY CODE SEC. 230-130.3 FOR EMISSIONS TESTING STATIONS AS WELL AS A VARIANCE TO ALLOW FOR PLACEMENT OF A DUMPSTER WITHIN THE LANDSCAPE AREA ON THE REAR OF THE PROPERTY.

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
2. REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, TRUCK WELLS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
3. ALL DIMENSIONS AND RISE ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
4. ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
5. ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION.
6. ALL STRIPPED OR CURBED PAVI SHALL BE 1" UNLESS OTHERWISE NOTED.
7. THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
8. SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, BASES AND FIXTURES WITH LAMPS SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
9. CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
10. SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
11. ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
12. ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
13. ALL CONCRETE SHALL BE MINIMUM 4,000 PSI 28 DAY COMPRESSIVE STRENGTH (SEE DETAILS)
14. PROJECT SIGNAGE SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
15. ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 18".
16. PARKING LOT STRIPING SHALL BE INCLUDED IN PAVING CONTRACTOR'S SCOPE OF WORK. STRIPING WILL BE ACCORDING TO OWNER'S SPECIFICATIONS UNLESS NOTED OTHERWISE. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (MIN).
17. THE OWNER/DEVELOPER IS RESPONSIBLE FOR OBTAINING ANY AND ALL OFF-SITE EASEMENTS NOT DELINEATED ON PLANS OR KNOWN OF AT THE TIME OF PLAN ISSUANCE.
18. THE SITE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL WORK AND APPURTENANCE TO WITHIN 5' OF THE BUILDING. THIS INCLUDES TRANSFORMER AND DUMPSTER PADS AS WELL AS ALL UTILITY CONDITIONS.



P.O. BOX 366411
ATLANTA, GA 30336
(205) 266-1648
darrell@jdmconsultantsllc.com
jdmconsultantsllc@gmail.com

CLIENT:

THIS DRAWING IS THE PROPERTY OF JDM CONSULTANTS LLC. IT IS ONLY TO BE USED FOR THE PROJECT AND LOCATION IDENTIFIED HEREIN. NO PART OF THIS DRAWING IS TO BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM BY MEANS ELECTRONIC, MECHANICAL, PHOTOCOPYING OR OTHERWISE WITHOUT THE PRIOR PERMISSION OF JDM CONSULTANTS LLC.

SEAL:

REVISIONS:

NO.	DATE	DESCRIPTION
1	9/14/2023	PLANNING COMMENT
2	1/16/2024	PLANNING COMMENTS ADDRESSED

PROJECT:
**LAWRENCEVILLE
HWY "C-STORE"
RETROFIT**
2379 LAWRENCEVILLE HIGHWAY
GWINNETT COUNTY, GA 30044
PID: R2047527
ZONED: C2

SHEET TITLE:
SITE PLAN

DESIGNED BY: JDM
DRAWN BY: DJ
CHECKED BY: DJ
APPROVED BY: JDM

SCALE: AS SHOWN
DATE: 08-14-2023
PROJECT NO.:

SHEET:
1 of 1



www.Georgia811.com
Have your below.
Call before you dig.

Exhibit C: Example of Typical Building Elevations

[attached]

PROPOSED "C-STORE" WILL HAVE SIMILAR BUILDING ELEVATIONS.

SHOWN:
FRONT ELEVATION OF NEW CONVENIENCE STORE LOCATED AT 4000 JIMMY CARTER BLVD. (SPACING ON THREE (3) SIDES LESS THAN 40FT)

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

1/16/2024



RECEIVED

1/16/2024

PROPOSED "C-STORE" WILL HAVE SIMILAR
BUILDING ELEVATIONS.

