



Zoning Board of Appeals
Wednesday, July 10, 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 – June 11, 2024**
- E. Approval of Special Called Meeting Minutes - June 27, 2024**
- F. Announcements**
- G. Old Business**
 - 1. Case Number: **ZVR2024-00032 (Public Hearing Held 6/27/2024)**
Applicant: Linda Diulus
Owner: Pablo Jimenez
Contact: Linda Diulus
Phone Number: 678.761.1015
Zoning: R-100
Location: 422 Plantation Boulevard
Map Number: R5139 076
Variance Requested: Front setback encroachment
Commission District: (3) Watkins
 - 2. Case Number: **ZVR2024-00033 (Public Hearing Held 6/27/2024)**
Applicant: Linda Diulus
Owner: Pablo Jimenez
Contact: Linda Diulus
Phone Number: 678.761.1015
Zoning: R-100
Location: 422 Plantation Boulevard
Map Number: R5139 076
Variance Requested: Allow unpermitted design materials
Commission District: (3) Watkins

H. New Business

1. Case Number: **ZVR2024-00038**
Applicant: VyStar Credit Union
Owner: Fuqua BCDC Ballpark Project LLC
Contact: Samantha Maffey
Phone Number: 417.291.1053
Zoning: C-2
Location: 2495 Buford Drive
Map Number: R7132 072
Variance Requested: Exceed maximum allowed parking
Commission District: (4) Holtkamp

2. Case Number: **ZVR2024-00039**
Applicant: Elizabeth Serrano
Owner: Adalberto Solis Villalva
Contact: Elizabeth Serrano
Phone Number: 404.915.2701
Zoning: R-100
Location: 2538 Bermuda Road
Map Number: R6042 070
Variance Requested: Accessory building located in the front yard
Commission District: (2) Ku

3. Case Number: **ZVR2024-00046**
Applicant: GBT Realty Corporation
c/o Andersen Tate & Carr
Owner: RI CK 2, LLC
Contact: Melody A. Glouton, Esq.
Phone Number: 770.822.0900
Zoning: C-2
Location: 5181 Stone Mountain Highway
Map Number: R6061 056
Variance Requested: Exceed maximum allowed parking
Commission District: (2) Ku

4. Case Number: **ZVR2024-00047**
Applicant: GBT Realty Corporation
c/o Andersen Tate & Carr
Owner: RI CK 2, LLC
Contact: Melody A. Glouton, Esq.
Phone Number: 770.822.0900
Zoning: C-2
Location: 5181 Stone Mountain Highway
Map Number: R6061 056
Variance Requested: Activity Center Overlay
Commission District: (2) Ku

5. Case Number:	AAD2024-00001
Applicant:	Debbie Bice
Owner:	Quoc Huynh
Contact:	Debbie Bice
Phone Number:	770.778.9132
Zoning:	R-100
Location:	681 Devonwood Trace
Map Number:	R7148 340
Variance Requested:	Appeal of Case AVR2024-00009
Commission District:	(4) Holtkamp

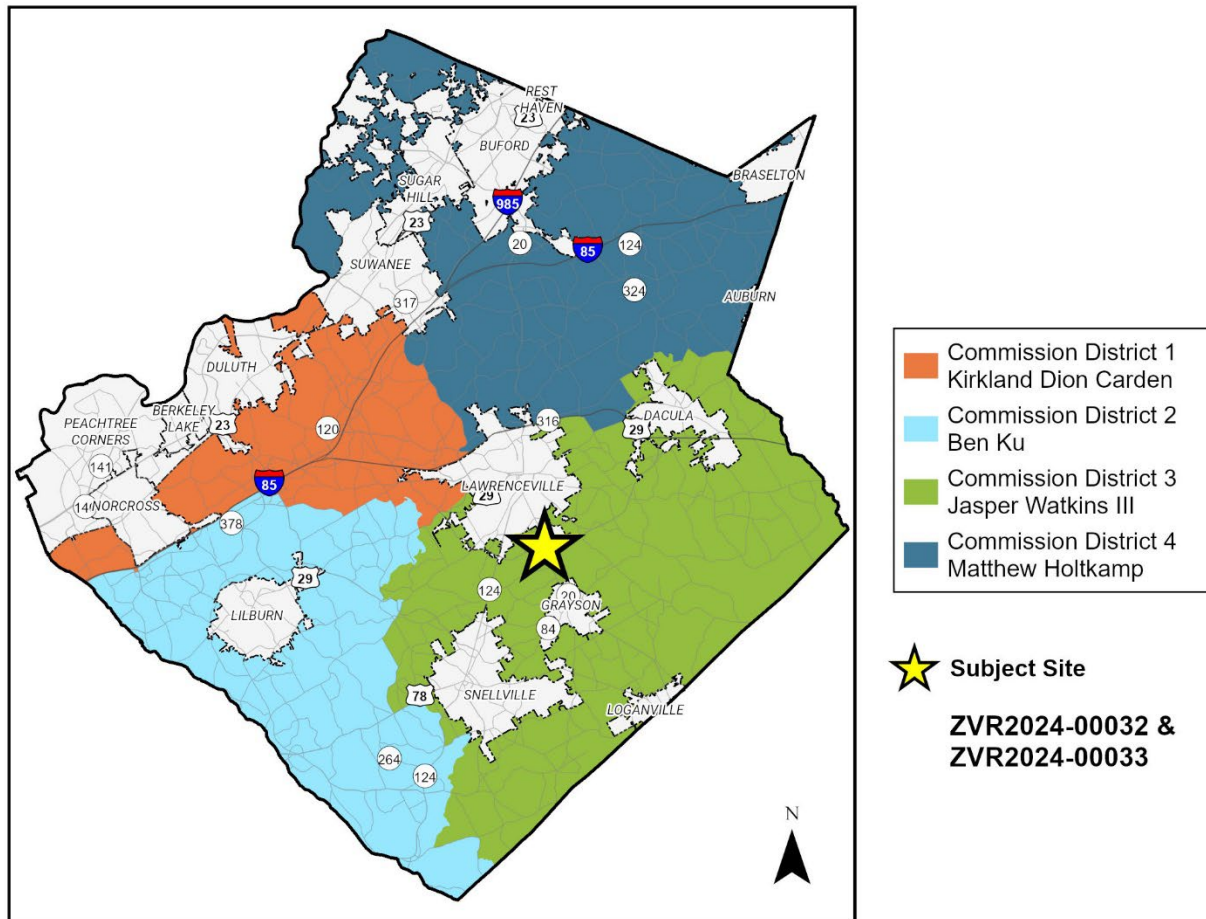
I. OTHER BUSINESS

J. ANNOUNCEMENTS

K. ADJOURNMENT

ZONING BOARD OF APPEALS CASE REPORT

Case Numbers: ZVR2024-00032, ZVR2024-00033
Request: Variances from front setback requirements and exterior building materials
Address: 422 Plantation Boulevard
Map Number: R5139 076
Site Area: 0.36 acres
Proposed Development: Home Addition
Applicant: Linda Diulus
Owner: Pablo Jimenez
Contact Information: Linda Diulus, 678.761.1015
Commission District: District 3 – Commissioner Watkins/Timler



Zoning Board of Appeals Advertised Public Hearing Date: 6/27/2024 (Public Hearing Held/Action Tabled to July 10, 2024)

Existing Site Conditions

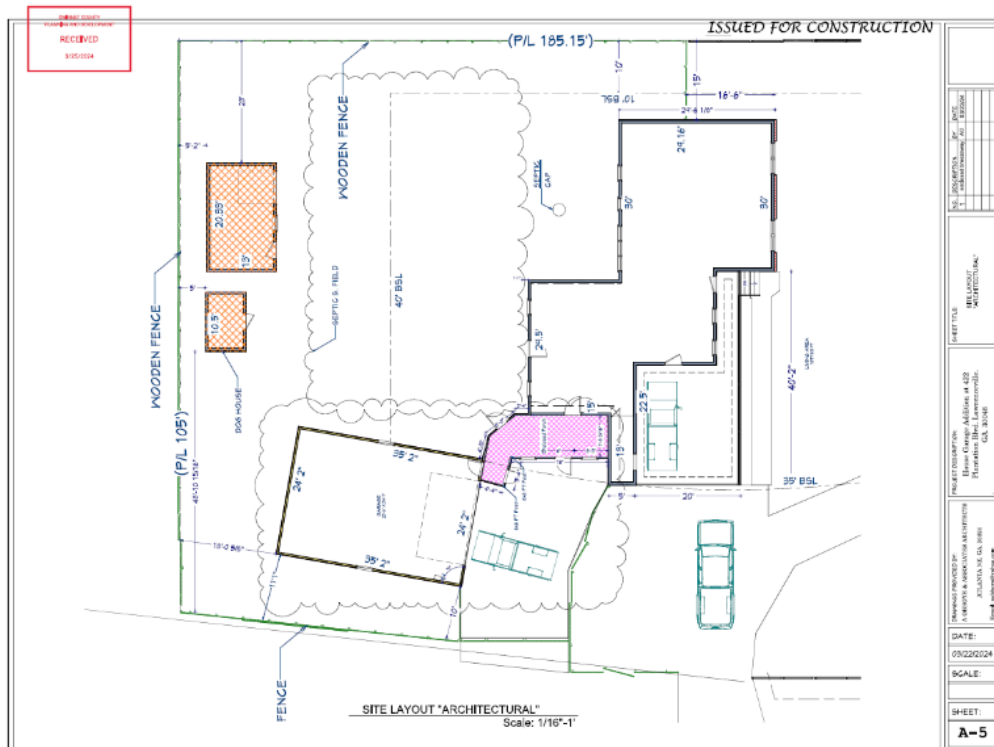
The subject site is a 0.36-acre property located on Plantation Boulevard, at its intersection with Carmel Way in the Carmel East subdivision. The subject property is zoned R-100 (Single-Family Residence District). The property contains a one-story residence, with two accessory structures located in the rear yard. The subject site is surrounded by single-family detached residences within the Carmel East subdivision.



Project Summary

The applicant proposes a home addition including:

- A 24'2" x 35'2" metal garage in the front yard (corner).
- The metal garage connected to the existing residence with an enclosed hallway.
- A notice of violation was issued by Code Enforcement in July 2023, for work done without a permit (CEU2023-06457).







Variance Request

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to allow a 15 foot encroachment front-yard setback:

Section 210-120: Dimensional Standards for Base Residential Zoning Districts. R-100 minimum front setback is 25 feet.

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to allow corrugated metal as the exterior building materials:

Section 210-120: Concrete masonry units, metal wall panels and metal siding are prohibited.

Staff Recommended Conditions

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

1. The site shall be developed in accordance with the site plan submitted on March 25, 2024.
2. A building permit shall be applied for within 90 days from the approval of the variance.
3. The applicant shall apply for an administrative variance for the fence that is over 4 feet tall in the front-yard setback.

Exhibit: Application



VARIANCE APPLICATION

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

Property Information:

Property Address: 422 Plantation Blvd Property Parcel ID: R5139076

Variance(s) Requested: Encroach 15ft front yard setback and non permitted exterior material use

Unified Development Ordinance (UDO) Code Section(s): 210-120; 230.110.9.B.1

Sign Ordinance Code Section(s): _____

Applicant Information:

Name: Linda Diulus

Contact Person: Linda Diulus

Mailing Address: 4020 Stovall ter

City, State, Zip Code: Atlanta GA 30342

Phone Number: 678-761-1015 Email Address: Lindadiulus@gmail.com

Applicant is (check, if applicable): [] Property Owner [x] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: Pablo Jimenez

Telephone Number: 470-216-5037 Email Address: Pablito.ivan1992@gmail.com

Signatures:

Applicant Signature: Linda Diulus Property Owner Signature: Pablo Jimenez

Name of Applicant: Linda Diulus Name of Property Owner: Pablo Jimenez

Date: 03/14/24 Date: 03/14/23

RECEIVED

Gwinnett County Board of Zoning
3/15/2024
03/14/2024

To Whom it may concern:

RE: Variance request for 422 Plantation Boulevard, Lawrenceville, 30046

Letter of Intent

This letter of intent is to acknowledge the request for a variance for the property located at 422 Plantation blvd. in Lawrenceville, GA.

The owner is looking to obtain a variance to encroach into the front yard setback and use a non-permitted design material for the exterior of structure.

This property is zoned R-100 with required lot width of 100, and setbacks of front- 25', side 10' and rear of 30'. The use of materials include concrete masonry and metal panel on exterior siding that would comply with an overall aesthetic of neighboring properties and surroundings.

The owner who is an older gentleman with a multi generational family residing and visiting on a frequent basis that has outgrown the size of the main house and has made a significant financial investment to improve the lot with an accessory structure for his family needs, would kindly ask for this variance to be granted to accommodate his large family living needs. The homeowner is taking a great care of the property, following regular maintenance and assures that this variance will not cause any damage or harm to public or private interests. The homeowner assures to comply with all requests from the board of zoning and continue to be in good standing with the county.

The variance requested from UDO Code Selections are as follows:

Section 210-120- Dimensional standards for base residential zoning districts;

Section 230.110.9.B.1 Architectural Design Standards for detached residential buildings design materials.

Thank you for consideration.

Applicant on behalf of the owner:

Linda Diulus

lindadiulus@gmail.com

678-761-1015

WINNETT COUNTY
PLANNING AND DEVELOPMENT

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3/14/2024

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

Request for a variance arises from site layout and building restrictions

b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: The outdated site layout prohibits the use of functional multi generation family SFR use and causes hardship to owner for land enjoyment

c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: This property does not have a garage that is typical to surrounding properties within same zoning District

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: Conditions of regulations have created a hardship for owner to maximize the use of land It would not cause any disturbance to general public or adjoining properties

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 public or private harm to any of surroundings would be done by granting this variance Proposed use of material is cohesive with overall neighborhood aesthetics

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 minimum request to accommodate reasonable use of land by the homeowner without public harm

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: Variance requested meets the UDO guidelines according to section 100-20, purpose of UDO



Gwinnett

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT

446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440

678.518.6000

GwinnettCounty.com

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3/14/2024

Public Notification Guidelines for Public Hearings and Deposit Refund Policy

Public Hearing Sign Posting Instructions:

The Unified Development Ordinance (UDO) requires the applicant to place a sign on the subject property, which shall contain information as to the variance applied for and the time and place of the public hearing. The sign shall be erected at least **15 days** prior to the date of the public hearing. Under these procedures, the applicant is required to:

1. Obtain the sign from the Department of Planning and Development (P&D) at 446 West Crogan Street, Suite 300, Lawrenceville GA. The sign may be obtained from the Planning and Development Department office on the sign pick-up date shown on the "ZBA Public Hearing Schedule" located here: [Forms | Gwinnett County](#).
2. Post the sign by the deadline shown on the "ZBA Public Hearing Schedule." Mount the Sign on a hard surface to prevent curling or bending. Place the sign at or near the right-of-way line of the subject property so that it is visible from the roadway but not interfering with sight distance of any intersection or driveway.
3. Take a photo with a date and time stamp of the posted sign and email to P&D-PlanningZoning@gwinnettcountry.com
4. Failure to maintain the sign continuously throughout the variance application process may prohibit consideration of the application.

Sign Deposit Refund: Return the Sign no later than 7 calendar days after the ZBA action to receive refund of \$100.00 for the sign deposit. Failure to return the Sign within the 7-day period deposit will result in sign deposit forfeiture.

Applicant's Acknowledgement of Sign Posting Instructions

I, the undersigned have read and understand the above Sign Posting Instructions. I further understand that I must obtain the sign from the Planning and Development Department and post it on the subject site on or before April 25th, 2024 (15 days before hearing).

To receive the \$100 sign deposit, I understand that I must return the sign no later than 7 days after the final ZBA public hearing where action is taken.

Printed Name: Linda Diulus

Date: 03/14/24

Address: 4020 Stovall ter

Telephone: 678-761-1015

Applicant Signature: Linda Diulus

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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3/14/2024



GWINNETT COUNTY
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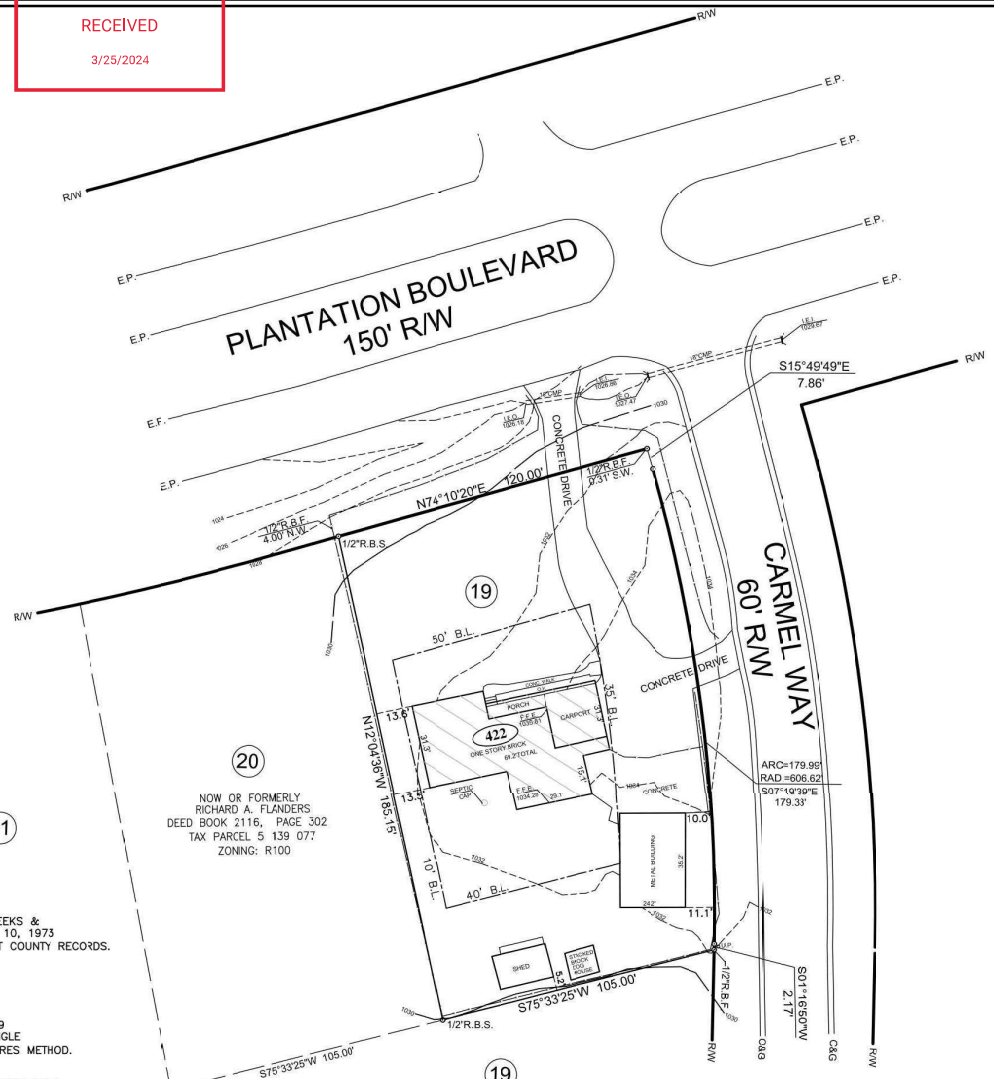
3/14/2024



GWINNETT COUNTY
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3/25/2024

LEGEND

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



20
NOW OR FORMERLY
RICHARD A. FLANDERS
DEED BOOK 2116, PAGE 302
TAX PARCEL 5 139 077
ZONING: R100

19
NOW OR FORMERLY
ALEXIS SANCHEZ
TALAVERO DELFINO SANCHEZ
DEED BOOK 60843, PAGE 703
TAX PARCEL 5 139 137
ZONING: R100

OWNER :
PABLO IVAN JIMENEZ
422 PLANTATION BOULEVARD
LAWRENCEVILLE, GEORGIA 30046
DEED BOOK 56088, PAGE 129
TAX PARCEL 5 139 076
ZONING: R100

SURVEY REFERENCE:
FINAL PLAT OF CARMEL EAST, UNIT ONE BY HANNON, MEEKS & BAGWELL SURVEYORS & ENGINEERS, INC., DATED JUNE 10, 1973 AS RECORDED IN PLAT BOOK Z, PAGE 163 OF GWINNETT COUNTY RECORDS.

