



Zoning Board of Appeals
Tuesday, October 12, 2021 - 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 - September 14, 2021
- E. Old Business
- 1. Case Number: **ZVR2021-00082 (Public Hearing Held)**
Applicant/Contact: Diana Carolina Olaya
Phone Number: 404.644.8074
Zoning: R-100 (Single-Family Residence District)
Location: 2295 Castle Royale Drive
Map Number: R7057 127
Proposed Development: Recreational Vehicle Parking
Variances Requested: Allow parking of recreational vehicle or non-motor vehicle in front yard
Commission District: (4) Fosque
- 2. Case Number: **ZVR2021-00084 (Public Hearing Held)**
Applicant/Contact: Marcella Cox
Phone Number: 404.889.9221
Zoning: R-100 (Single-Family Residence District)
Location: 4970 Hodgkins Place
Map Number: R6100 326
Proposed Development: Fence
Variances Requested: Allow fence height increase from 4 feet to 5 feet 4 inches in a front setback
Commission District: (2) Ku

F. New Business

1. Case Number: **ZVR2021-00091**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 2
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of road frontage from 40 feet to 0 feet
Commission District: (1) Carden

2. Case Number: **ZVR2021-00092**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 2
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of lot width from 100 feet to 0 feet
Commission District: (1) Carden

3. Case Number: **ZVR2021-00093**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 3
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of road frontage from 40 feet to 0 feet
Commission District: (1) Carden

4. Case Number: **ZVR2021-00094**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 3
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of lot width from 100 feet to 0 feet
Commission District: (1) Carden
5. Case Number: **ZVR2021-00095**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 4
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of road frontage from 40 feet to 0 feet
Commission District: (1) Carden
6. Case Number: **ZVR2021-00096**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 4
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of lot width from 100 feet to 0 feet
Commission District: (1) Carden

7. Case Number: **ZVR2021-00097**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 5
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of road frontage from 40 feet to 0 feet
Commission District: (1) Carden
8. Case Number: **ZVR2021-00098**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 5
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of lot width from 100 feet to 0 feet
Commission District: (1) Carden
9. Case Number: **ZVR2021-00099**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 6
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of road frontage from 40 feet to 0 feet
Commission District: (1) Carden

10. Case Number: **ZVR2021-00100**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 6
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of lot width from 100 feet to 0 feet
Commission District: (1) Carden
11. Case Number: **ZVR2021-00101**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 7
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of road frontage from 40 feet to 38.31 feet
Commission District: (1) Carden
12. Case Number: **ZVR2021-00102**
Applicant/Owner: BURCH001, LLC
Contact: Andrew Perry
Phone Number: 404.987.1224
Zoning: R-100 (Single-Family Residence District)
Location: 3458 South Scales Road – Lot 7
Map Number: R7198 005
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow reduction of lot width from 100 feet to 38.31 feet
Commission District: (1) Carden

13. Case Number: **ZVR2021-00103**
Applicant: ResiBuilt Homes
Owner: Stan Hall
Contact: Jeff Hill
Phone Number: 470.809.1256
Zoning: OSC (Open Space Conservation District)
Location: 1490 Chandler Road
Map Number: R5184 021
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow increase in maximum cul-de-sac street length, from 600 feet to 775 feet
Commission District: 3 (Watkins)
14. Case Number: **ZVR2021-00113**
Applicant: ResiBuilt Homes
Owner: Stan Hall
Contact: Jeff Hill
Phone Number: 470.809.1256
Zoning: OSC (Open Space Conservation District)
Location: 1490 Chandler Road
Map Number: R5184 021
Proposed Development: Single-Family Residential Subdivision
Variance Requested: Allow increase in maximum cul-de-sac street length, from 600 feet to 675 feet
Commission District: 3 (Watkins)
15. Case Number: **ZVR2021-00104**
Applicant/Owner: Barefoot Brothers, LLC
Contact: Bo Braswell
Phone Number: 770.238.9000
Zoning: RA-200 (Agriculture-Residence District)
Location: 4604 Braselton Highway
Map Number: R3003 013
Proposed Development: Kennel
Variance Requested: Allow primary building façade and entrance to be located greater than 70 feet from public right-of-way
Commission District: 3 (Watkins)

16. Case Number: **ZVR2021-00105**
Applicant: Thomas and Hutton
Owner: Robert Pounds
Contact: Tonya Woods
Phone Number: 770.271.2868
Zoning: OSC (Open Space Conservation District)
Location: 3591 Tuggle Road
Map Number: R1001 049
Proposed Development: Single-Family Residential Subdivision
Variance Requested: to allow increase in maximum cul-de-sac street length, from 600 feet to 1,048 feet
Commission District: 4 (Fosque)
17. Case Number: **ZVR2021-00109**
Applicant/Owner/Contact: Sejd Rizvic
Phone Number: 404.483.9483
Zoning: R-ZT(Single-Family Residence District)
Location: 1170 Lendl Lane
Map Number: R7004 536
Proposed Development: Single-Family Dwelling
Variances Requested: Allow an encroachment of 17.8 feet into the 35-foot rear setback for a building addition
Commission District: (4) Fosque
18. Case Number: **ZVR2021-00110 – Administratively Held**