SHOWN:
SIDE ELEVATION



Exhibit D: Letter of Intent and Standards for Granting Variance

[attached]



November 16, 2023

Revised: January 15, 2024

Gwinnett County Department of Planning & Development
446 West Crogan St
Lawrenceville, GA 30046

RE: VARIANCE PETITION FOR 2379 LAWRENCEVILLE HWY

STATEMENT OF INTENT

The applicant, Salim Jiwa, is seeking to obtain a variance at the address of **2379 Lawrenceville Highway** (to be referred to as the “subject property”) for a reduction of the four (4)-car stacking requirement as stated in the Gwinnett County code of ordinance, Sec. 240-70.1. E. More specifically, the applicant is seeking to reduce the requirement from 4 to 2. Additionally, the applicant is requesting a variance to allow a dumpster enclosure within a landscaped area. The total acreage of the property is 0.62 acres. The “subject property” is presently zoned General Business (C-2). The overall intent is to retrofit the existing building for the development of a C-store with 4 fuel pumps, Emissions Space and Carwash Space. The existing building is currently being used only as a Carwash space and an Emissions space.

Developing the subject property as-mentioned is in line with the provisions of Title 2 of the UDO, as C-2 (General Business District) is intended to serve a greater population and to offer a wider range of goods and services. But to achieve the stacking requirement, a portion of the existing structure would have to be demolished, which would create an unnecessary hardship for the owner.

The applicant has given special attention to ensure the layout and design of the site allows for efficient ingress & egress to the subject property, as well as pedestrian traffic across the site. The applicant looks forward to discussions with the neighbors, city officials and other interested parties to ensure a similar blend with the surrounding area.

We look forward to working with you on this important matter. Please call us if you have any questions.

Regards,

Darrell Johnson

Darrell Johnson, PE & Principal
JDM Consultants, LLC

November 16, 2023

**Gwinnett County Department of Planning & Development
446 West Crogan St
Lawrenceville, GA 30046**

RE: VARIANCE PETITION FOR 2379 LAWRENCEVILLE HWY

IMPACT ANALYSIS

The applicant, Salim Jiwa, is seeking to obtain a variance at the address of **2379 Lawrenceville Highway** (to be referred to as the “subject property”) for a reduction of the four (4)-car stacking requirement as stated in the Gwinnett County code of ordinance, Sec. 240-70.1. E. More specifically, the applicant is seeking to reduce the requirement from 4 to 2. Additionally, the applicant is requesting a variance to allow a dumpster enclosure within a landscaped area.

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

The total acreage of the property is 0.62 acres. The overall intent is to retrofit the existing building for the development of a C-store with 4 fuel pumps & Emissions Space. As the emissions retail station is an existing use, the store already has adequate stacking for vehicles. As for the dumpster area, there is a limited amount of unoccupied space in the rear of the store that can be used to accommodate the structure that is not already accounted for as drive aisles.

- 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 due to the small size of the subject property; the existing structure will have to be partially demolished if the provisions are literally enforced and that would create an unnecessary hardship for the owner.

- 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 condition is applicable to all newly developed C-stores with fuel pumps. But, as we are trying to modify the existing structure without demolishing it, it creates a hurdle to satisfy the given condition.

- 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. By developing the subject property as intended, which is in line with the provisions of Title 2 of the UDO, the request is a result of the conditions created.

- 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. Granting the variance will not impair the property values within the neighborhood. In fact, the proposed use in line with the provisions of Title 2 of the UDO, as C-2 (General Business District) is intended to serve a greater population and to offer a wider range of goods and services.

- 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 reduction to the four (4)-car staking to 2 is the minimum requested to accommodate the continued use of the emissions station as intended, which will make reasonable use of the existing building without having to be partially demolished.

- 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 developing the subject property, the proposed use in line with the provisions of Title 2 of the UDO, as C-2 (General Business District) is intended to serve a greater population and to offer a wider range of goods and services.



CONCLUSION

For the foregoing reasons, the applicant respectfully requests that the Variance Application be approved. The applicant also invites and welcomes any comments from staff or other officials of the Gwinnett County so that such recommendations or input might be incorporated as conditions of approvals to this application.