SURVEY NOTES

1. THE FIELD DATA FROM WHICH THIS PLAT IS BASED WAS COMPLETED ON NOVEMBER 16, 2023 AND HAS A CLOSURE PRECISION OF ONE FOOT IN 15,549 FEET AND AN ANGULAR ERROR OF 04" PER PER ANGLE POINT. DATA WAS ADJUSTED USING THE LEAST SQUARES METHOD.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT 156,103 FEET.
3. EQUIPMENT USED TO OBTAIN FIELD DATA: TRIMBLE VX OR PLUS 1" ROBOTIC TOTAL STATION.
4. THIS PROPERTY LIES IN ZONE "X", AN AREA NOT SUBJECT TO SPECIAL FLOOD HAZARDS PER F.L.R.M. OF GWINNETT, GEORGIA AND ITS INCORPORATED AREAS MAP NO. 12135C0104F, EFFECTIVE DATE 9-29-2006.
5. BEARINGS SHOWN REFERENCED TO GRID NORTH PER GPS OBSERVATIONS.
6. EXISTING LOT COVERAGE = 33%



SURVEYORS CERTIFICATION (HB 1004)

THIS PLAT IS RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY REAL CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

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

SURVEY FOR:
PABLO IVAN JIMENEZ
LOT 19, BLOCK "B", CARMEL EAST, UNIT ONE



McNally & Patrick
1505 HWY. 29 SOUTH - LAWRENCEVILLE, GA. 30044
PHONE: (770) 963-8523

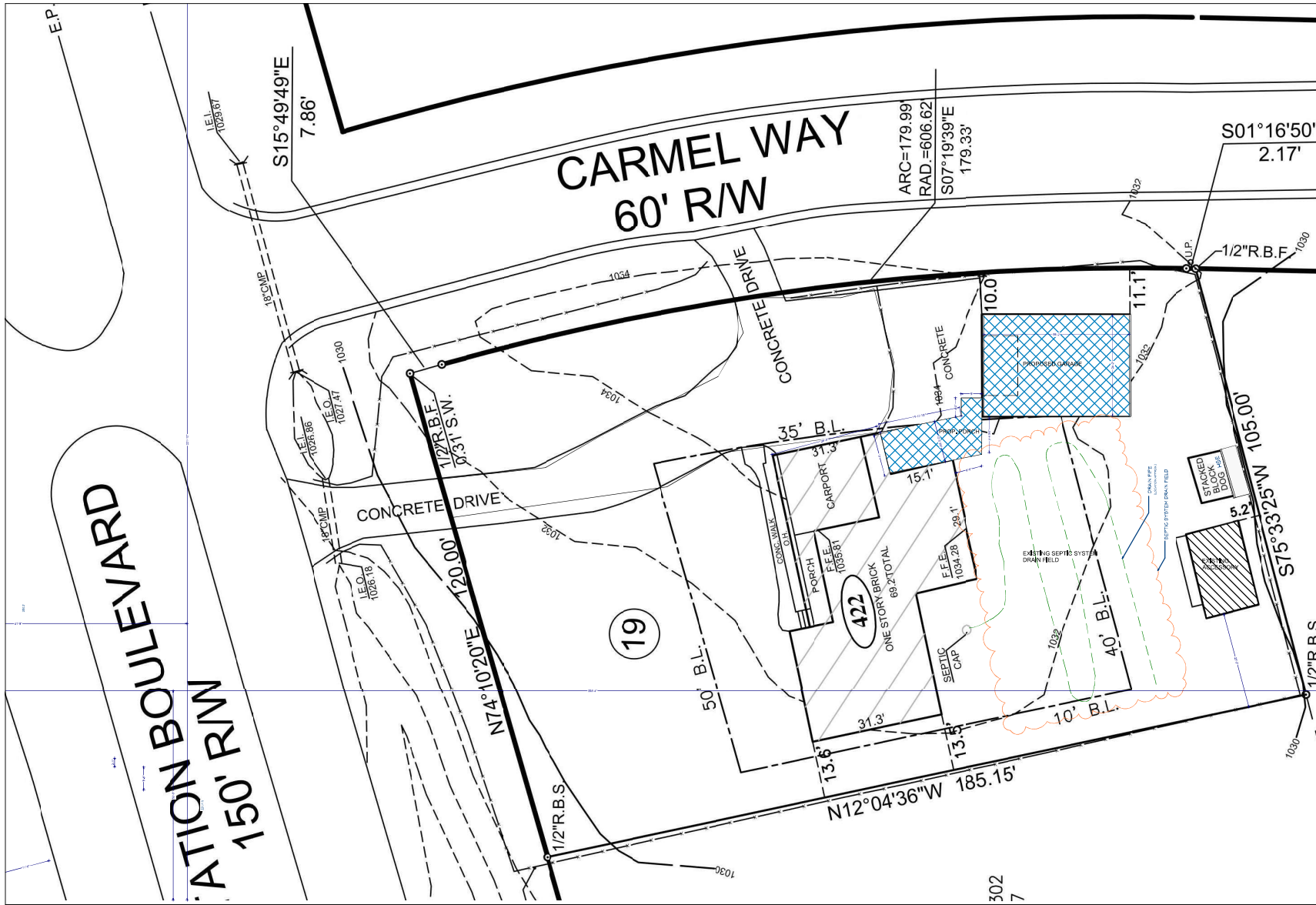
LAND SURVEYORS
LANDSCAPE ARCHITECTS

REVISIONS	DATE

0.5024 ACRES (21.883 S.F.)
LAND LOT 139 OF THE 58th DISTRICT
GWINNETT COUNTY, GEORGIA

SCALE: 1"= 30'
DATE: DECEMBER 11, 2023

NO.	DESCRIPTION	BY	DATE
SHEET TITLE: SURVEY PLAN (BY OTHERS)			
PROJECT DESCRIPTION: House Garage Addition at 422 Plantation Blvd, Lawrenceville, GA. 30046			
DRAWINGS PROVIDED BY: A OBOBOYE & ASSOCIATES ARCHITECTS ATLANTA, NE. GA. 30024 Email: aoboye@yahoo.com			
DATE: 03/22/2024			
SCALE: AS			
SHEET: A-2			



NOTE:
THE SITE OF THE PROPOSED GARAGE
IS DUE TO THE SEPTIC SYSTEM DRAIN FIELD
WHICH IS BEHIND THE MAIN STRUCTURE OF
THE HOUSE.

PROPOSED GARAGE CONSTRUCTION
LIMITATION BY SEPTIC SYSTEM

Scale: 1/16"-1'

CHMNET COUNTY
PLANNING AND DEVELOPMENT

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3/25/2024

ZVR2024-00032, ZVR2024-00033

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
SURVEY WITH SEPTIC LAYOUT

PROJECT DESCRIPTION:
House Garage Addition at 422
Plantation Blvd. Lawrenceville,
GA. 30046

DRAWINGS PROVIDED BY:
A. OBBOYE & ASSOCIATES ARCHITECTS
ATLANTA, NE. GA. 30024
Email: aobboye@yahoo.com

DATE:

03/22/2024

SCALE:





1/16"-1'

SHEET:

A-3

GWINNET COUNTY
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3/25/2024

24 HR CONTACT: MR. PABLO JIMENEZ
AT 422 PLANTATION BLVD. LAWRENCEVILLE
GA.
TEL: 470-216-5037

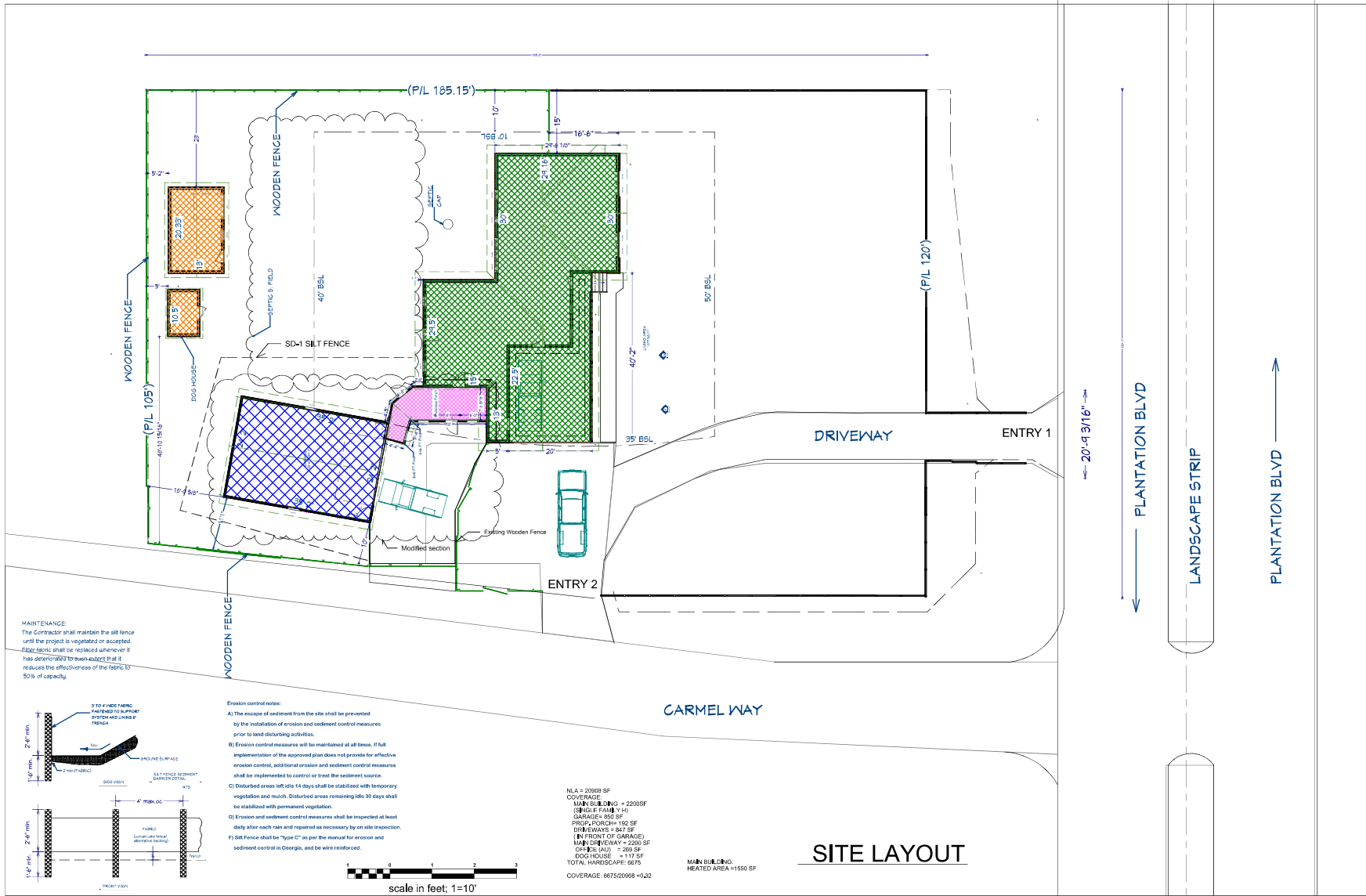
-  EXISTING MAIN HOUSE AREA
-  PROPOSED GARAGE (FROM EXIST. STRUCTURE)
-  PORCH EXTENDED TO ATTACH BUILDINGS AND ENCLOSED
-  OFFICES/STORAGE (EXISTING ACCESSORIES)

DIRT/DEBRIS STATEMENT:
CUT QTY= .35 CY
FILL QTY= .35 CY
SITE TO BE BALANCED
QUANTITIES ARE APPROX.

DEBRIS QTY= 2CY
DEBRIS TO BE REMOVED IN DUMPSTER
QUANTITIES ARE APPROXIMATE

NO GRADED SLOPE SHALL EXCEED 2H:1V
ON ALL DISTURBED AREA

NO TREE ON LOT
NO TREE IMPACTED



SITE LAYOUT

NO.	DESCRIPTION	BY	DATE
1	enclosed breezeway	AO	03/22/24
1	structural from BL	AO	03/22/24

SHEET TITLE:
SITE LAYOUT
(IN PLACE PLUS PORCH)

PROJECT DESCRIPTION:
House Garage Addition at 422
Plantation Blvd. Lawrenceville,
GA. 30046

DRAWINGS PROVIDED BY:
A. ORBOYCE & ASSOCIATES ARCHITECTS
ATLANTA, NE. GA. 30024
Email: aorboyce@yahoo.com

DATE:
03/22/2024

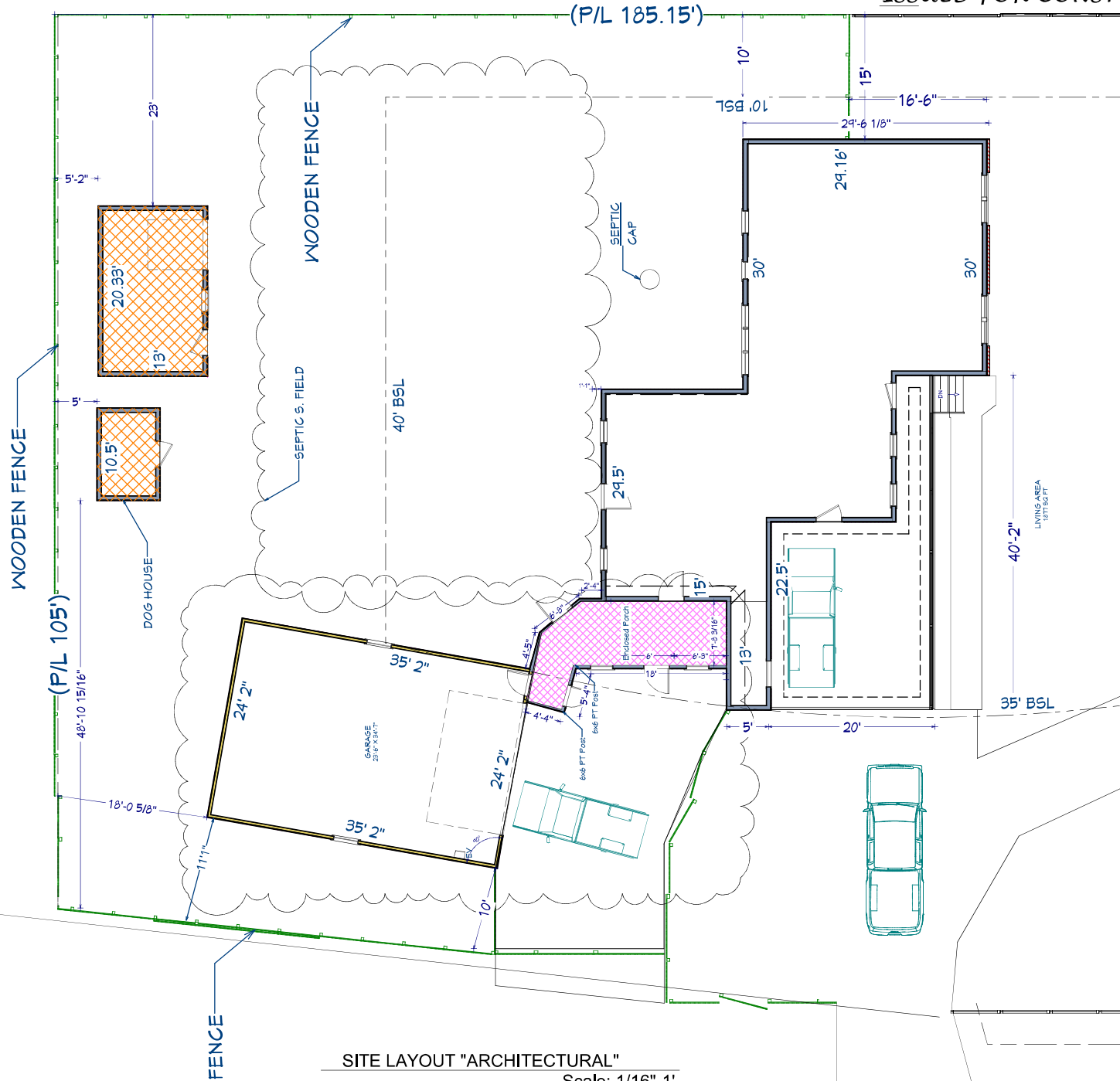
SCALE:
1/16"=1'