G. OTHER BUSINESS

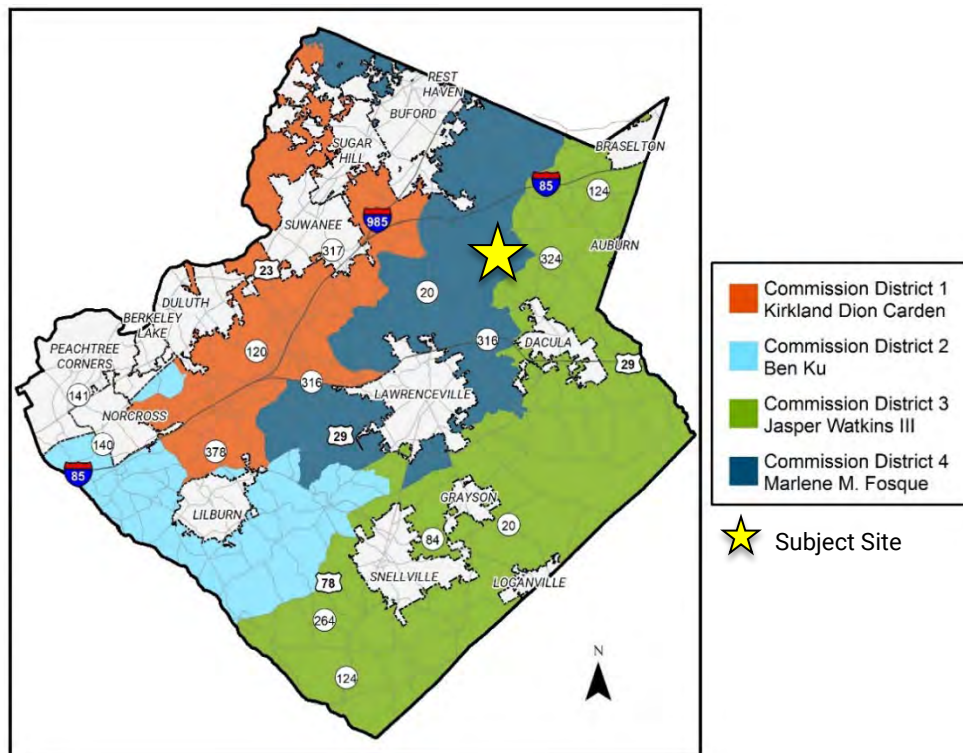
1. Approval to reconsider ZVR2021-00077 at the Zoning Board of Appeals Meeting on November 9, 2021. Applicant: Dirk Heyns; 2231 Lakeway Drive, Dacula, GA 30019; Allow parking of recreational vehicle or non-motor vehicle in side yard. Staff is directed to re-advertise and re-post this zoning hearing.

H. ANNOUNCEMENTS

I. ADJOURNMENT

PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: ZVR2021-00082
Address: 2295 Castle Royale Drive
Map Number: R7057 127
Current Zoning: R-100 (Single-Family Residence District)
Site Area: 0.49 acres
Proposed Development: Recreational Vehicle Parking
Commission District: District 4 – Commissioner Fosque
Request: Allow the parking of recreational or non-motor vehicles in the front yard



Location Map

Applicant: Diana Carolina Olaya
2295 Castle Royale Drive
Lawrenceville, GA 30043

Owner: Diana Carolina Olaya
2295 Castle Royale Drive
Lawrenceville, GA 30043

Contact: Diana Carolina Olaya

Contact Phone: 404.644.8074

Zoning History

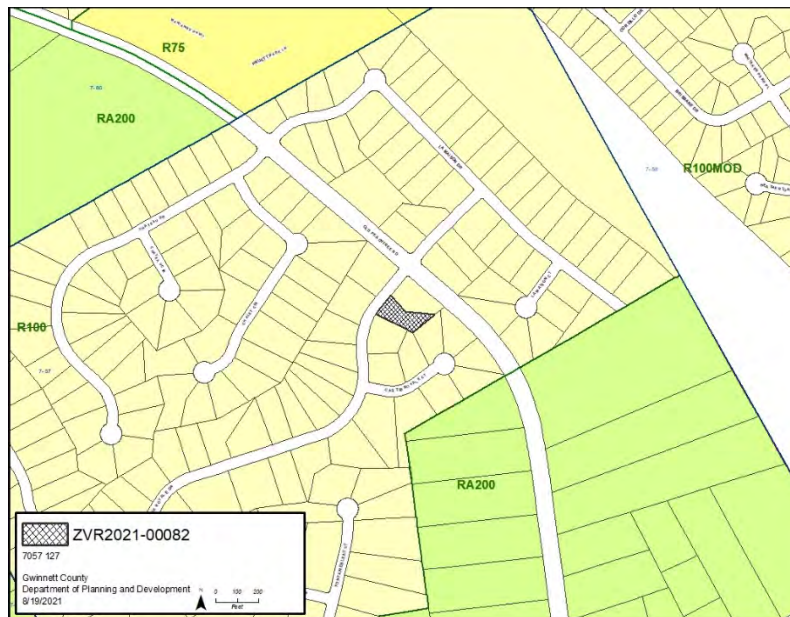
The subject property has been zoned R-100 (Single-Family Residence District) since 1991, pursuant to REZ1991-00022. Prior to the rezoning, the property was zoned RA-200 (Agriculture-Residence District).