Respectfully Submitted,

Darrell Johnson


Darrell Johnson, PE & Principal
JDM Consultants, LLC

Exhibit E: Maps

[attached]

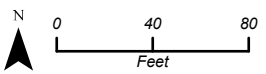
OAKLAND RD

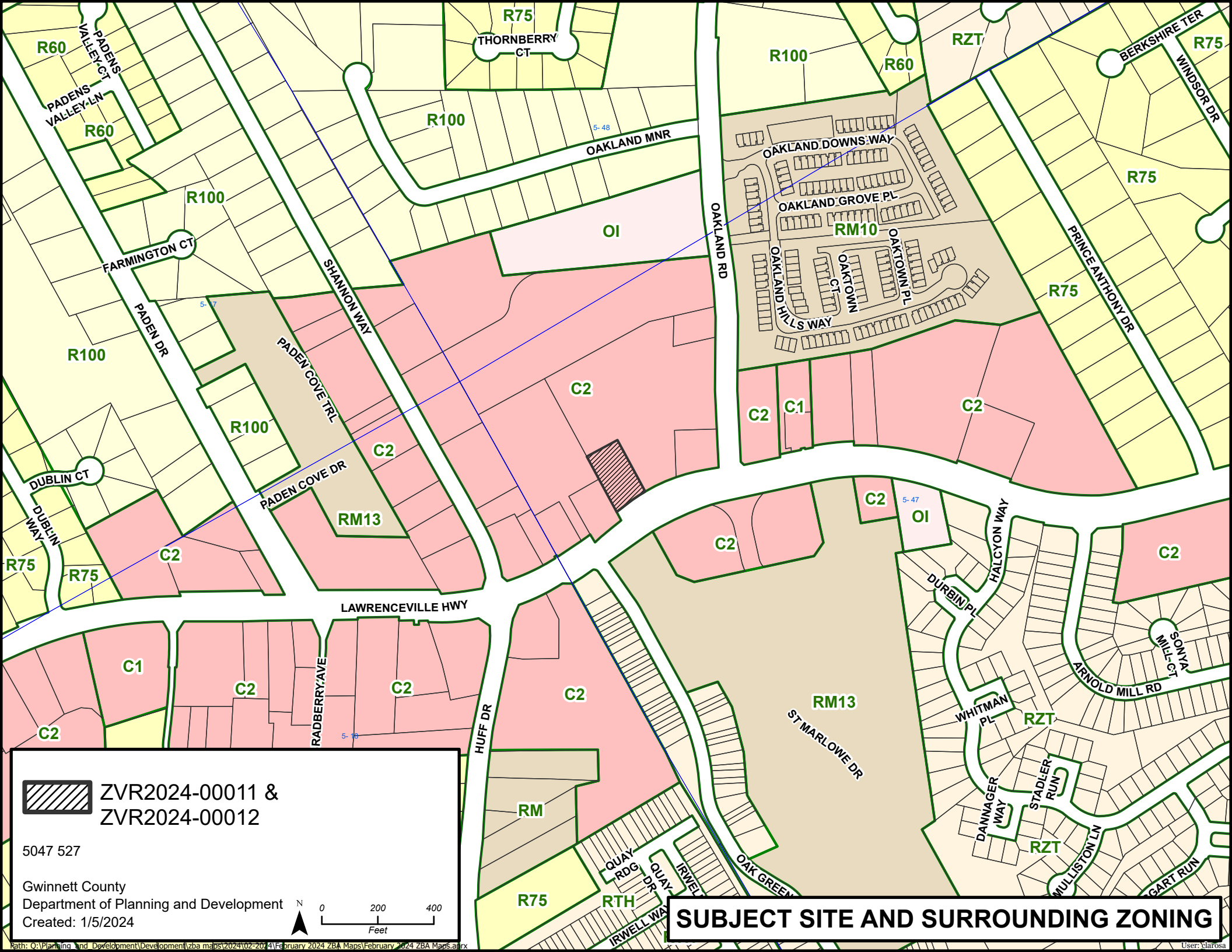
LAWRENCEVILLE HWY

 ZVR2024-00011
& ZVR2024-00012

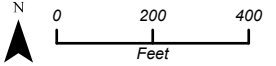
5047 527

Gwinnett County
Department of Planning and Development
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ZVR2024-00011 & ZVR2024-00012
 5047 527
 Gwinnett County
 Department of Planning and Development
 Created: 1/5/2024



SUBJECT SITE AND SURROUNDING ZONING