SHEET:
A-4

RECEIVED

3/25/2024

ISSUED FOR CONSTRUCTION



SITE LAYOUT "ARCHITECTURAL"

Scale: 1/16"-1'

NO.	DESCRIPTION	BY	DATE
1	revised driveway	ZAO	03/22/24

SHEET TITLE:
SITE LAYOUT
"ARCHITECTURAL"

PROJECT DESCRIPTION:
House Garage Addition at 422
Plantation Blvd. Lawrenceville,
GA. 30046

DRAWINGS PROVIDED BY:
A. OBBOYE & ASSOCIATES ARCHITECTS
ATLANTA, NE. GA. 30024
Email: aobboye@yahoo.com

DATE:

03/22/2024

SCALE:

SHEET:

A-5

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3/25/2024

ISSUED FOR CONSTRUCTION



ELEVATION "FRONT"
Scale: 3/16"-1'



ELEVATION "SIDE"
Scale: 1/8"-1'



ELEVATION "REAR"
Scale: 3/16"-1'

NO.	DESCRIPTION	BY	DATE
1	Issued for construction		03/22/24

SHEET TITLE:
ELEVATIONS

PROJECT DESCRIPTION:
House Garage Addition at 422
Plantation Blvd. Lawrenceville,
GA. 30046

DRAWINGS PROVIDED BY:
A. OBBOYE & ASSOCIATES ARCHITECTS
ATLANTA, NE. GA. 30024
Email: aobboye@yahoo.com

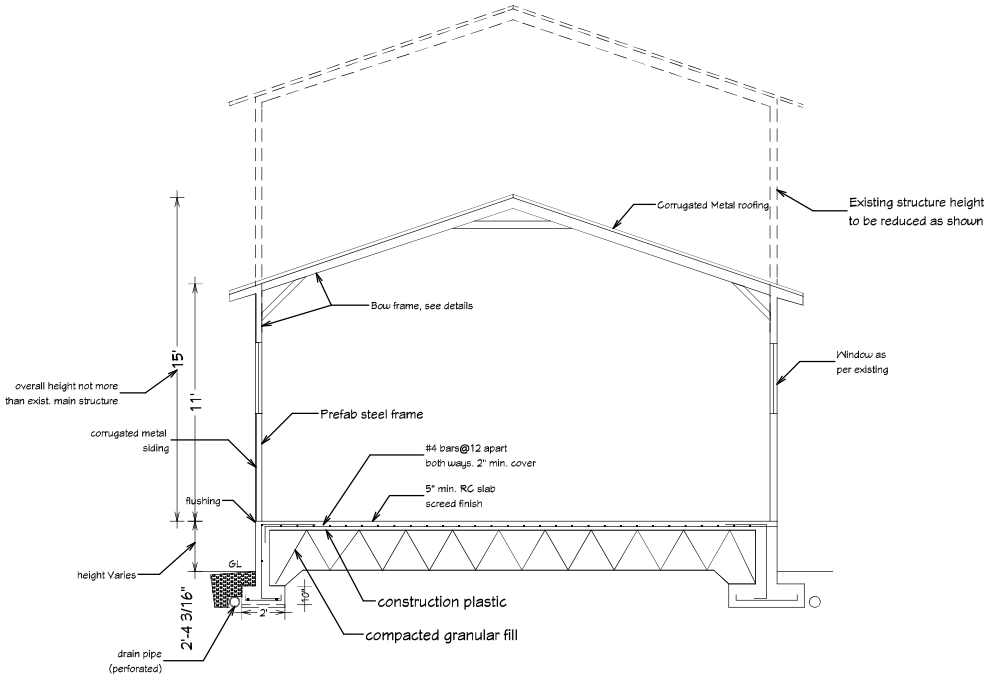
DATE:
03/22/2024

SCALE:
AS

SHEET:
A-7

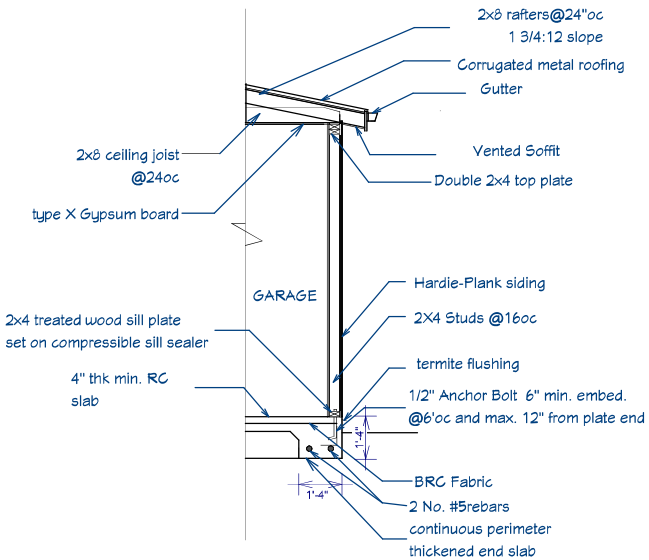
GWINNET COUNTY
 PLANNING AND DEVELOPMENT
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 3/25/2024

ISSUED FOR CONSTRUCTION



CROSS SECTION THRU, GARAGE
 Scale: 3/16"-1'

NOTE:
 SEE STRUCTURAL DETAIL
 ON SHEET A-9



CROSS SECTION THRU, ENCLOSED BRZ-WAY
 Scale: 3/8"-1'

NO.	DESCRIPTION	BY	DATE
1	enclosed brz-way	ZAO	03/22/24

SHEET TITLE:
 SECTION AND OTHER DETAILS

PROJECT DESCRIPTION:
 House Garage Addition at 422
 Plantation Blvd, Lawrenceville,
 GA, 30046

DRAWINGS PROVIDED BY:
 A. OBBOYE & ASSOCIATES ARCHITECTS
 ATLANTA, NE. GA. 30024
 Email: aobboye@yahoo.com

DATE:
 03/22/2024

SCALE:
 AS

SHEET:
 A-8

RECEIVED

3/25/2024



PERSPECTIVE VIEW
NTS

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
PERSPECTIVE VIEW

PROJECT DESCRIPTION:
House Garage Addition at 422
Plantation Blvd. Lawrenceville,
GA. 30046

DRAWINGS PROVIDED BY:
A. OBBOYE & ASSOCIATES ARCHITECTS
ATLANTA, NE. GA. 30024
Email: aobboye@yahoo.com

DATE:

03/22/2024

SCALE:

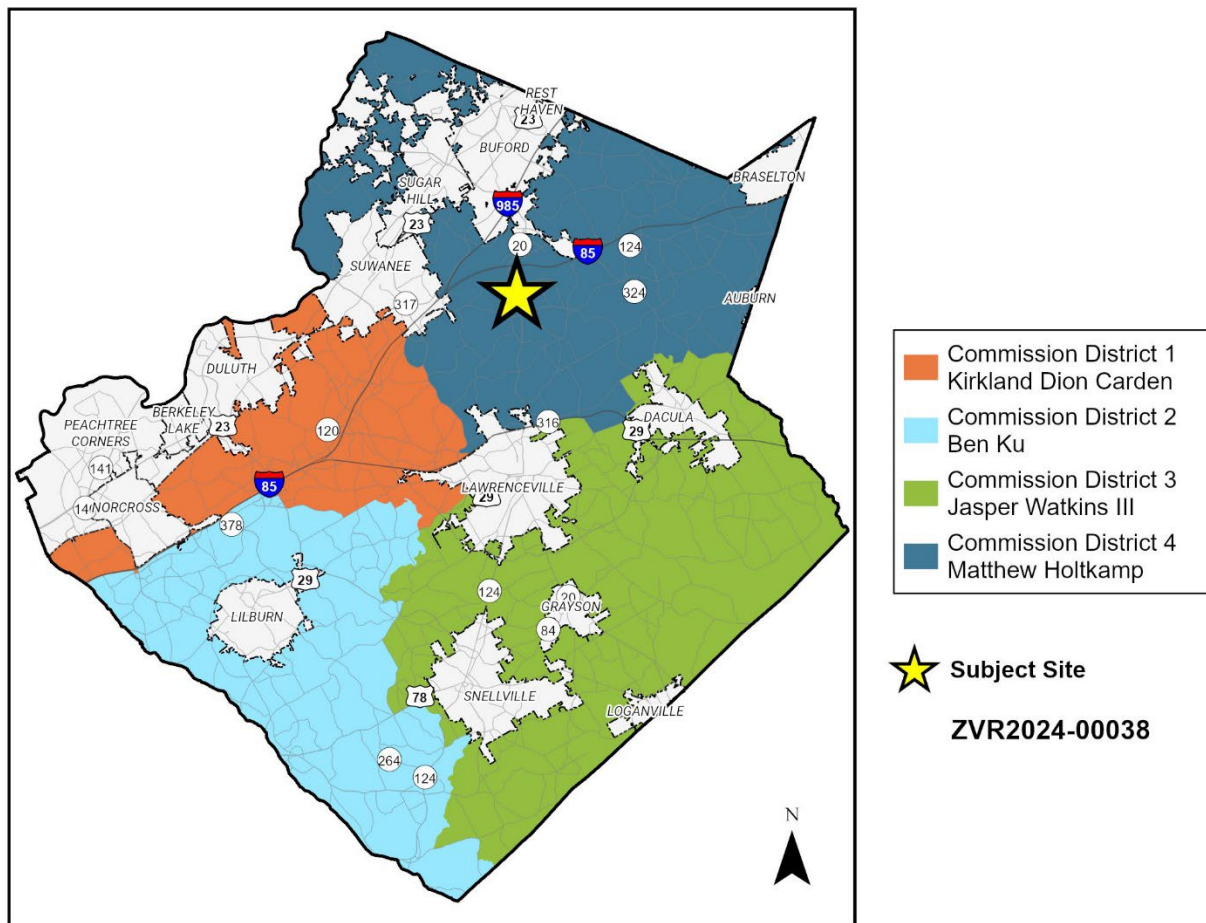
AS

SHEET:

A-13

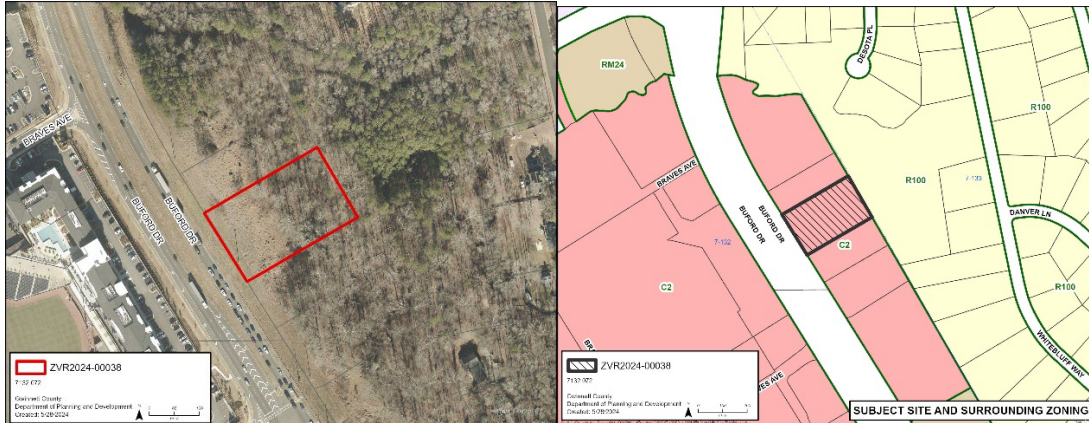
ZONING BOARD OF APPEALS CASE REPORT

Case Number: ZVR2024-00038
Request: Variance to exceed the parking maximum
Address: 2495 Buford Drive
Map Number: R7132 072
Site Area: 1.36 acres
Proposed Development: Credit Union
Applicant: Vystar Credit Union
Owner: Fuqua BCDC Ballpark Project LLC
Contact Information: Samantha Maffey, 417.291.1053
Commission District: District 4 – Commissioner Holtkamp/Rumbaugh



Existing Site Conditions

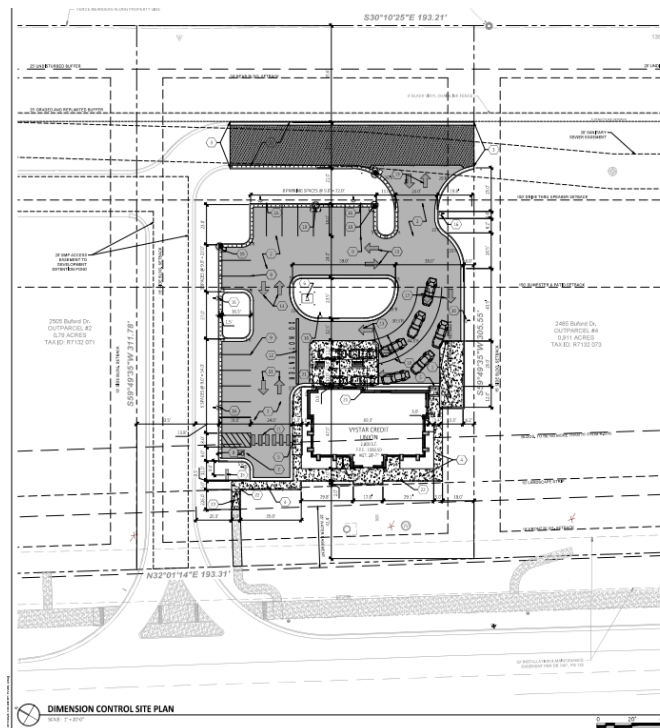
The subject site is a 1.36-acre property located on Buford Drive, north of its intersection with Old Peachtree Road and east of Coolray Field. The subject property is zoned C-2 (General Business District). The property is currently undeveloped. The subject site is surrounded by other commercially zoned parcels and single-family detached residences within the Habersham Hills subdivision. The subject property is part of a larger commercial development with a shared driveway access



Project Summary

The applicant proposes a credit union including:

- A 2,800 square foot building with drive-through canopy.
- Two stacking drive-through lanes located to the rear of the building.
- A surface parking lot containing 18 spaces located to the side and rear of the building.
- Access from an interparcel driveway which provides access to the commercial properties within the larger development.





Variance Request

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to exceed the maximum allowed parking by 9 spaces for a total of 18 spaces:

Section 240-20.2: Maximum Parking Requirement of 9 spaces for credit unions

Staff Recommended Conditions

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

1. The site shall be developed in accordance with the site plan dated received May 3, 2024.

Exhibit: Application



GWINNETT COUNTY PLANNING AND DEVELOPMENT

RECEIVED

5/9/2024

VARIANCE APPLICATION

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

Property Information:

Property Address: 2495 Buford Dr., Buford, GA 30519 Property Parcel ID: 7132 072

Variance(s) Requested: Parking Variance

Unified Development Ordinance (UDO) Code Section(s): 240-20, Table 240.1

Sign Ordinance Code Section(s): N/A

Applicant Information:

Name: VyStar Credit Union

Contact Person: Samantha Maffey, Sevan Multisite Solutions

Mailing Address: 3025 Highland Parkway, Suite 850

City, State, Zip Code: Downers Grove, IL 60515

Phone Number: 417.291.1053 Email Address: samantha.maffey@sevansolutions.com

Applicant is (check, if applicable): [] Property Owner [X] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: Fuqua BCDC Ballpark Project LLC

Telephone Number: 404.907.1709 Email Address: greer.scoggins@fuquadev.com

Signatures:

Applicant Signature:

Property Owner Signature: [Signature]