Existing Site Condition

The subject site is a 0.49-acre developed, single-family lot along the eastern side of Castle Royale Drive, off of Old Peachtree Road. The property is Lot 2 Block A of Castle Royale Subdivision and includes a 1,696 square foot single-family dwelling with an enclosed porch and a wooden deck. The property slopes down from the front property line to the rear property line approximately 10 feet. There is a single paved driveway from Castle Royale Drive. According to the applicant, the rear yard of the property contains a septic system which limits the development of the rear yard. The variance request is to allow a utility trailer and a boat to remain parked in the front yard.

Surrounding Use and Zoning

The surrounding properties are single-family residences within an established subdivision. The following is a summary of the surrounding uses and zoning:



Surrounding Zoning

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

Project Summary

The applicant is requesting a variance to allow two non-motor vehicles to remain parked in the front yard, including:

- A 24-foot-long utility trailer on an unpaved, gravel surface in the front yard.
- A 19.5-foot-long boat no a boat trailer on a paved surface in the front yard.
- This variance request is a result of Code Enforcement Violation, CEU2021-07340.

Variance Requested

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

1. **Variance from Section 240-10.3.A and B.** to allow recreational or non-motor vehicles to be parked on an unpaved surface in the front yard.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Parking surface	Paved	Paved and gravel	NO
Location of parked recreational or non-motor vehicles	Carport, Enclosed Structure, or in the Rear Yard	Driveway and Unpaved Area in the Front Yard	NO
Distance from property line if parked in rear yard and not in a structure	Minimum 15'	11'	NO
Parking Spaces	Minimum: 2 Maximum: 6	6	YES

Recommended Staff Condition

Should the Board approve this request, staff recommends the following conditions of approval:

1. The number of recreational or non-motor vehicles parked on the site shall not exceed two.
2. All recreational or non-motor vehicles shall be parked on a paved surface and shall be no closer than 15 feet to the side property line.
3. All recreational or non-motor vehicles shall be covered.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Standards for Granting Variances
- D. CEU2021-07340
- E. Maps

Exhibit A: Site Visit Photos



Property Frontage Along Castle Royale Drive



Recreational Vehicles Located in the Front Yard

Exhibit B: Site Plan

[attached]

Castle Royale Dr

Old Peach Tree Rd

2295 Castle Royale Dr
Lawrenceville, GA 20043

Sewer

Boat
19'.5" Long
7'.8" Wide

Property Line
to Boat 14'

Space Trailer
is being Parked
12' Wide

Driveway

Home

Septic Tank

Property Line
to Trailer 11'

Trailer
24' Long
8'.5" Wide

100'

136'

188'

129'

Exhibit C: Letter of Intent and Standards for Granting Variances

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
7/26/2021 3:04PM

Letter of Intent of Variance Request

RE: 2295 Castle Royale Dr. Lawrenceville, GA 30043, Parcel ID R7057-127

July 22, 2021

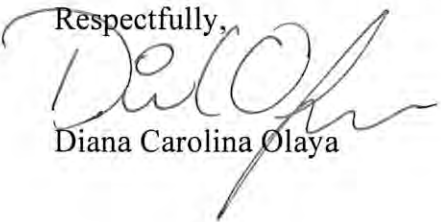
Dear Members of the Board,

I respectfully submit this Letter of Intend to the Gwinnett County Board of Commissioners seeking approval that would allow the Trailer and Boat to remain in its current position. I bought the property in May 2020 and had never had a problem with neither the trailer nor boat. I had decided to buy a property with no HOA, as I know the difficulties of owning a property with one and myself owning a trailer and boat. As many homeowners in the neighborhood including myself, bought a property with land to be able to park our boats, trailers RVs and others. Many our neighbors own and are currently parking their personal properties in the side of the home just like us. This situation makes it very troubling knowing that we would not be able to park either the boat or trailer in our property. During last year in the property never have I had any difficulties nor complaint from the neighbors until Officer Smith gave me a citation 07/02/2021. I received a citation as a neighbor complaint because I had to leave my trailer on street. The axle of the trailer was broken, and I had to leave it on the street for a day while the mechanic came to fixed it.

I want to ask the board to consider how our property is built. Through the right side of the property, we tried to take as much soil and cut some trees out to make a walkway through the back. But due to the septic tank being on that side of the property and tree trunk being so closed to the septic tank we were unable to remove the roots of the trees. On the left side of the property the grass is descended, and we have a sewer which our neighbor has called the county to come inspect it as it has been sinking. Not by any means we are able to park the trailer behind the property. The proposed of allowing the Trailer and Boat to remain in its current position will not be injurious to the area nor affect the neighbors. The Trailer is in constant move as it is use for the Atlanta United Soccer Team Supporter Group.

The hardship that would result from a denial of the variance for us may sound small, but we would have to find another place and result in paying more for maintain our trailer and boat during this difficult time still going through. Our trailer and boat are well maintained, and it would mean the removal of a very valuable personal property for us. I hope you agree that my request would not affect our neighborhood. Should you have any questions, please do not hesitate to contact me at 404-644-8074.