Name of Applicant: Samantha Maffey

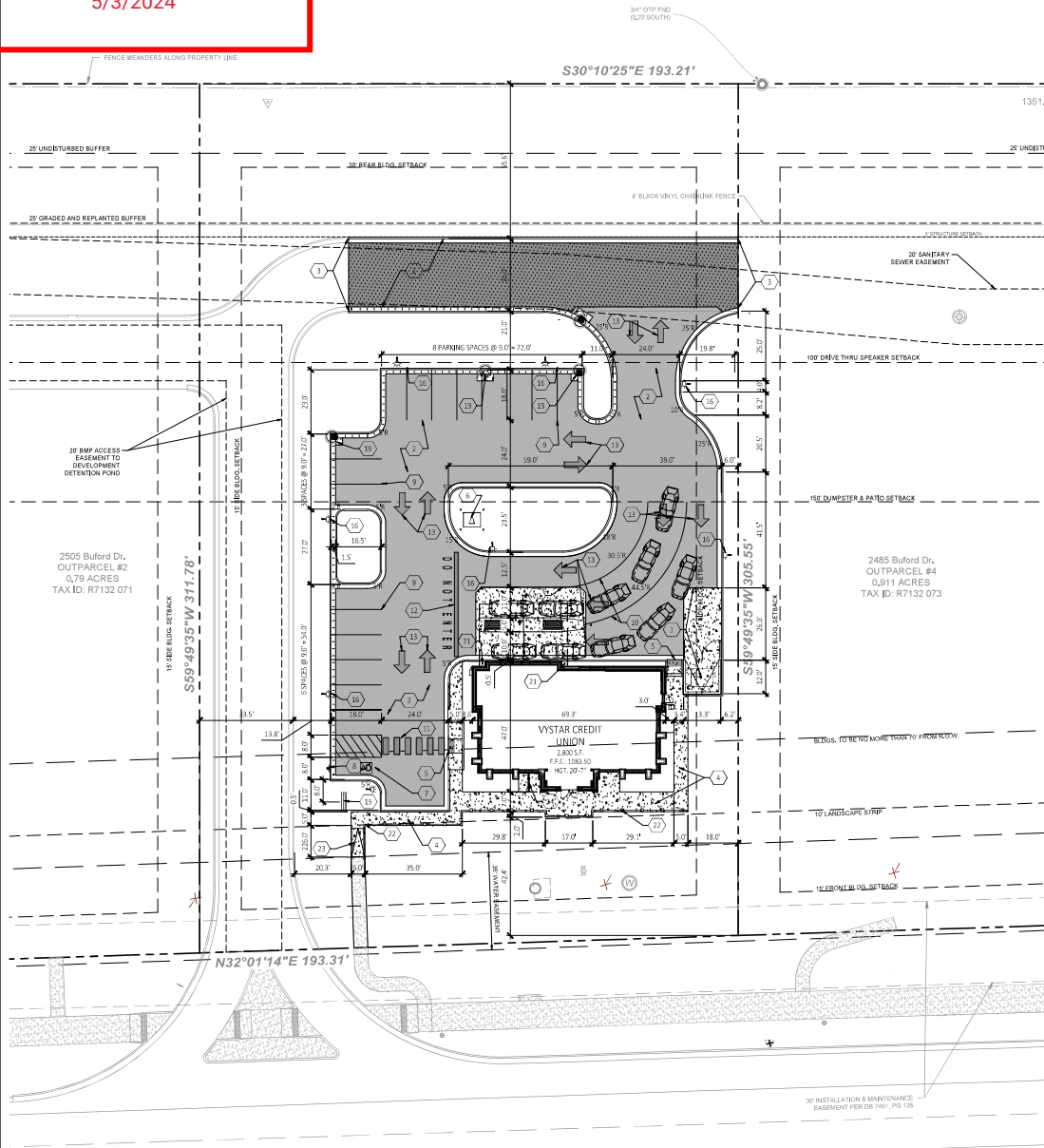
Name of Property Owner: Jeff Fuqua

Date: 5/9/24

Date: 5/9/24

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5/3/2024



GENERAL SITE NOTES

- A. ALL DIMENSIONS AND CURB RADII ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
- B. NOTIFY OWNER OF ANY OBSTRUCTIONS.
- C. SEE FIGURE "BALLOON" DEVELOPMENT DRAWINGS FOR ALL EXISTING CONCERNS.
- D. ALL WORK IN PUBLIC RIGHT-OF-WAYS SHALL BE IN ACCORDANCE WITH ALL STATE AND LOCAL REQUIREMENTS AND STANDARDS.
- E. PARKING SPACES AND BUILDING ARE PARALLEL AND PERPENDICULAR TO PROPERTY LINE S 29°49'35" W 305.53'.
- F. 17 STANDARD = 1 ACCESSIBLE = 18 PARKING SPACES.
2 CURB UP LANE = 5 STANDING FOR LANE.
- G. SITE AREA = 3.96 AC. = 59,633.64 SF. BUILDING AREA: 2,800 FLOOR AREA (TA) = 0.04

PROPOSED SITE IMPROVEMENTS

1. TRASH ENCLOSURE, CONCRETE PAD AND PROTECTIVE BOLLARDS, CONCRETE TO EXTEND 20' PAST FRONT GATES, CHAMFER CORNERS. SEE ARCHITECTURAL DRAWINGS.
2. STANDARD DUTY / HEAVY DUTY ASPHALT PAVEMENT SEE DETAIL 2(CS.01) AND PAVEMENT LEGEND.
3. MEET AND MATCH DEVELOPMENT CONCRETE CURB AND GUTTER.
4. CONCRETE SIDEWALK, SEE DETAIL 1(CS.01) AND DETAIL 4(CS.01). MEET AND MATCH DEVELOPER SIDEWALK.
5. CURB RAMP, SEE DETAIL 1(CS.01).
6. TRANSFORMER PAD PER SERVICE PROVIDER SPECIFICATIONS.
7. VAN ACCESSIBLE PARKING SPACE WITH PAINTED ACCESSIBILITY SPACE SYMBOL AS REQUIRED BY FEDERAL, STATE OR LOCAL CODE, SEE DETAIL 3(CS.01).
8. ACCESSIBLE RESEALING PARKING SIGN AS REQUIRED BY FEDERAL, STATE OR LOCAL CODE, SEE DETAIL 7(CS.01).
9. 6" PAINTED PARKING STRIPE TYPICAL, WHITE.
10. 6" SOLID SINGLE STRIPE LANE DELINEATION, WHITE (TYPICAL).
11. PAINTED PEDESTRIAN CROSSWALK, WHITE THERMOPLASTIC, SEE DETAIL 3(CS.01).
12. 24" STOP BAR, WHITE THERMOPLASTIC WITH PAVEMENT MARKING LETTERS, SEE DETAIL 3(CS.01).
13. TRAFFIC OBSTRUCTION ARROW, WHITE (TYPICAL), SEE DETAIL 3(CS.01).
14. BKE RACK, SEE DETAIL 11(CS.01).
15. SITE SIGN, SEE SIGN PACKAGE.
16. SITE LIGHT WITH CUT-OFF SHIELD, SEE SITE PHOTOGRAPHIC PLAN.
17. CONCRETE "SPILL" CURB, SEE DETAIL 8(CS.01).
18. CONCRETE "CATCH" CURB, SEE DETAIL 9(CS.01).
19. STORM STRUCTURE WITH CONCRETE COLLAR, SEE DETAIL 2(CS.01).
20. CONCRETE PAD AT DRIVE THRU, SEE 1(CS.01) AND SHEET DETAIL 1(CS.1).
21. PROTECTIVE BOLLARD AT BUILDING, SEE DETAIL 13(CS.01). SEE ARCHITECTURAL SET FOR BOLLARD LOCATION DIMENSIONS.
22. PEDESTRIAN FENCE, SEE DETAIL 6(CS.01).
23. ADA ACCESSIBLE RAMP WITH HANDRAILS, SEE SHEET C1.30 AND DETAIL 1(CI.30).

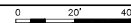
LEGEND

PROPOSED PAVING LEGEND:		PROPOSED CURB & GUTTER LEGEND:	
	CONCRETE PAVEMENT SEE DETAIL 1(CS.01)		"CATCH" CURB & GUTTER DETAIL 9(CS.01)
	STANDARD DUTY ASPHALT SEE DETAIL 2(CS.01)		"SPILL" CURB & GUTTER DETAIL 8(CS.01)
	HEAVY DUTY ASPHALT SEE DETAIL 2(CS.01)		
PROPOSED		EXISTING	
	TRANSFORMER		PROPERTY LINE
	WATER VALVE		CONTOUR INTERVAL
	LIGHT - PARKING		SANITARY SEWER MAIN
	LIGHT - PARKING WITH SHIELD		STORM DRAIN
	LIGHT - WALL PACK		WATER MAIN
	ROOF DRAIN / CLEANOUTS		GAS MAIN
	YARD DRAIN		OVERHEAD ELECTRIC
	STORM INLET WITH CONCRETE COLLAR		UNDERGROUND TELEPHONE
	MANHOLE WITH CONCRETE COLLAR		SANITARY SEWER MANHOLE
	SANITARY PIPE		SANITARY SEWER CLEANOUT
	STORM PIPE		STORM DOUBLE WING INLET
	UNDERGROUND STORM BUILDING		STORM SINGLE WING INLET
	UNDERGROUND ELECTRIC		STORM YARN INLET
	OVERHEAD ELECTRIC		GRIP ANCHOR
	OVERHEAD COMMUNICATION		ERE PROSTATE
	UNDERGROUND TELEPHONE		LANDSCAPE LIGHT
	OVERHEAD CABLE		ELECTRICAL BOX
	UNDERGROUND CABLE		A/C PAD
	FIBER OPTIC		TELEPHONE MANHOLE
			TRAFFIC POLE
			TELEPHONE PEDIESTAL
			CATH MANHOLE
			STREET SIGN
			REBAR FOUND
			CONCRETE MONUMENT SET
			MONUMENT FOUND
			A/C FOUND
			PINE KNOT FOUND
			CARPED REBAR SET

2485 Buford Dr.
OUTPARCEL #4
0.911 ACRES
TAX ID: R7132 073

DIMENSION CONTROL SITE PLAN

SCALE: 1" = 20'-0"



ALL REQUIREMENTS OF THE GWINNETT COUNTY UNIFIED DEVELOPMENT ORDINANCE (UDO) RELATIVE TO THE PREPARATION AND SUBMISSION OF AN APPLICATION FOR A PERMIT APPLICATION HAVING BEEN FULFILLED, AND SAID APPLICATION AND ALL SUPPORTING PLANS AND DATA HAVING BEEN REVIEWED AND APPROVED BY ALL AFFECTED COUNTY DEPARTMENTS AS REQUIRED UNDER THEIR RESPECTIVE AND APPLICABLE REGULATIONS, APPROVAL OF THIS SITE PLAN IS HEREBY GRANTED AND ALL OTHER DEVELOPMENT PLANS ASSOCIATED WITH THIS PROJECT SHALL BE SUBJECT TO ALL FURTHER PROVISIONS OF SAID UDO.



DIRECTOR, DEPARTMENT OF PLANNING AND DEVELOPMENT DATE



3025 Highland Parkway | Suite 450
Roswell, Georgia, IL 60053
INTEGRITY | RESPECT | TEAMWORK
EXCELLENCE | CHARITY

CLIENT



SEAL

I HEREBY CERTIFY THAT THESE DRAWINGS HAVE BEEN PREPARED BY ME OR UNDER MY SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES OF THE CITY OF GWINNETT COUNTY, GWINNETT COUNTY, STATE OF GEORGIA.

REVISIONS

REV.	DATE	DESCRIPTION
1	5/3/2024	FOR SUBMITTAL

CONSULTANTS

PROJECT INFORMATION
DIMENSION CONTROL SITE PLAN
VYSTAR CREDIT UNION
2485 BUFORD DRIVE
LAVENEXVILLE, GA. 30043
GWINNETT COUNTY

SHEET MANAGEMENT

PROJECT:	19/24/2023
DRAWN DATE:	5/1/2024
DESIGNED BY:	ML
CHECKED BY:	ML
PROJECT NO.:	100

SHEET NUMBER

C1.20



May 3, 2024

Director of Planning & Development
Gwinnett County
446 West Crogan Street, Suite 300
Lawrenceville, GA 30046

RE: VyStar Credit Union- Buford
2495 Buford Drive
Parcel ID: 7132 072
Administrative Variance Request- Letter of Intent

To Whom it May Concern:

VyStar Credit Union is requesting a variance to the maximum parking space calculation in Section 240-20 (Table 240.1) of the Unified Development Ordinance. We are proposing 18 parking spaces for this site, to include 17 standard spaces and 1 ADA parking space to accommodate the VyStar employees and customers.

VyStar Credit Union is requesting a variance as the current code allows a maximum of 9 parking spaces for the proposed 2,800 square foot credit union branch. Each VyStar branch typically has 8 employees working at a time. With only 9 spaces allowed, there would be virtually no parking for any of the customers. In speaking with Maddy McGee during the variance pre-application meeting, it was discussed that we were able to apply for an administrative variance as the previous code allowed a maximum of 14 parking spaces and the 18 proposed spaces are within the 30% increase that could be approved administratively per section 240-30.4 of the UDO.

The site is in the C-2 General Business District and the Mall of Georgia Overlay. The intent of the C-2 district is to provide adequate space in appropriate locations along major streets, thoroughfares, and intersections for various types of business uses to serve a community area of several neighborhoods. The proposed site design includes pedestrian access to adhere to the intent of the Mall of Georgia Overlay, but without having adequate parking, community members who live in other neighborhoods or who may have accessibility restraints will not be accommodated. The additional parking spaces would be consistent with the intent of the zoning district.

The size of the site is the limiting factor in being able to increase the size of the structure. This results in a hardship as the parking calculation outlined in the Unified Development Ordinance is based on the use and size of the structure. A larger building is required to be allotted more parking spaces without a variance, but the site does not have the capacity to accommodate a larger VyStar branch.

Without the approval of the variance, VyStar Credit Union would not be able to move forward with the development of the site. Due to the customer forward nature of their business, they would not be able to uphold the high standards of service without the additional parking spaces. As mentioned above, 8 employees are integral for their day-to-day operation and the current maximum parking calculation is not sufficient to accommodate the employees without significantly impacting the customer's access.

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5/3/2024

Thank you for considering our variance request. Please do not hesitate to reach out with any questions, comments, or concerns. We look forward to working with Gwinnett County on this new and exciting project.

Kindest Regards,



Samantha Maffey, Project Manager
Agent for the Applicant, VyStar Credit Union

5/3/2024

May 3, 2024

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

RE: VyStar Credit Union- Buford
2495 Buford Drive
Parcel ID: 7132 072
Administrative Variance Request- Standards for Granting Variances

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

Yes, the parking calculation is based on the size of the building and the use. Due to the size of the property, there is limited space to increase the building size. A larger building is essentially required to be allotted more parking spaces without a variance, but the site does not have the capacity to accommodate a larger branch and drive-through services.

b) Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain:

The size of the site is the limiting factor in being able to increase the size of the building. Since the parking calculation is based on use and structure size, a larger building is required to be allotted more parking spaces without a variance, but the site does not have the capacity to accommodate a larger VyStar branch.

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 parking calculation is dictated by the use and the size of the structure, not the zoning district. Therefore, there could be a restaurant that has the same size structure and would be allowed 3 times more parking spaces.

d) Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain:

Yes, the code was amended on 9/26/23 which further reduced the maximum number of spaces allowed. At the time of the pre-application meeting with the county we were allotted 14 parking spaces, and a 30% variance could be approved administratively. Nothing on the site has been changed by the property owner or applicant.

- e) **Would granting the variance impair or injure the 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:**

Allowing additional parking spaces will have minimal impact, if any, on the neighbors and community members. This site is an outparcel of a large development that has been designed to accommodate a heavy flow of traffic. Nine additional parking spaces will not have a large impact on traffic congestion. Additionally, having an appropriate amount of on-site parking will keep customers from parking on other parcels to utilize the banking services.

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

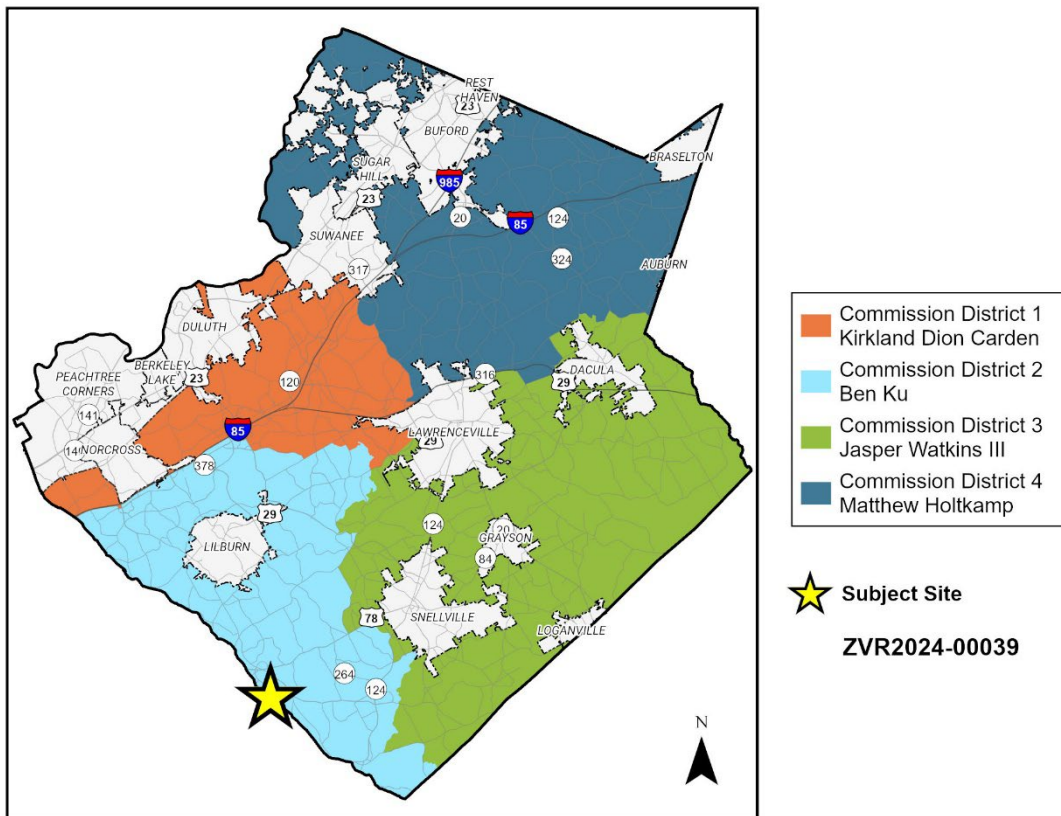
Yes, most VyStar Credit Union branches have 25-35 parking spaces and on average there will be 12-18 cars in the parking lot at once. Eight employees are integral for their day-to-day operation and the current maximum parking calculation is not sufficient to accommodate the employees without significantly impacting the customer's access.

- g) **Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain:**

The site is in the C-2 General Business District and the Mall of Georgia Overlay. The intent of the C-2 district is to provide adequate space in appropriate locations along major streets, thoroughfares, and intersections for various types of business uses to serve a community area of several neighborhoods. The proposed site design includes pedestrian access to adhere to the intent of the Mall of Georgia Overlay, but without having adequate parking, community members who live in other neighborhoods or who may have accessibility restraints will not be accommodated. The additional parking spaces would be consistent with the intent of the zoning district.