Thank you for your thoughtful consideration of this request.

Respectfully,

Diana Carolina Olaya

RECEIVED

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: Unable to park my trailer and boat in the back of the property due to having the septic tank on one side of the property and a grass descent and sewer on the other side of the property.
- 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: if denial is a hardship for myself that I own the property as it will cost me more to maintain the rental and where I will keep both during this difficult time we all going through.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: Many of my neighbors have RVs, boats, trailers and other park in the side of their property jus ton top of the grass. I have added gravel to the side of my property to park the trailer there.
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: The request is happening from a citation due to a neighbor complaint for leaving the trailer on the street for a day while a mechanic came to fixed the axle.
- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: Granting this request will not affect the neighborhood nor the neighbors. My Trailer is mainly use for the Atlanta United Soccer Team every weekend and week game day. The Boat is use for family and is always in the driveway taking no street space and is kept all clean.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Before I bought the house i plan to put gravel on the side of the property to be able to park the trailer as it was something I needed and reason I bought a property with no HOA. The property has much land we want to use and this section was a great way to get a use of.
- 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 trailer is aprk on the side of the property in top of gravel which help for mud not to built and make the property have a great landscaping look.

Exhibit D: CEU2021-07340

[attached]

CASE NUMBER : CEU2021-07340

PRIMARY ADDRESS:	2295 CASTLE ROYALE DR, LAWRENCEVILLE, GA 30043
PARCEL:	7057 127
RECEIVED DATE:	6/29/2021
APPLICATION STATUS:	RINSP
DESCRIPTION:	LARGE TRAILER WITH VEHICLE ON IT PARKED ON STREET/HITCH PARKED OVER SEWER DRAIN CAUSING IT TO CRACK

OWNER NAME	ADDRESS	CITY/STATE/ZIP
ESPINOSA ANA M VARELA	2295 CASTLE ROYALE DR	LAWRENCEVILLE, GA, 30043-2855
OLAYA DIANA CAROLINA	2295 CASTLE ROYALE DR	LAWRENCEVILLE, GA, 30043-2855

Phone:

CONTACTS ROLE	NAME	ADDRESS	CITY/STATE/ZIP

Phone:

COMMENTS

View ID	COMMENTS	DATE

INSPECTIONS

Inspection	Requested	Scheduled	Completed	Status	Inspector	Comment
Re-Inspection	7/22/2021	8/5/2021	8/5/2021	Not Complied Extension Granted	James Smith	The trailer and the boat are in the driveway / graveled area next to the driveway. spoke to the owner. He has put in the application for a variance for the trailers.
Re-Inspection	7/2/2021	7/22/2021	7/22/2021	Not Complied Extension Granted	James Smith	Boat and trailer remain. property owner working on getting them moved. (doesn't b own a truck)
Initial Inspection	6/29/2021	7/2/2021	7/2/2021	Field Notice of Violation	James Smith	Trailer in yard on gravel. Boat in driveway. Yard parking violations.

WORKFLOW HISTORY

Workflow Task	Assigned	Due	Completed	Status	Inspector	Comment
Enforcement	6/29/2021	6/29/2021	7/2/2021	Field Notice of Violation	James Smith	
Enforcement Intake	6/29/2021	6/29/2021	6/29/2021	Complaint Accepted	Amanda Barrett	

VIOLATIONS

ORDINANCE	CODE SECTION	VIOLATION DATE	COMPLIANCE DATE	VIOLATION STATUS

CITATIONS

ORDINANCE	CODE SECTION	DATE OF CITATION	CITATION NUMBER	COURT DATE

CASE NUMBER : CEU2021-07340

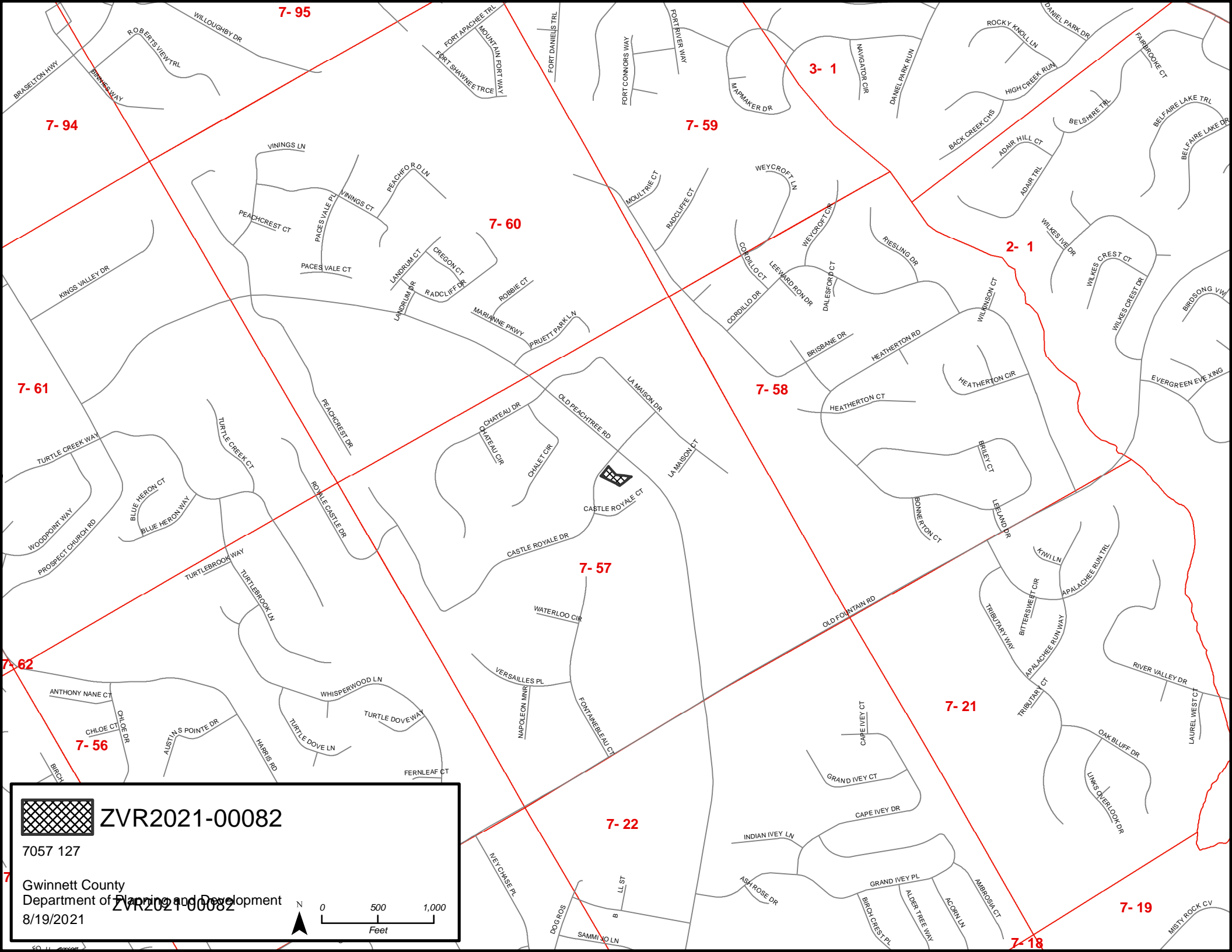
CASE NUMBER : CEU2021-07340

DOCUMENTS

DOCUMENT NAME	FILE NAME	DESCRIPTION	UPLOADED BY	UPLOADED ON
2295_Castle_Royale_Dr.jpg	2295_Castle_Royale_Dr.jpg	Front. Trailer and boat in front	JTSMITH	7/2/2021 8:50:06 AM
2295_Castle_Royale_Dr_2.jpg	2295_Castle_Royale_Dr_2.jpg	boat	JTSMITH	7/2/2021 8:52:22 AM
2295_Castle_Royal_Dr_07-22,21.jpg	2295_Castle_Royal_Dr_07-22,21.jpg	front - trailers	JTSMITH	7/22/2021 8:21:36 AM
2295_Castle_Royal_Dr_08-05-21.jpg	2295_Castle_Royal_Dr_08-05-21.jpg	Front	JTSMITH	8/5/2021 8:29:47 AM
2295_Castle_Royal_Dr_08-05-21_2.jpg	2295_Castle_Royal_Dr_08-05-21_2.jpg	Traer and boat	JTSMITH	8/5/2021 8:30:51 AM
/Enforcement_Firstmailed_Notice_20210831_104226.pdf	/Enforcement_Firstmailed_Notice_20210831_104226.pdf		CSLONG	8/31/2021 10:42:26 AM

Exhibit E: Maps

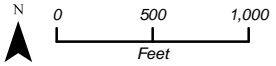
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ZVR2021-00082