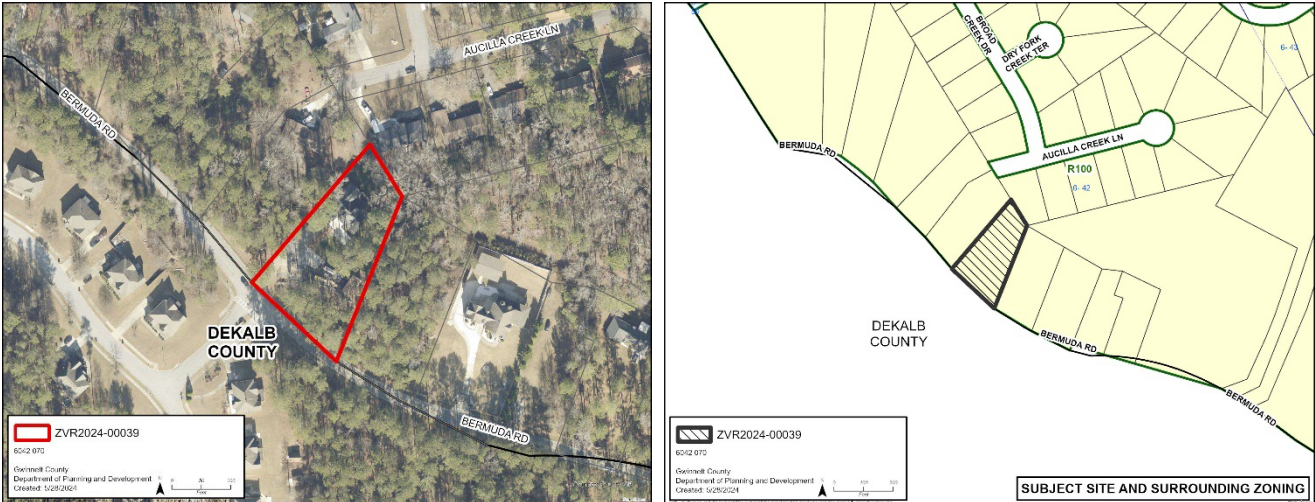
ZONING BOARD OF APPEALS CASE REPORT

Case Number: ZVR2024-00039
Request: Variance from accessory structure location standard
Address: 2538 Bermuda Road
Map Number: R6042 070
Site Area: 1.00 acre
Proposed Development: Detached Garage
Applicant: Elizabeth Serrano
Owner: Adalberto Solis Villalva
Contact Information: Elizabeth Serrano 404.915.2701
Commission District: District 2 – Commissioner Ku/Graham



Existing Site Conditions

The subject site is a 1-acre property located on Bermuda Road. The subject property is zoned R-100 (Single-Family Residence District). The property contains a one-story residence, with an accessory structure located in the rear yard. The subject site is surrounded by single-family detached residences along Bermuda Road. Dekalb County is located across Bermuda Road.



Project Summary

The applicant proposes a detached garage including:

- An 882 square-foot detached garage with storage and workshop.
- Located in the front yard approximately 56 feet from the right of way and 16 feet from the side property line.
- Exterior materials and colors to match the primary structure.
- A notice of violation was issued by Code Enforcement in September 2023, for work done without a permit (CEU2023-11022).



Variance Request

The applicant requests a variance from the following section of the Unified Development Ordinance (UDO) to allow an accessory structure in the front yard:

Section 230-30.7 All accessory buildings or structures shall be located in the rear or side yard unless explicitly stated otherwise in this section.

Staff Recommended Conditions

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

1. The detached garage shall be in general conformance to the site plan dated received May 9, 2024.

Exhibit: Application

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5/9/2024

PREAPPLICATION INFORMATION FORM

Project Summary:

Parcel number(s): R6042-070 Acreage: 1

Property address(es): 2538 Bermuda Rd, Stone Mountain, GA 30087

Current zoning: AA068 Proposed zoning (if applicable): _____

Application type (Rezoning, Change in Conditions, Special Use Permit, Variance, or Waiver):

Variance

Detailed project description (including proposed use(s) and square footage of each use):

Build 882 sq ft 2 car detached garage with storage and workshop located at front right side of property.

Number of dwelling units: 1 Total building sq. ft.: 2,888

Applicant Information:

Name: Elizabeth Serrano Company: _____

Mailing address: 647 Rae Drive, Lawrenceville, GA 30044

Phone number: 404-915-2701 Email address: homesbylizllc@gmail.com

PREAPPLICATION INFORMATION FORM SUBMITTAL CHECKLIST

Completed Preapplication Information Form

Concept Plan in Adobe PDF format



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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5/9/2024

VARIANCE APPLICATION

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

Property Information:

Property Address: 2538 Bermuda Rd, Stone Mountain, GA 30087 Property Parcel ID: R6042-070

Variance(s) Requested: Applicant requests a variance for an accessory structure to be located in the front yard.

Unified Development Ordinance (UDO) Code Section(s): Section 230-30.7

Sign Ordinance Code Section(s): N/A

Applicant Information:

Name: Elizabeth Serrano

Contact Person: Same as applicant

Mailing Address: 647 Rae Dr

City, State, Zip Code: Lawrenceville, GA 30044

Phone Number: 404-915-2701 Email Address: homesbylizllc@gmail.com

Applicant is (check, if applicable): [] Property Owner [X] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: Adalberto Solis Villalva

Telephone Number: 404-271-9161 Email Address: urielsolis053@gmail.com

Signatures:

Applicant Signature:

Property Owner Signature:

Name of Applicant: Elizabeth Serrano

Name of Property Owner: Adalberto Solis Villalva

Date: 05/09/2024

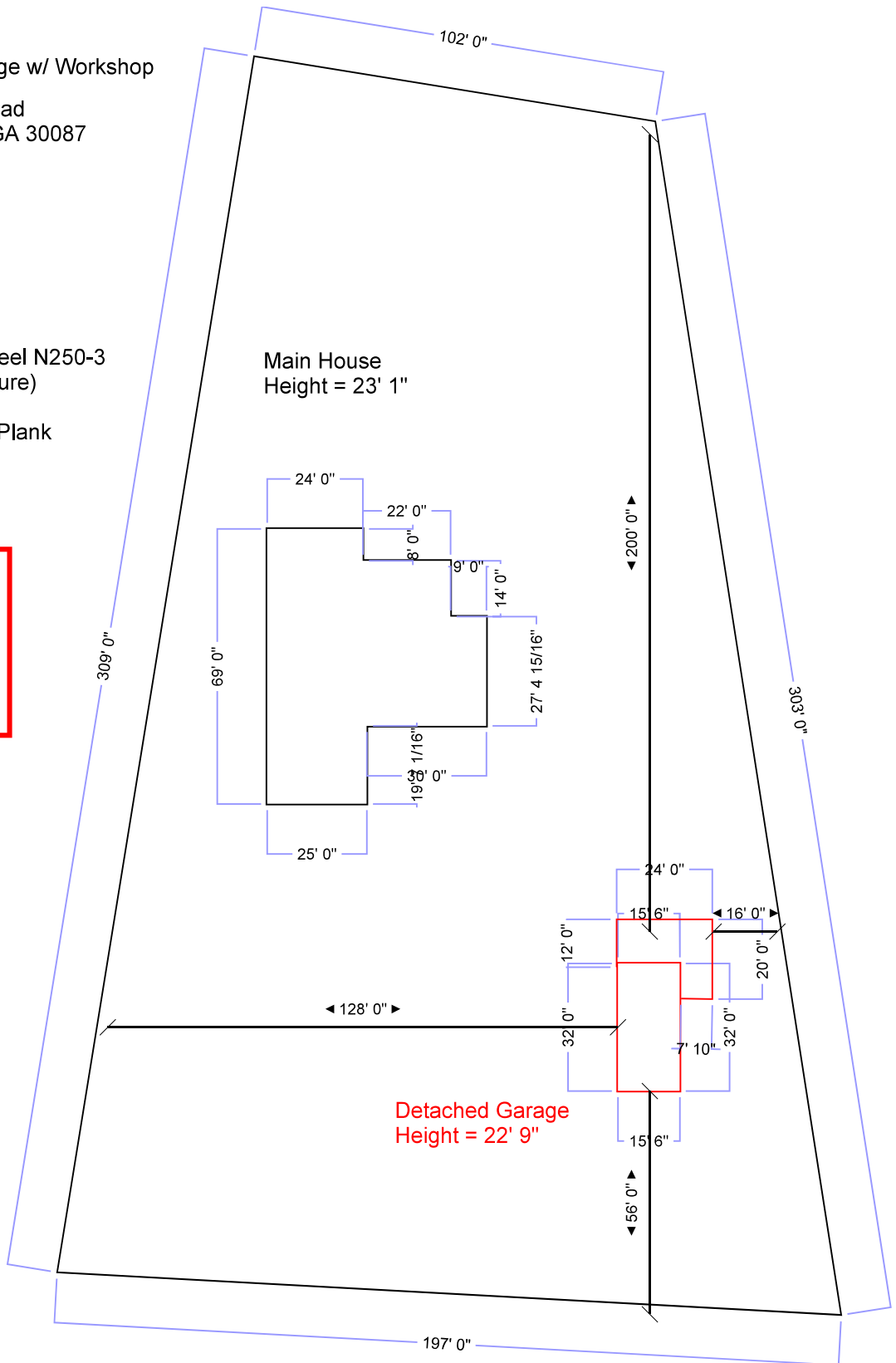
Date: 05/09/2024

Two Car Detached Garage w/ Workshop
2538 Bermuda Road
Stone Mountain, GA 30087

1" = 40'

Paint Color: Pottery Wheel N250-3
(same as primary structure)

Siding Material: Hardie Plank



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5/9/2024

Letter of Intent
In Support of Request for Variance
2358 Bermuda Road, Stone Mountain, GA 30087

This Letter of Intent is in support of my request for a variance for building an accessory structure (2 car detached garage with workshop) in the front yard area of my home. As such based on the current code, in particular Section 230-30.7, which states that all accessory buildings or structures shall be located in the rear or side yard. We find that complying with the ordinance would present a practical difficulty for the homeowner because it would require grading work, concrete, and/or the removal of many mature trees from the property which would cost tens of thousands of dollars.

Thank you for your consideration,

Adalberto Solis Villalva

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5/9/2024

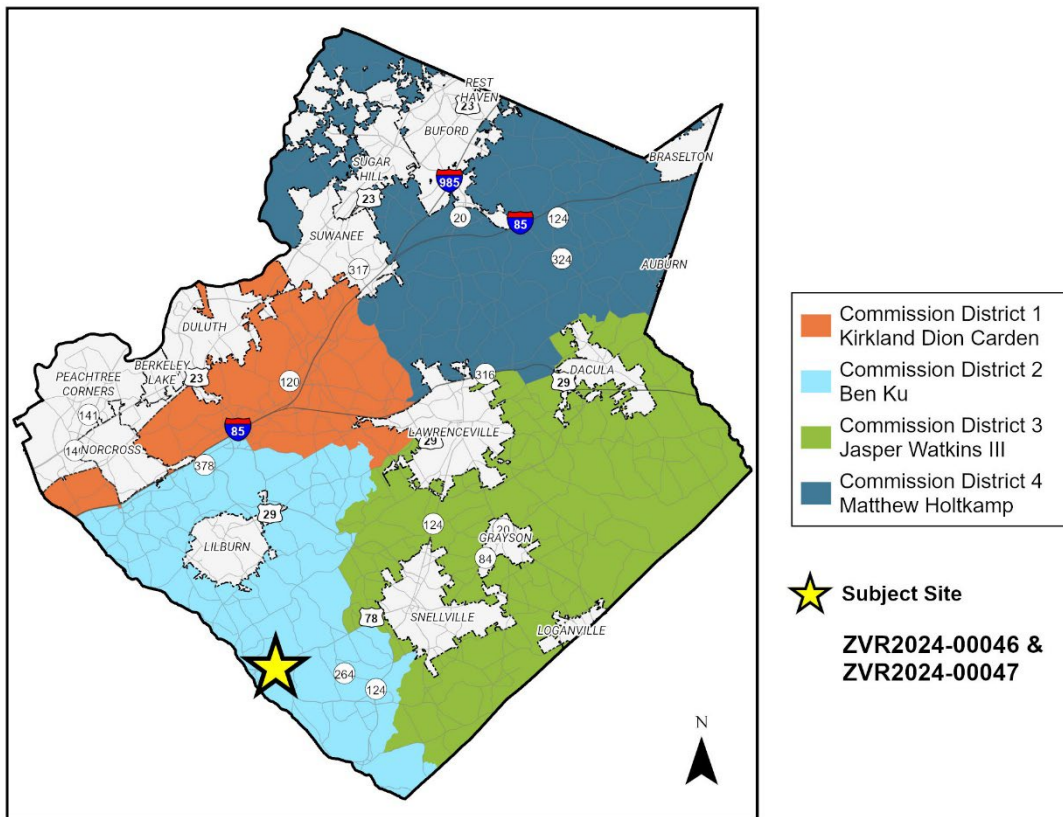
Standards for Granting Variances:

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, due to the location of the primary structure and the lot being heavily wooded.
- 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, we find that complying with the ordinance would present a practical difficulty for the homeowner because it would require grading work, concrete, and/or the removal of many mature trees from the property which would cost tens of thousands of dollars.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: Homeowner is unsure of this fact.
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: Yes, the request is a direct result of UDO code section 230-30.7 which states that all accessory buildings or structures shall be located in the rear or side yard.
- 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, property is not located within a neighborhood. The improvement would not create any negative affects to any of the adjacent properties or streets and could only positively affect the subject property by both increasing property value and improving quality of life for the homeowner.
- 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 improvement will adhere to all other codes. The variance is only requested due to the location of the improvement being in the front of the home as opposed to the side or rear.
- 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, we believe the variance will be consistent with the intent of the ordinance as it will not negatively affect any of the surrounding properties or interfere with public safety.

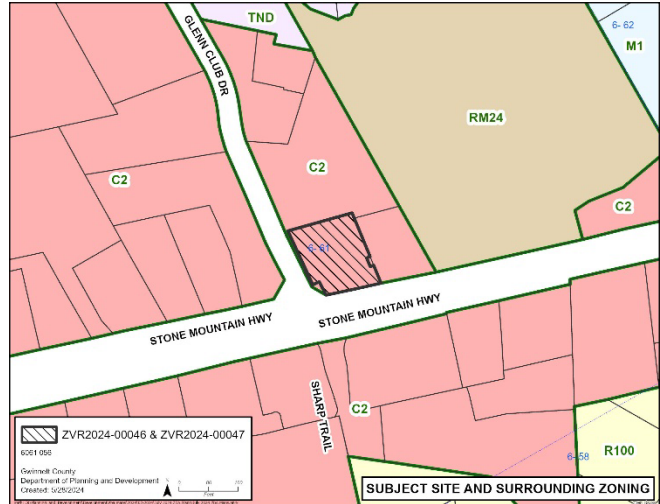
ZONING BOARD OF APPEALS CASE REPORT

Case Numbers: ZVR2024-00046, 47
Requests: Variance from maximum allowable parking between the front building and right-of-way
 Variance from maximum distance between the front building and right-of-way
Address: 5181 Stone Mountain Highway
Map Number: R6061 056
Site Area: 0.76 acres
Proposed Development: Retail building
Applicant: GBT Realty Corporation
Owner: RI CK 2, LLC
Contact Information: Melody A. Glouton, 770.822.0900
Commission District: District 2 – Commissioner Ku/Graham



Existing Site Conditions

The subject site is a 0.76-acre property located on Stone Mountain Highway at its intersection with Glenn Club Drive. The subject property is zoned C-2 (General Business District). The property contains a vacant drive-through restaurant building and parking lot. The property is located on the heavily commercialized Stone Mountain Highway corridor and is surrounded by other commercial buildings.





Project Summary

The applicant proposes a development including:

- Demolition of the existing drive-through restaurant.
- Construction of a 6,000 square-foot, two-tenant commercial building. The applicant states the tenants will be a restaurant with drive-through and a medical office.
- A parking lot with 36 spaces located on the southern and eastern sides of the building.
- Access from Stone Mountain Highway and through an interparcel access along the northern property line.
- A drive-through lane with by-pass lane on the northern and western sides of the building.



Variance Request

The applicant requests two variances from the following sections of the Unified Development Ordinance (UDO) to allow 55 percent of parking to be located between the front building line and the right-of-way and the primary building façade to be located 83.5 feet from the right-of-way.

Section 214-20.3.E.3: No more than 10 percent of parking spaces may be located between the front building line of a building and the right-of-way. This parking shall be limited to no more than one double row of parking.

Section 214-20.3.E.4: Primary building facades and entrances shall be located no more than 70 feet from the public right-of-way.

Staff Recommended Conditions

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

1. The development shall be in general conformance to the site plan dated received May 23, 2024.

Exhibit: Application



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5/23/2024

VARIANCE APPLICATION

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

Property Information:

Property Address: 5181 Stone Mountain Highway, Stone Mtn. Property Parcel ID: R6061 056

Variance(s) Requested: (1) Increase in total percentage of parking spaces located between the front building and ROW
(2) Increase in distance of primary building facade from ROW

Unified Development Ordinance (UDO) Code Section(s): 214-20.3.E.3 and 214-20.3.E.4

Sign Ordinance Code Section(s): Not Applicable

Applicant Information:

Name: GBT Realty Corporation c/o Andersen Tate & Carr

Contact Person: Melody A. Glouton, Esq.

Mailing Address: 1960 Satellite Blvd., Suite 4000

City, State, Zip Code: Duluth, Georgia 30097

Phone Number: 770-822-0900 Email Address: mglouton@atclawfirm.com

Applicant is (check, if applicable): [] Property Owner [X] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: RI CK 2, LLC, 11995 El Camino Real, San Diego, CA 92130

Telephone Number: 877-924-6266 Email Address: jcouvillion@realtyincome.com

Signatures:

Applicant Signature: Melody A. Glouton Property Owner Signature: Signature page attached
Melody A. Glouton, Attorney for Applicant

Name of Applicant: GBT Realty Corporation Name of Property Owner: RI CK 2, LLC

Date: 5/9/24 Date:



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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5/23/2024

Gwinnett

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT

446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

VARIANCE APPLICATION

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

Property Information:

Property Address: 5181 Stone Mountain Highway, Stone Mtn. Property Parcel ID: R6061 056

Variance(s) Requested: (1) Increase in total percentage of parking spaces located between the front building and ROW and off-street parking on the side; (2) Increase in distance of primary building facade from ROW

Unified Development Ordinance (UDO) Code Section(s): 214-20.3.E.3 and 214-20.3.E.4

Sign Ordinance Code Section(s): Not Applicable

Applicant Information:

Name: GBT Realty Corporation c/o Andersen Tate & Carr

Contact Person: Melody A. Glouton, Esq.

Mailing Address: 1960 Satellite Blvd., Suite 4000

City, State, Zip Code: Duluth, Georgia 30097

Phone Number: 770-822-0900 Email Address: mglouton@atclawfirm.com

Applicant is (check, if applicable): [] Property Owner [] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: RI CK 2, LLC, 11995 El Camino Real, San Diego, CA 92130

Telephone Number: 877-924-6266 Email Address: JCouvillion@Realtyincome.com

Signatures:

Applicant Signature: _____ Property Owner Signature: [Signature]

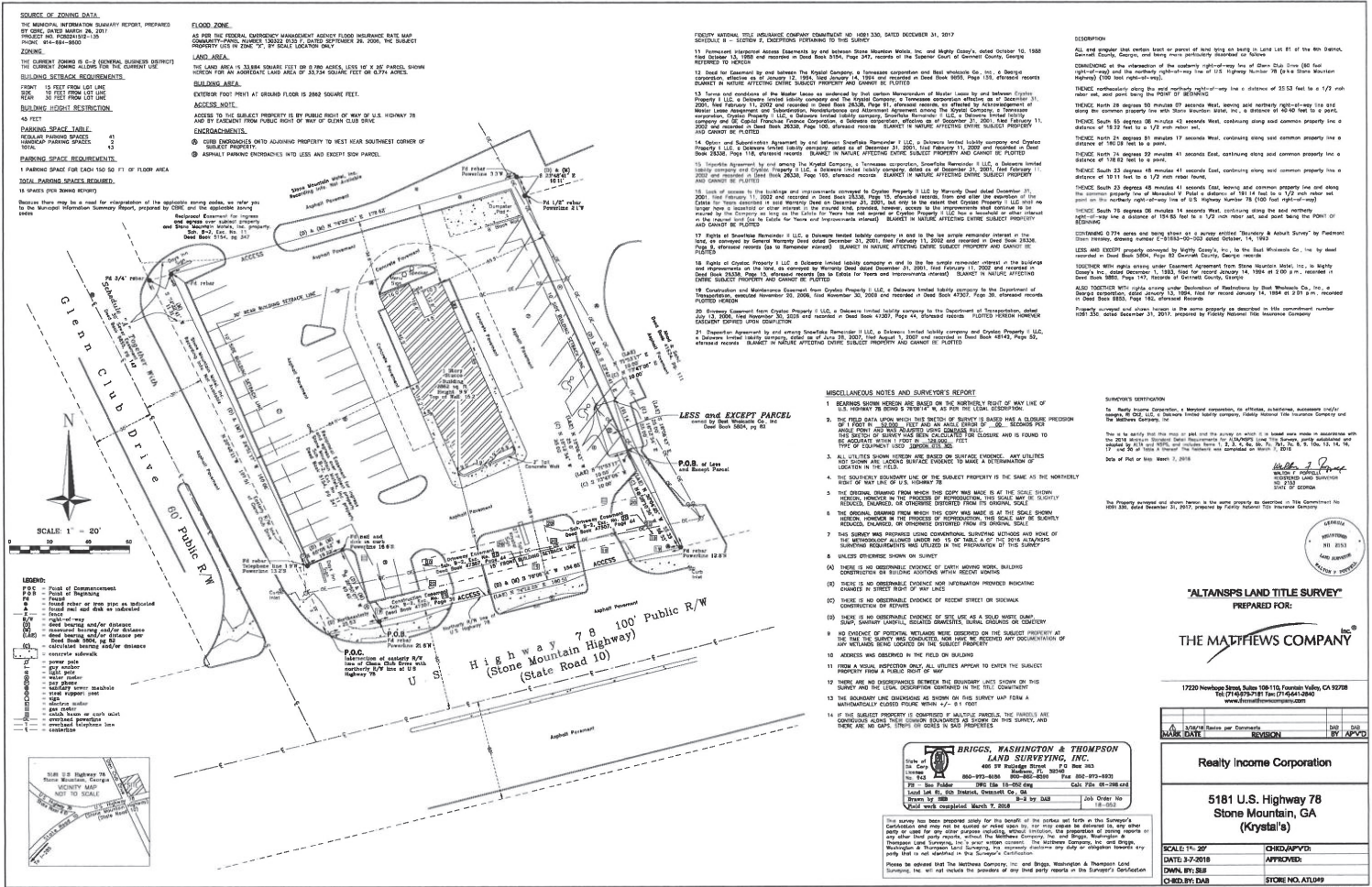
Melody A. Glouton, Attorney for Applicant

Name of Applicant: GBT Realty Corporation Name of Property Owner: RI CK 2, LLC

Date: _____ Date: 5/7/2024

RECEIVED

5/23/2024



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Standards for Granting Variances

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

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

Yes. The nature of a site design for a retail and office does not allow a building to be located within 70' of the public right of way. Likewise, due to the existing pad, the redevelopment is confined and maintain frontage along two roads. The site does not permit only 10% of the parking to be located between the front building line and the right-of-way.

- b. Is the request necessary because the particular physical surroundings, the size, shape, or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain:

Yes. Due to the size and shape of the property, the proposed redevelopment, which is otherwise permitted in the present zoning classification, cannot be constructed in accordance with the maximum 70' building setback requirement specific to the Overlay. Further, the site is constrained in terms of parking availability. Therefore, strict adherence to the UDO would place an undue burden on the Applicant and prevent the redevelopment of a vacant site.

- 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 requiring the requested relief is not ordinarily found within the C-2 zoning district nor is it possible to comply with the development requirements of the proposed use. Strict adherence to the overlay requirements would be inconsistent with the surrounding buildings of similar or greater scale.

- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain:

Yes. The request is a result of the requirement for building facades and entrances to be setback no more than 70' from the public right of way, as well as restrictions on parking allowed in the front of the building. The Applicant is proposing to redevelop the site with a coffee shop and dental office. The proposed uses are permitted within the current C-2 zoning and the redevelopment meets the requirements of the UDO

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with exception of the aforementioned. Strict adherence to these provisions would prohibit the ability to redevelop a dormant site.

- 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 Subject Property is currently zoned C-2 and is surrounded by intense commercial uses. Granting the variances would allow the Applicant to redevelop the Subject Property with a permitted use that is consistent with the surrounding area.

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

Yes. The requested variances are the minimum relief that will allow the property to be activated with the neighborhood-serving retail and commercial uses.

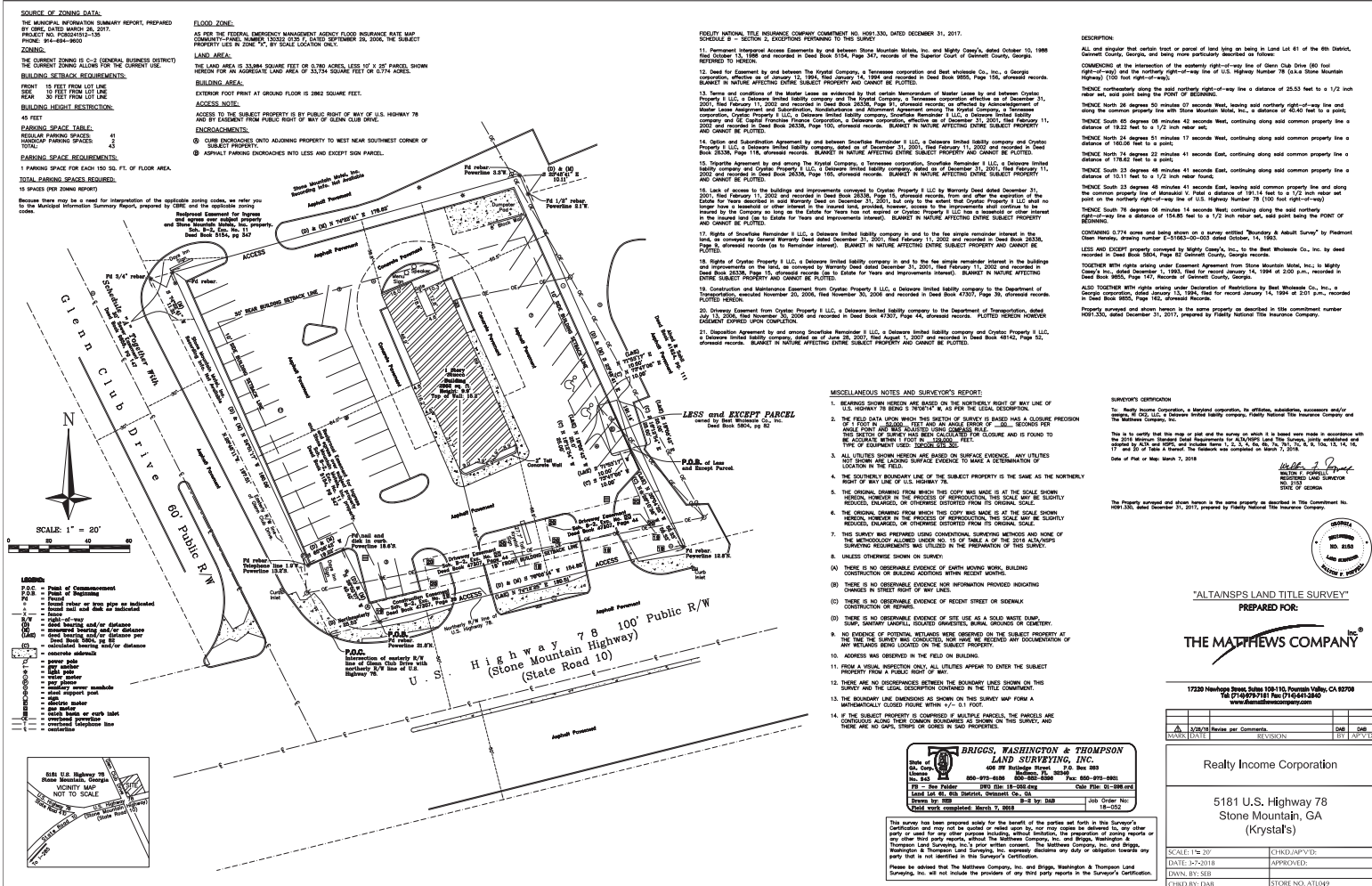
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain:

Yes. Granting the variances would allow for permitted uses under the current C-2 zoning to be developed in accordance with the UDO and the proposed uses will be consistent with the surrounding land uses.

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LEASING:
Alan Lloyd
alloyd@gbtrealty.com
615.515.4069
615.370.0670
gbtrealty.com

3D AERIAL VIEW
NL | STONE MOUNTAIN, GA

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LEASING:
Alan Lloyd
alloyd@gbtrealty.com

615.515.4069
615.370.0670
gbtrealty.com

STREETVIEW
NL | STONE MOUNTAIN, GA

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EXHIBIT



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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ANDERSEN | TATE | CARR

May 23, 2024

**REVISED LETTER OF INTENT
AND JUSTIFICATION FOR VARIANCE**

**Variance Application
Gwinnett County, Georgia**

Applicant:
GBT Realty Corporation

Property:
Tax Parcel ID R6061 056
±0.774 Acres of Land
Located at 5181 Stone Mountain Highway, Stone Mountain Georgia

Submitted for Applicant by:
Melody A. Glouton, Esq.
ANDERSEN TATE & CARR, P.C.
One Sugarloaf Centre
1960 Satellite Blvd.
Suite 4000
Duluth, Georgia 30097
770.822.0900
mglouton@atclawfirm.com

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I. INTRODUCTION

This Variance Application is submitted for a 0.774-acre tract of land located at 5181 Stone Mountain Highway, Stone Mountain, Georgia (hereinafter the “Property”). The Property is located at the intersection of Stone Mountain Highway and Glenn Club Drive. The Property is shown on the survey prepared by Briggs, Washington & Thompson Land Surveying, Inc. dated March 28, 2018, and filed with this Application. The Property that is the subject of this Variance application is further identified below from the Gwinnett County GIS:



The Property is currently zoned C-2 (General Business District) pursuant to the Gwinnett County Unified Development Ordinance (the “UDO”). The Applicant, GBT Realty Corporation (the “Applicant”) now seeks variances to redevelop the site. This document is submitted as the Letter of Intent and other materials required by the Gwinnett County UDO.

II. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The Property is a single tract with frontage on both Stone Mountain Highway and Glenn Club Drive. It is surrounded by C-2 properties and is in close proximity to a newly constructed RM-24/TND development that includes apartments, townhomes, and single-family detached homes. The surrounding parcels are improved with intense commercial uses. The Future Development Map of the Gwinnett County 2045 Unified Plan (the “2045 Plan”) classifies this Property as within the “Urban-Medium” Development Category of the “Park Place” Daily Community.

“Urban – Medium” is the most common future development type in the Urban Corridors. As indicated in the 2045 Plan, it is the fabric of these more urbanized communities— not as dense as the Urban - High Centers, but still relatively high intensity neighborhoods that can take advantage of areas with high infrastructure investment. Mixed use (vertical and horizontal), multifamily, office, retail/entertainment, and institutional are some of the recommended uses in Urban-Medium. The Property is also immediately adjacent

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to the “Urban-High” Development Category, which further supports the proposed redevelopment.

III. PROJECT SUMMARY

As shown on the conceptual site plan filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to redevelop the site to provide both a retail and medical office tenant. As such, the Applicant is requesting the following variances from Section 214-20. Activity Center/ Corridor Overlay District:

(1) Variance from Section 214-20.3.E.3 that states “No more than 10 percent of parking spaces may be located between the front building line of a building and the right-of-way . This parking shall be limited to no more than one double row of parking. No more than 30 percent of off-street parking areas may be located to the sides of building(s), with the balance of parking located to the rear the building(s).”

(2) Variance from Section 214-20.3.E.4 that states, in part, “[p]rimary building facades and entrances shall be located no more than 70 feet from the public rights-of-way and shall be oriented toward the street....”

The requested variances are necessary due to the Property being located within the Activity Center/Corridor Overlay District (the “Overlay”). Specifically, the proposed redevelopment of the site will result in more than 10 percent of the parking spaces between the front building line and the right-of-way. As shown on the Site Plan, the proposed building will provide for a total of 36 parking spaces, approximately 20 of which are located in the front of the building. In addition, due to the location of the site being in the Overlay, the primary building facades and entrances are required to be located no more than 70 feet from the public rights-of-way and oriented toward the street. As shown on the Site Plan, the proposed building is approximately 83’– 6” from the existing right-of-way. Due to the orientation and placement of the building on the site, the building is angled from the right-of-way so the setback increases gradually across the frontage. The aforementioned distance represents the greatest distance from the building façade to the right-of-way. As shown on the Site Plan, the southwest corner of the building is 68’ from the right-of-way and complies with the UDO.

As indicated, the Property is zoned C-2 for general commercial use within the Overlay and currently contains a vacant building that previously operated as a Krystal Restaurant. The site is surrounded by a mixture of multifamily, single-family, commercial, and industrial uses. The Applicant is seeking to redevelop the site for use as a coffee shop and dental office. The proposed building will consist of two tenant spaces, totaling 6,000 square feet. The Property is currently accessed by two curb cuts on Stone Mountain Highway and a shared access drive with the Days Inn located behind the existing building. The redevelopment would eliminate one of the curb cuts and the site would have access via a proposed right in/right out along Stone Mountain Highway. This would facilitate the flow of traffic into the site and around the building for access to the drive-through lane associated with the coffee shop. The Applicant submits that the proposed redevelopment of the site for retail and medical office uses would be suitable at this location in light of the existing uses in the surrounding area.

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In summary, the requested variances will enable the Property owner to redevelop an inactive site and provide neighborhood-serving retail and medical office uses to the community. Under the UDO, a variance may be granted in cases of unnecessary hardship by a finding that the application of the Ordinance to a particular piece of property (such as the subject Property) would create unnecessary hardship. Moreover, a variance is also supported when there are extraordinary and exceptional conditions unique to the property, and not a result of the owner. Finally, a variance is supported when it is determined that if relief is granted, there is no substantial detriment to the public good. Here, the particular hardships of the existing site prevent redevelopment in full compliance with the UDO and granting the requested variances would allow the redevelopment of a dormant site.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests this Variance Application be approved. The Applicant welcomes the opportunity to meet with the Gwinnett County Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 23rd day of May, 2024.

ANDERSEN, TATE & CARR, P.C.

Melody A. Glouton

Melody A. Glouton, Esq.

Enclosures
MAG/dwb
4873-0363-3857, v. 1



MEMORANDUM

TO: Zoning Board of Appeals

FROM: Department of Planning and Development

DATE: June 28, 2024

SUBJECT: Appeal of a Decision of the Director

Section 270-80.1 of the Unified Development Ordinance (UDO) allows persons aggrieved by any decision of the Director to appeal such decision to the Zoning Board of Appeals.

Section 270-120.2.H of the UDO grants the Director the power to grant an administrative variance to exceed the maximum fence height (4 feet) by up to three feet. An administrative variance was approved by the Planning Division Director to allow a 6-foot-tall fence in the front yard of 681 Devonwood Trace (R7148 340). This decision is being appealed.

The attached documentation includes the documentation for the Administrative Variance application and the application for the Appeal of the Administrative Decision.



Gwinnett

APPLICATION FOR APPEAL OF AN ADMINISTRATIVE DECISION

(Revised 5/2024)

Please complete this application and submit with all necessary attachments as outlined on the Appeal of an Administrative Decision instructions to the Department of Planning and Development.

APPLICANT INFORMATION		OWNER INFORMATION	
NAME	Debbie Bice	NAME	Quoc Huynh
ADDRESS	691 Devonwood	ADDRESS	681 Devonwood
CITY	Lawrenceville Trace	CITY	Lawrenceville Trace
STATE	GA	STATE	Ga.
ZIP	30043	ZIP	30043
PHONE	770-778-9132	PHONE	678-549-1033
EMAIL	dbice@bellsouth.net	EMAIL	unknown
CONTACT	770-778-9132	PHONE	
EMAIL	dbice@bellsouth.net		
APPLICANT IS THE:			
<input type="checkbox"/> OWNER'S AGENT		<input checked="" type="checkbox"/> PROPERTY OWNER	
<input type="checkbox"/> CONTACT PERSON			

PROPERTY INFORMATION			
ADDRESS	681 Devonwood Trace Lawrenceville, Ga 30043		
DISTRICT	LAND LOT	PARCEL	ZONING
PROJECT NAME			

Please attach a TYPED legal description unless located in a recorded subdivision.

Describe the specific decision that is under appeal. (State applicable Title, Chapter, Section, and Paragraph on the Gwinnett County Unified Development Ordinance.