7057 127

Gwinnett County
Department of Planning and Development
8/19/2021



©OLD PEACHTREE RD

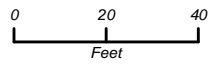
CASTLE ROYALE DR



ZVR2021-00082

7057 127

Gwinnett County
Department of Planning and Development
8/19/2021





ROBBIE CT
MARIANNE PKWY

PRUETT PARK LN

CORDILLO DR

BRISBANE DR

WHITAKER PARK PL

HEATHERTON CT

HEATHERTON RD

CHATEAU DR

CHATEAU CIR

OLD PEACHTREE RD

LA MAISON DR

LA MAISON CT

CHALET CIR

CASTLE ROYALE CT

ROYALE DR

FONTAINEBLEAU CT

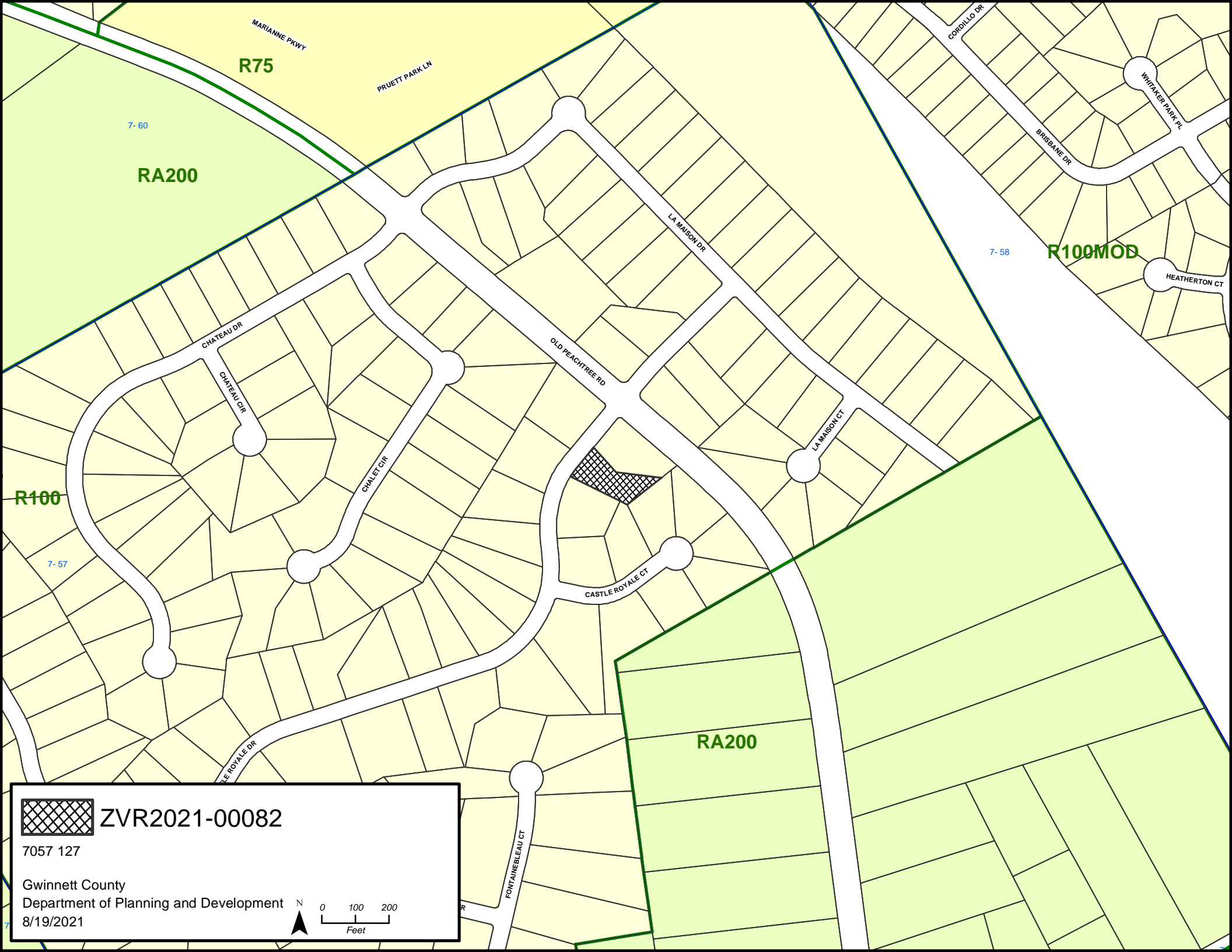
OLD FOUNTAIN RD

 ZVR2021-00082

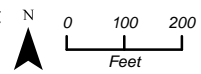
7057 127

Gwinnett County
Department of Planning and Development
8/19/2021

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Feet

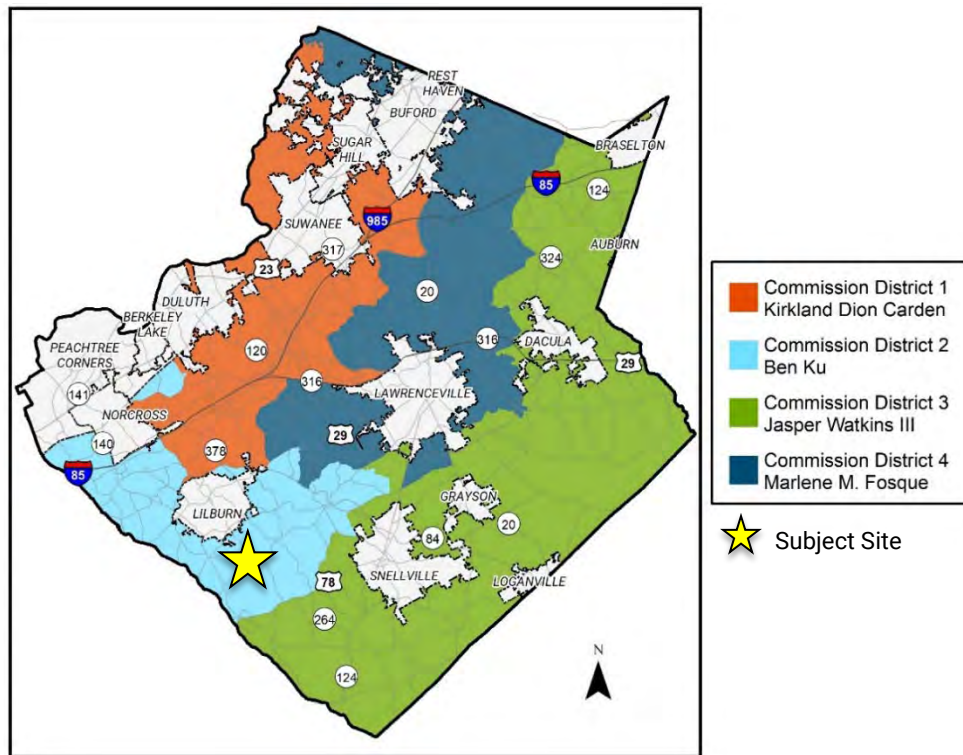


 ZVR2021-00082
7057 127
Gwinnett County
Department of Planning and Development
8/19/2021