Title 2 Chapter 30 Section 1 Paragraph _____

exceeding the fence height maximum (please see attached letter)

CASE NUMBER AVR 2024-00009

NOTE: The department shall not accept incomplete applications

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5/17/2024

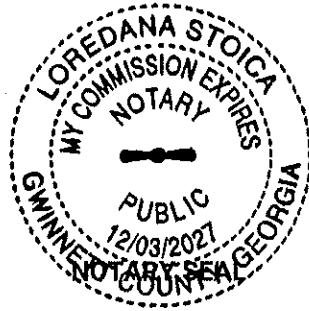
APPLICATION FOR APPEAL OF AN ADMINISTRATIVE DECISION

It is understood by the undersigned that this application is to be considered by the Zoning Board of Appeals under the provisions of the Gwinnett County Unified Development Ordinance Section 270-90. It is further understood that it is the responsibility of the applicant to present sufficient evidence to justify over-ruling a decision of the Director of the Department of Planning and Development.

Debbie A. Bee 5-17-24
Signature of Applicant Date

Debbie A. Bee
Typed or Printed Name and Title

[Signature] 5.17.24
Signature of Notary Public Date



DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

DATE RECEIVED _____ RECEIVED BY _____

COMMISSION DISTRICT _____ MRN _____

HEARING DATE _____

ACTION OF ZONING BOARD OF APPEALS

APPROVED _____ APPROVED WITH CONDITIONS _____ DENIED _____

CONDITIONS _____

DATE OF ACTION _____

CASE NUMBER _____

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5/17/2024

May 17, 2024

Re: Property at 681 Devonwood Trace Lawrenceville, Georgia 30043

The property owner constructed a fence on July 18, 2023. His residence is on a corner lot and his fence is located in his back and side yard. Typically, this would not be considered a violation, as it is located on his property.

My property is to the right of my neighbor, in a cul de sac. The cul de sac begins right at the point of where his fence approaches the street. Upon taking a deeper look into the placement of my neighbor's fence, and where the cul de sac begins, it was determined that this was a unique situation in which a violation was warranted. The fence owner was cited because his fence blocks the view of oncoming traffic from my residence. He was asked to remove his fence, or move it back. (This information was communicated to me by the Dept. of Code Enforcement and I did not see the actual violation in writing.)

Upon receiving the citation, my neighbor decided to apply for a variance. He cited the fact that he has a special needs daughter who needs the safety and security of the fence. His variance was granted on May 8, 2024.

Unfortunately, I don't believe that the safety concerns at my residence were mentioned. As a retired GCPS special education teacher of 36 years, I do not wish for my neighbor to have to remove his fence. Safety for his daughter and family is important. However, safety of my family is of utmost importance as well. We have had our view of the street blocked for almost a year.

Standing at the garage, driveway, or the front door of my house, it is impossible to see if cars are coming through the cul de sac, or at what speed. There are small children involved, and it is a dangerous safety concern. We cannot tell when the postal worker is driving up to the mailbox. We cannot see Fed Ex, Amazon, or landscaping trucks that drive through the cul de sac on a daily basis. My ring video has captured many instances of vehicles driving over the speed limit through the cul de sac.

On one instance, my grandchildren were playing in the front yard and a ball rolled through the front yard and into the road. The children are not allowed to go into the street. Adults are always with the small children, ages 1, 3, and 4, but it is unnerving to not see vehicles coming down the road. If an emergency were to happen and a child got injured, it would have been a preventable injury.

An easy solution, which has been proposed to my neighbor, is to angle the corner of his fence in order to provide access to viewing the street. So far, he has refused.

I am appealing to request an amicable solution to this issue, and prevent unnecessary accidents.

Debbie Bice



Gwinnett

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT

446 West Crogan Street, Suite 300 | Lawrenceville, GA 30046-2440
678.518.6000
GwinnettCounty.com

3/19/2024

ADMINISTRATIVE VARIANCE APPLICATION

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

Property Information:

Property Address: _____ Property Parcel ID: _____

Variance Requested: _____

Unified Development Ordinance (UDO) Code Section: _____

Applicant Information:

Name: _____

Contact Person: _____

Mailing Address: _____

City, State, Zip Code: _____

Phone Number: _____ Email Address: _____

Applicant is (check, if applicable): [] Property Owner [] Owner's Agent

Property Owner Information (if property owner is not the applicant):

Name: _____

Telephone Number: _____ Email Address: _____

Signatures

Applicant Signature: Quora A Property Owner Signature: _____

Name of Applicant: _____ Name of Property Owner: _____

Date: _____ Date: _____

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Standards for Granting Variances:

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

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

- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: _____

- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: _____

- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: _____

- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: _____

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

- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: _____

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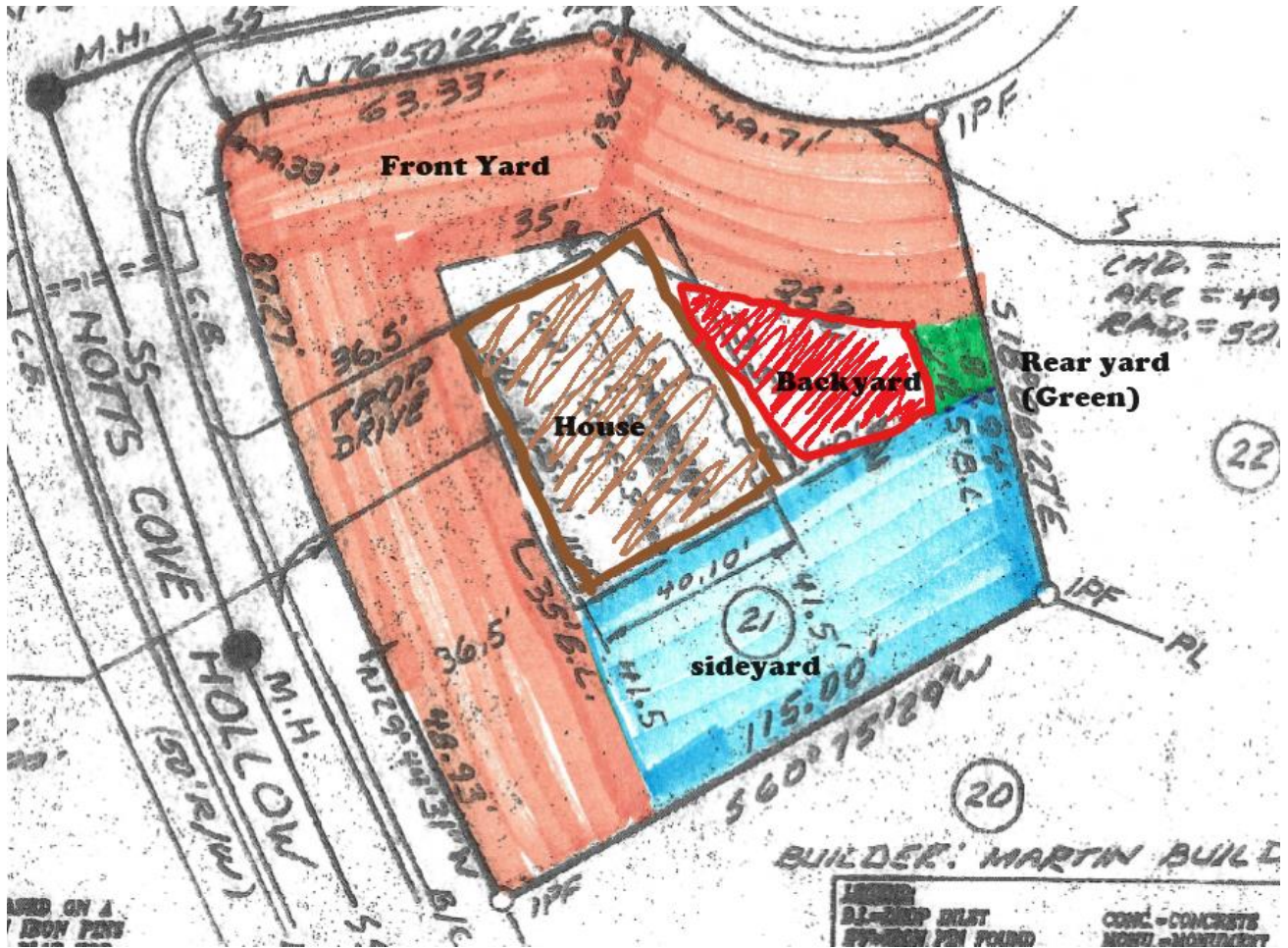
To whom this may concern,
3/19/2024

I am writing a letter of intent in request that my Administrative Variance Application to be reviewed, unique scenario to be taken in consideration, and approved for the encroachment of a fence in a front building setback from 4ft to 6ft in height for UDO code section 230-80.1 height of fencing of walls.

The reason for this request is that I have two front yards with one of the yards off a cul-de-sac which makes my back and rear yard extremely small. Therefore, I would like to keep my fence the way it is currently stands with 6ft walls in height in the front building setback as it is for the safety of my special needs daughter.

I have a special needs who is nonverbal teenage daughter named Kayla with extreme sensory issues as one of her many challenges she faces daily. We need to retain the 6ft walls for Kayla's safety. The 6ft walls will help ensure she will be confined in our yard for our family's outdoor activities. The 6ft wall will also prevent Kayla from climbing out and wander off. As shared above, Kayla is nonverbal, the 6ft walls would also help ensure she's kept away from any passing strangers who may attempt to gain her attention that could lead to one of her sensory episodes or attempt to lure Kayla out of our yard. The fence would also protect Kayla from the dangers of animals by keeping them out of our yard. Since Kayla is nonverbal and does not hold the mental capacity to understand danger nor be able to call out for help. The additional space in the front building setback would provide our family with the needed area for a sensory playground and other outdoor sensory games that would benefit Kayla. My property lines run up to the edge of my neighbor's driveway as her front yard sits directly behind the back of my house. To be neighborly, I did not run our fence all the way up to their driveway. As a homeowner, I would not like the idea of my neighbor's fence right on the edge of my driveway either. I left a 12ft setback, space that would have greatly benefited Kayla's play area. We also saved over 3 years to have the budget for this fence, Kayla's playground, and other sensory equipment. If we had to modify the fence, we would have to take away from the remaining funds for her sensory playground and equipment. Also, having an uneven height in the fence with parts of it at 4ft and others at 6 ft would visually affect how the architecture lines of the house to how the fence is run. In the future, this could influence the home's resale value.

The picture below shows the yard definition of my property. In "red", is what is defined as my backyard. As you can see, it is very limited in space to the point of barely having a backyard at all due to the Front Building Setback Ordinance. As shared above, I've also compromised with my neighbor since my property runs all the way up to her driveway. So that my fence post and wall is not next to my neighbor's driveway, I have a setback of 12ft.



The redline below shows a ruff estimate of how my property line runs and the compromised I did for my neighbor so that she does not have a fence right next to her driveway with a 12ft setback.

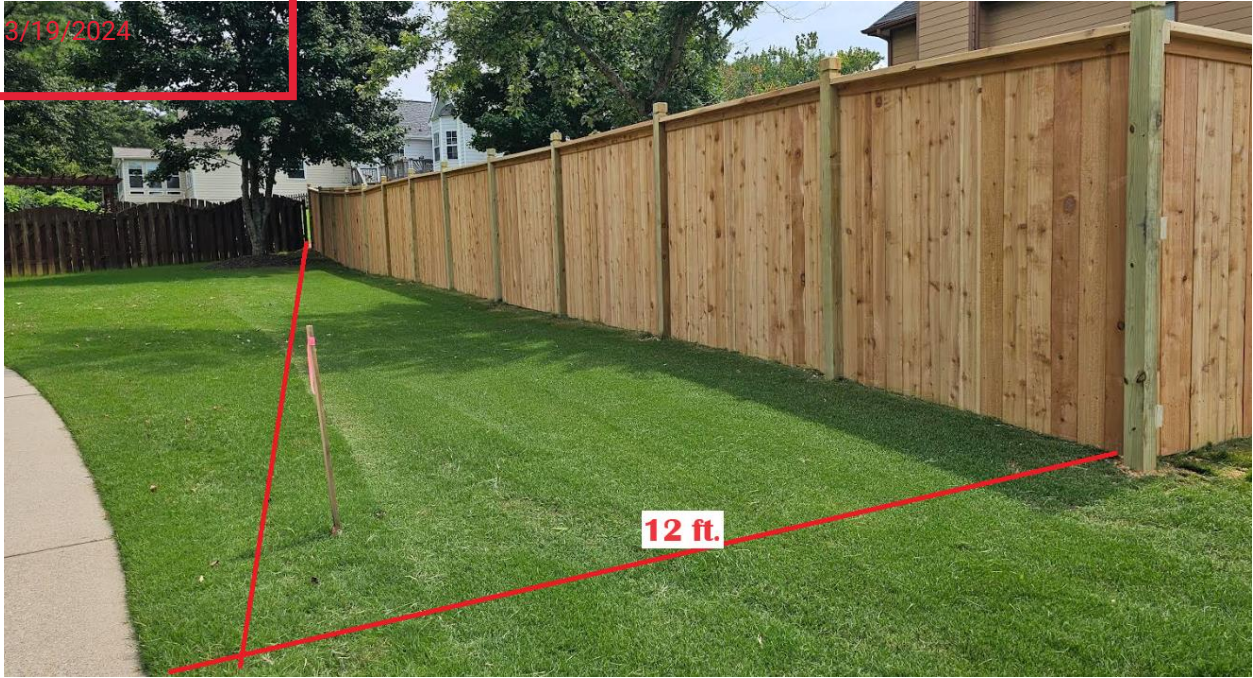
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 3/19/2024

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3/19/2024



Here is a picture of my current backyard. As you can imagine, after we all the sensory playground for my daughter, most of the free space will be taken up.



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3/19/2024

Please take into consideration the needs of my daughter and for her safety as long with the compromised we did with the 12ft setback from our neighbor's yard to be neighborly. As you can see from the picture of my backyard within our fence area, space is very limited and if we adjust the fence to retain that area, the 4ft would not be safe for my daughter. If we adjust the fence to follow the setback line, we will not have a backyard space to support a sensory playground.

I've also went around our neighborhood and a few of the surrounding ones. There are homes in my neighborhood and surrounding neighborhoods with fence in the front building setback that are higher than 4ft. on corner lots.

1. 2879 Volland Grove Trail NE
2. 2955 Dogwood Hollow Lane NE
3. 600 Reeves Hill Point NE

Here are homes in the surrounding neighborhoods for example:

1. 990; 1000; 1050 Spring Brook Drive NE
2. 3080 Sentinel PKWY NE
3. 3005 Baymount Drive NE
4. 900 Grace Drive NE
5. 805 Springtime Drive NE
6. 2905; 2925 Heather Stone Way NE
7. 3010 Clemson Lane NE

I ask to please approve my Administrative Variance Application and allow my family to keep our fence the way it currently is without requiring us to modifying it.

Thank you for your time and support on our family's fence issue.

Respectfully,

Quoc and the Huynh Family

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3/30/2024

Hi,

I used Google Earth and the measurement system they offered with the units set to “feet”. I also took a screenshot to align in the background of the county property line diagram. The County’s diagram is on top for the drawings below. It doesn’t fully line up but it’s close.

I then used a tape measure to measure the distance of the fence to the property lines to get as close to accuracy as possible for the drawing below. I couldn’t figure out how to convert in inches to feet for the drawing below.

- The lines in “Red” is the fence.
- The lines in “Black” with the measurements using footage is the distance between the fence and the edge of the property lines.
- The “Peach” colored area is the Front of Building Setback
- The “Blue” colored area is the side yard.
- The “Green” area is the rear yard.
- The “Purple lines” area is the back yard.

I hope this helps with the visual of the fence as how it currently seats with the Front of Building Setback. I apologize in advance if it does not. If it doesn’t, maybe I can make an appointment with someone in the office who maybe be able to assist me with this process.

Please let me know if you have questions or anything else from me.

Again, thank you for your help and support with my issue.