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: ZVR2021-00084
Address: 4970 Hodgkins Place
Map Number: R6100 326
Current Zoning: R-100 (Single-Family Residence District)
Site Area: 0.47 acres
Commission District: District 2 – Commissioner Ku
Request: Allow fence height increase from 4 feet to 5 feet 4 inches in a front setback



Location Map

Applicant: Marcella Cox
4970 Hodgkins Place
Lilburn, GA 30047

Owner: Marcella Cox
4970 Hodgkins Place
Lilburn, GA 30047

Contact: Marcella Cox

Contact Phone: 404-889-9221

Zoning History

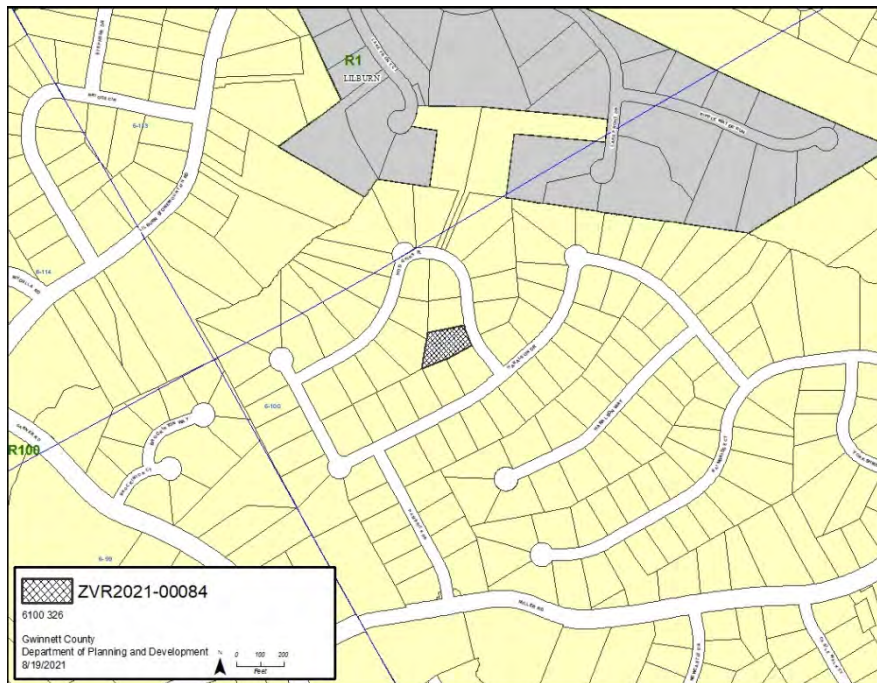
The subject property is zoned R-100 (Single-Family Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject site is a 0.47-acre developed, single-family lot, Lot 9 Block C in Haralson Hills subdivision, near the intersection of Haralson Drive and Hodgkins Place. A two-story brick and frame residence constructed in 1985, currently occupies the lot. Much of the property contains mature landscaping. A high black iron fence, measuring 5 feet 4 inches, encloses a portion of the front yard and is the subject of the variance request.

Surrounding Use and Zoning

The surrounding properties are single-family residences within the established Haralson Hills subdivision. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

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

Project Summary

The applicant is requesting a variance to increase the height of a fence located in a front yard, including:

- A decorative black iron fence, measuring 5 feet 4 inches encloses a portion of the front yard. Pictures provided by the applicant indicate that this fence was recently installed.
- Fence is located 20 feet from the front property line; 10 feet from the north side property line
- The fenced area creates an outdoor space for the applicant and her dog to enjoy.
- Doghouse is located in fenced area in front yard.
- The variance application is the result of a code enforcement action, CEU2021-09015.

Variance Requested

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

1. **Variance from Section 230-80.1.** To allow a fence in a front yard greater than four feet.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Front Yard Setback	Minimum 35'	Greater than 35'	YES
Front Yard Fence Height	Maximum 4'	5'4"	NO

Recommended Staff Conditions

Should the Board approve this request, staff recommends the following conditions of approval:

1. The fence height in the front yard shall not exceed 5 feet 4 inches. Fencing over four feet in height shall not be extended closer to the front or side property line than indicated on Exhibit B: Site Plan dated August 3, 2021.
2. The doghouse shall be removed from the front yard.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Standards for Granting Variances
- D. CEU2021-09015
- E. Maps

Exhibit A: Site Visit Photo



View from Hodgkins Place

Exhibit B: Site Plan

[attached]

LEGEND

These standard symbols may be found in the drawing.