Example: 1

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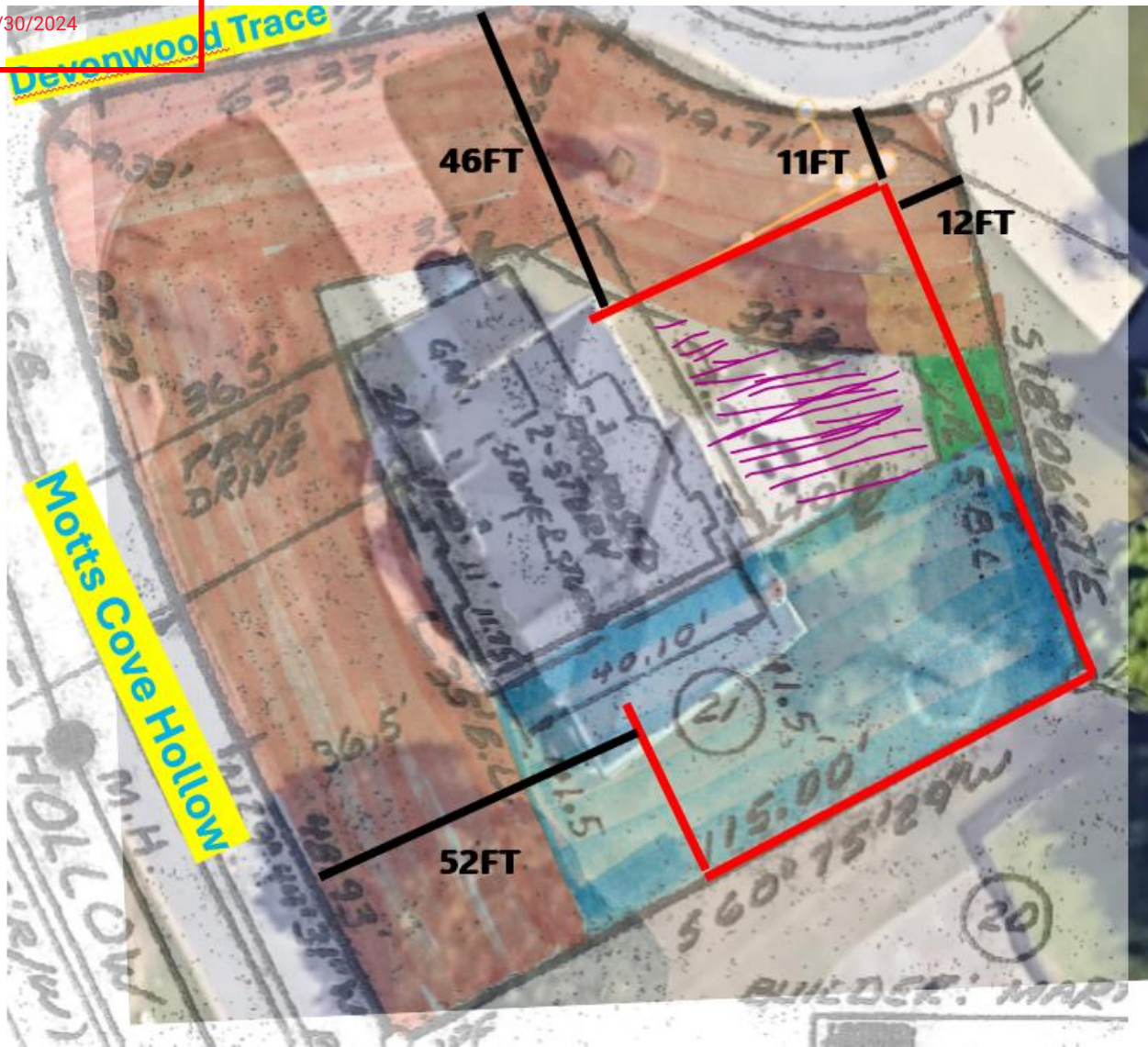
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Example 2:

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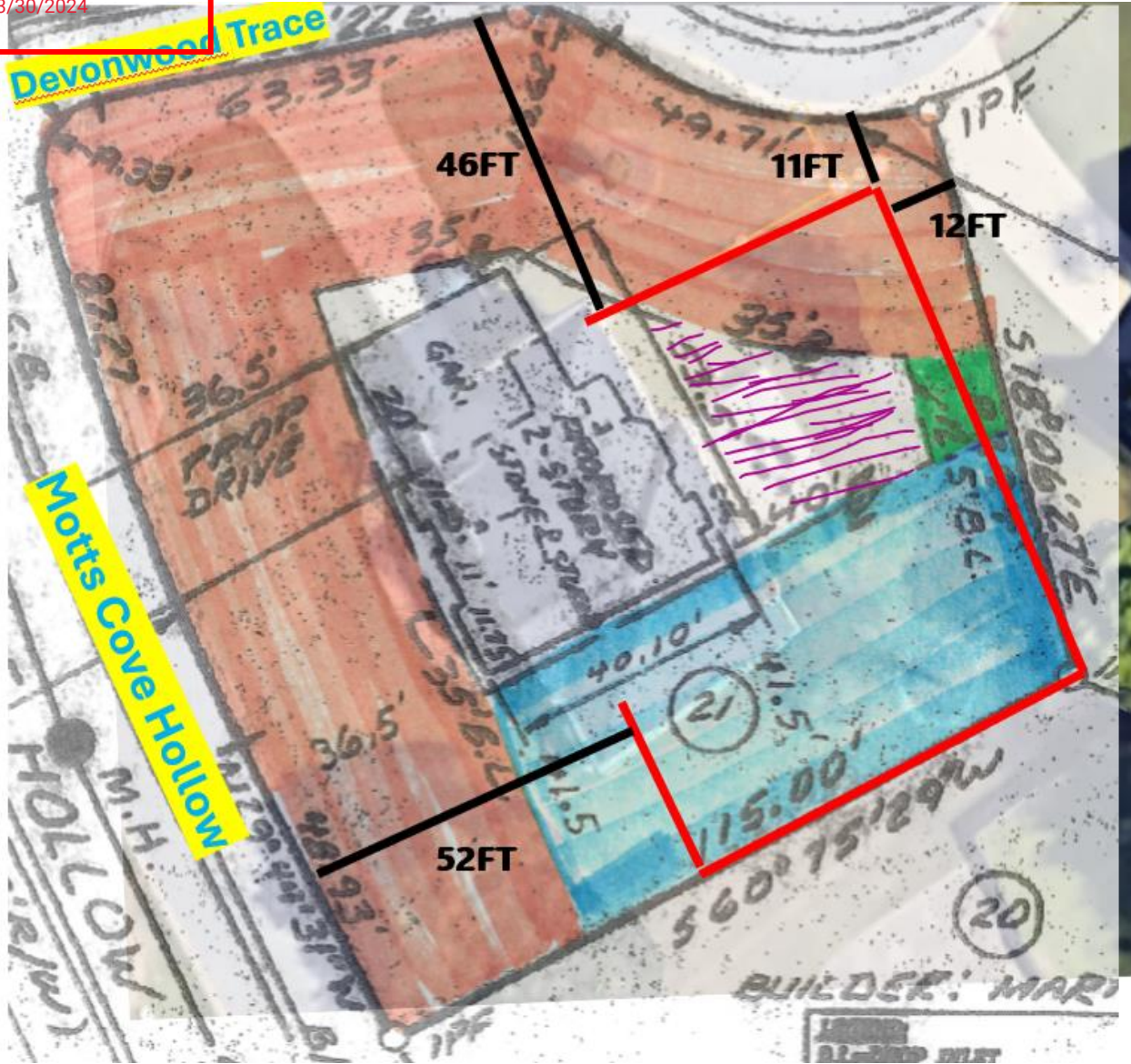
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Example: 3

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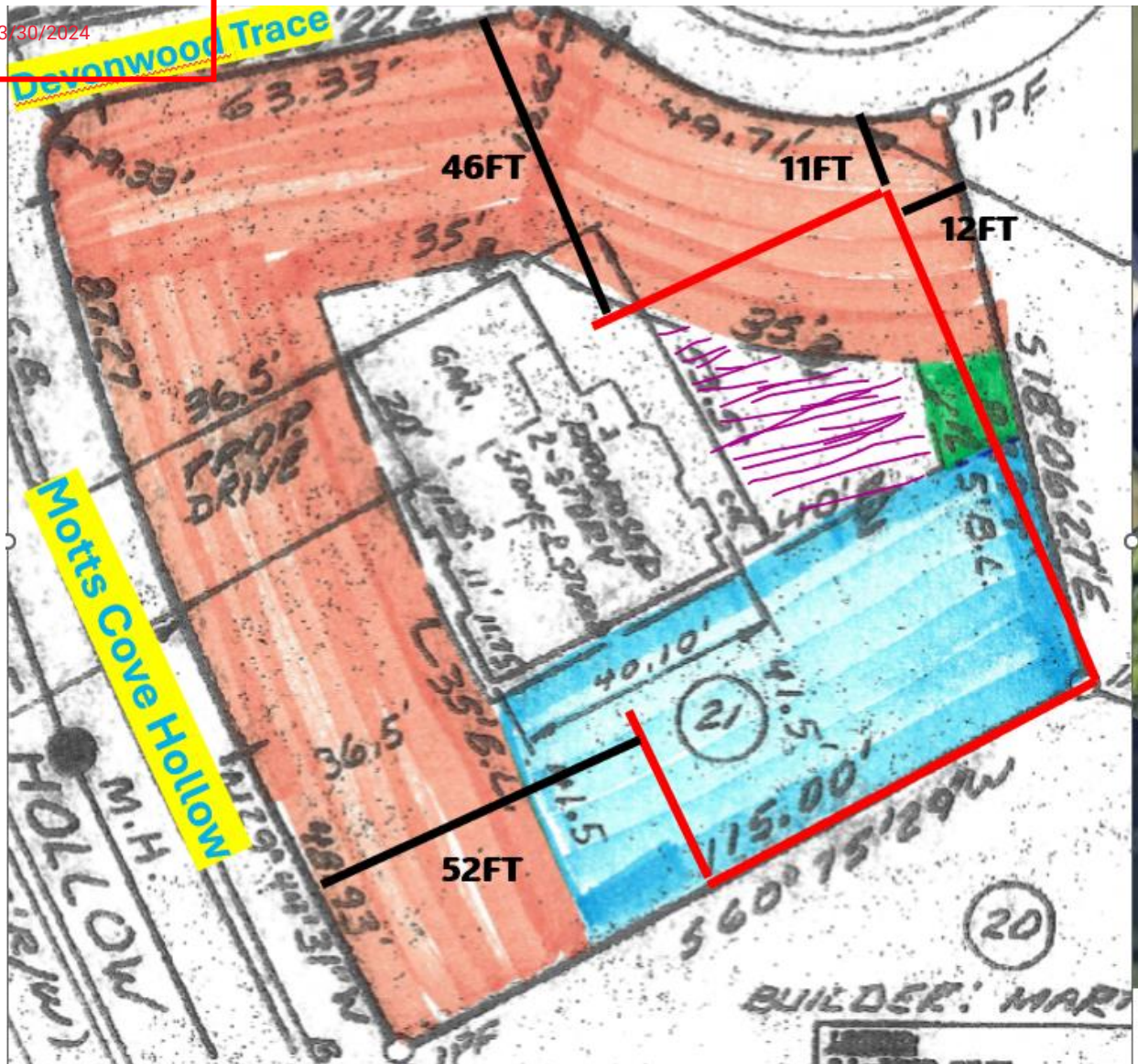
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Example: 4

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3/30/2024





04/30/2024

Quoc Huynh
681 Devonwood Trace
Lawrenceville, GA 30043

RE: AVR2024-00009 – 681 Devonwood Trace (R7148 340)

Dear Quoc Huynh:

The Department of Planning and Development has reviewed your administrative variance request regarding Section 230-80.1 of the Unified Development Ordinance, to allow a 6-foot-tall fence in the front yard setback. This letter is to certify that your request for the referenced property has been **APPROVED with the following conditions:**

1. The fence shall be located in conformance with the site plan (Exhibit A), dated received March 30, 2024.

If you have any questions, please feel free to contact the Planning and Development Department at P&D-PlanningZoning@GwinnettCounty.com or by phone at 678.518.6000.

Sincerely,

Yang Chen
Planning Division Director

Attachment: Exhibit A: Site Plan dated received March 30, 2024

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3/30/2024

Exhibit A: Site Plan



681 Devonwood Trace (fence height increase in a front yard setback)

The applicant is requesting an administrative variance to increase the height of their fence by 2 feet in the front yard setback.

Parcel: [R7148 340](#)

Zoning Conditions: N/A

[Application](#)

Code Enforcement Case: CEU2023-12203

Code Section: 230-80.1

Zoning: R-100

[Street View](#)





Case number: CEU20 23-12203

Name: _____ Inspection date: 11/09/2023

Violation address: 681 Devonwood Trce Contact name: Quoc Huynh

Lawrenceville GA Contact phone: 678-549-1633

Contact email: _____

A Gwinnett County Code Enforcement Officer inspected this property on this date and found the following violations:

Property Maintenance Ordinance		
	Transfer of Ownership	14-260
X	Fence and Wall Maintenance	14-284
	Graffiti	14-285
	Grass, Weeds	14-286
	Junk Vehicle	14-287
	Driveway/Walkways	14-288
	Open/Outdoor Storage	14-289
	Trees (Dead/Stumps/Debris)	14-290
	Swimming Pools, Spas and Hot Tubs	14-291
	Lighting	14-292
	Sanitation	14-293
	Numbering Requirements	14-318
	Exterior Surface Treatment	14-319
	Exterior Walls	14-320
	Foundation Walls and Structural Members	14-321
	Roofs	14-322
	Exterior Stairways, Decks, Porches	14-323
	Windows	14-324
	Exterior Doors and Frames	14-325
	Garage Doors	14-326
	Decorative Features	14-327
	Overhang Extensions	14-328
	Chimneys and Towers	14-329
	Vacant Structure Maintenance	14-330
	Boarding-Up Structures	14-331
	Burned Structure	14-332
Construction Code		
	Building Permit Required	106.1
	Certificate of Occupancy/Completion	113.1/113.2
	Expired Building Permit	106.7

Sign Ordinance		
	Sign Permit Required	78-102
	Prohibited Signs	78-107
	Temporary Signs (Banners)	78-108
	Flags	78-109(10)
	Generally Permitted Signs	78-109
	Maintenance and Appearance	78-116
	Illumination of Signs	78-112
Solid Waste Ordinance		
	Trash containers - collection hours	82-56.A.6.C
Unified Development Ordinance/Zoning		
	One Principal Building/Use	230-40
	Walls and Fences (Requirements)	230-80
	Livestock	230-130.3.FF
	Nonpermitted Use	230-100
	Accessory Uses or Structures	230-120
	Right of Way Violations	230-120.6
	Home Occupation	230-130.3.T
	Donation Boxes	230-130.4.C
	Outdoor Display - Commercial	230-130.4.F
	Outdoor Storage - Commercial	230-130.4.H
	Off Street Parking (Yard Parking)	240-10.3.B
	Parking Lot Maintenance	240-60.3
	Vehicle Used as Signage	240-110.1
	Vehicle Parking Requirements	240-110.2
	Dumpsters	230-120.13
	Temporary Outdoor Activity	265.20
	Conditions of Zoning	270.40.4
Occupation Tax and Business Ordinance		
	Business License Required	18-20

Details or corrective action: Corner lot - 6 ft fence must be 35 feet away from the property line.

Can have 4 ft fence on property line.

Variance - after the ^{fact} permit

PLEASE CORRECT BY: 11/27/2023


Failure to correct on or before the date listed above could result in a citation(s) requiring a court appearance and fines up to \$1000 and/or imprisonment.

Officer: D. Baultte

Phone: 678-230-3289

Email: _____ @GwinnettCounty.com

For more information, visit GwinnettCodeEnforcement.com





Gwinnett

WINNETT COUNTY
DEVELOPMENT CODE ENFORCEMENT
OFFICIAL NOTICE OF VIOLATION

Case number: CEU20 23-12203 Inspection date: 02/23/2024
 Name: _____ Contact name: Quoc Huyah
 Violation address: 681 Devonwood Contact phone: 678-549-1033
TRCE Lawrenceville GA Contact email: _____

A Gwinnett County Code Enforcement Officer inspected this property on this date and found the following violations:

Property Maintenance Ordinance		
	Transfer of Ownership	14-260
X	Fence and Wall Maintenance	14-284
	Graffiti	14-285
	Grass, Weeds	14-286
	Junk Vehicle	14-287
	Driveway/Walkways	14-288
	Open/Outdoor Storage	14-289
	Trees (Dead/Stumps/Debris)	14-290
	Swimming Pools, Spas and Hot Tubs	14-291
	Lighting	14-292
	Sanitation	14-293
	Numbering Requirements	14-318
	Exterior Surface Treatment	14-319
	Exterior Walls	14-320
	Foundation Walls and Structural Members	14-321
	Roofs	14-322
	Exterior Stairways, Decks, Porches	14-323
	Windows	14-324
	Exterior Doors and Frames	14-325
	Garage Doors	14-326
	Decorative Features	14-327
	Overhang Extensions	14-328
	Chimneys and Towers	14-329
	Vacant Structure Maintenance	14-330
	Boarding-Up Structures	14-331
	Burned Structure	14-332
Construction Code		
	Building Permit Required	106.1
	Certificate of Occupancy/Completion	113.1/113.2
	Expired Building Permit	106.7

Sign Ordinance		
	Sign Permit Required	78-102
	Prohibited Signs	78-107
	Temporary Signs (Banners)	78-108
	Flags	78-109(10)
	Generally Permitted Signs	78-109
	Maintenance and Appearance	78-116
	Illumination of Signs	78-112
Solid Waste Ordinance		
	Trash containers - collection hours	82-56.A.6.C
Unified Development Ordinance/Zoning		
	One Principal Building/Use	230-40
	Walls and Fences (Requirements)	230-80
	Livestock	230-130.3.FF
	Nonpermitted Use	230-100
	Accessory Uses or Structures	230-120
	Right of Way Violations	230-120.6
	Home Occupation	230-130.3.T
	Donation Boxes	230-130.4.C
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	Vehicle Parking Requirements	240-110.2
	Dumpsters	230-120.13
	Temporary Outdoor Activity	265.20
	Conditions of Zoning	270.40.4
Occupation Tax and Business Ordinance		
	Business License Required	18-20

Details or corrective action: Fence must be 25 ft from cul-de-sac property line. - suggest fence survey
OR apply for variance
Nicole Tucker 478-524-2356 Supervisor

PLEASE CORRECT BY: 03/08/2024

Failure to correct on or before the date listed above could result in a citation(s) requiring a court appearance and fines up to \$1000 and/or imprisonment.

Officer: <u>D. Boutte</u>	For more information, visit GwinnettCodeEnforcement.com	
Phone: <u>678-230-3289</u>		
Email: _____ @GwinnettCounty.com		

23 Feb 2024



PUBLIC HEARING NOTICE
ATYNNAL BOARD OF APPEALS

NOTICE OF PUBLIC HEARING FOR THE ATYNNAL BOARD OF APPEALS regarding the proposed rezoning of the property located at 10000 S. W. 10th St., Miami, FL 33156, from R-1 to R-15.

The public hearing will be held on **Monday, June 15, 2020**, at **10:00 AM**, at the **Atynnal Board of Appeals**, 10000 S. W. 10th St., Miami, FL 33156.

PLEASE BE NOTED: A RESOLUTION IS REQUIRED.



PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE:
APPEAL OF CASE A100034-000019

Case # A100034-00001
Date 7/20/21 Time 6:30 PM

71 LANOLEY DRIVE - LAWRENCEVILLE, GA 30046
For information, call: 678.518.6200

THIS IS NOT A REZONING APPLICATION

WARNING
This notice is posted in accordance with the Zoning Ordinance. It is intended to provide notice to the public of a public hearing on a variance application. The Zoning Board of Appeals will hold a public hearing on the application on the date and time specified above. The hearing will be held at the address specified above. The hearing will be held at the address specified above. The hearing will be held at the address specified above.



PUBLIC HEARING NOTICE
[Illegible text]
APPLICANT'S NAME
[Illegible text]
[Illegible text]
[Illegible text]