- 1/2" Rebar Found
- Iron Pin Found
- △ Stake Placed
- ▴ Building Line
- ⊕ Electric Meter
- ⊖ Water Meter
- ⊙ Gas Meter
- ⊠ Air Conditioning Unit
- ⊞ Cable Fence
- ⊗ Fence
- ⊘ Neighbor's Fence

AREA
21866 SQ. FT.
0.502 ACRES

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	300.00'	88.90'	88.57'	S 21°38'34" E	16°58'41"
C2	300.00'	56.51'	56.42'	S 35°27'48" E	10°47'32"
C3	300.00'	26.06'	26.06'	N 08°53'11" W	4°58'40"

WINNETT COUNTY
 PLANNING AND DEVELOPMENT
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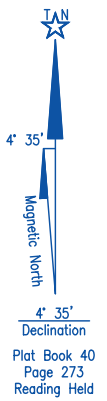
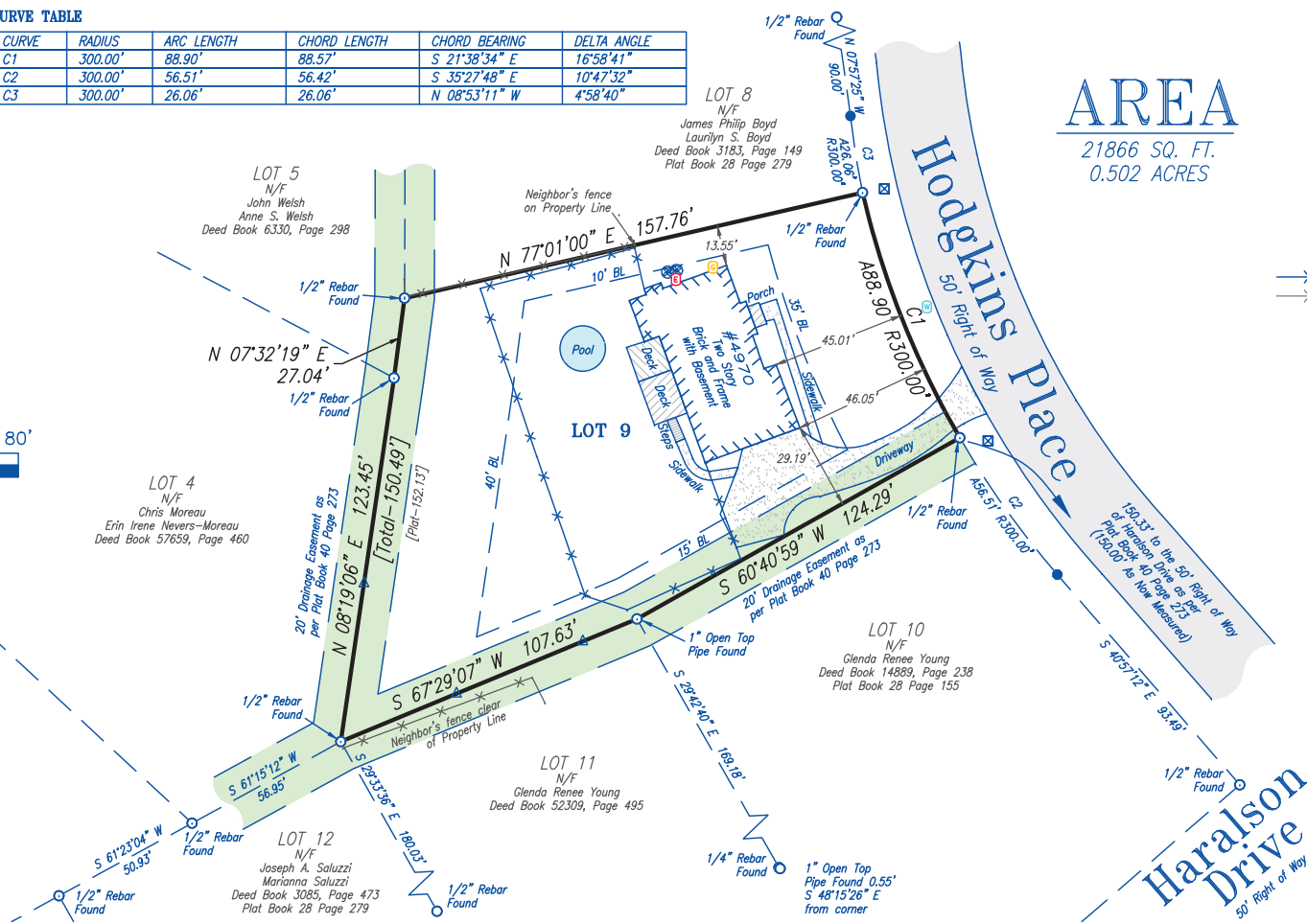


ZONING
[Gwinnett County]
(R-100) (Single Family Residential)
Front yard setback-35'
Side yard setback-10' One Yard/25' Two Yards
Rear yard setback-40'
Note: Graphic depiction of setback lines are the interpretation of the Surveyor and should be verified with a zoning official prior to design work.

SURVEY NOTES
1. Equipment used; Leica 1200 robotic total station and Allegro MK data collector.
2. Software used: Carlson Survey 2013 and Carlson Survey.

CLOSURE STATEMENT
The field data used to compile this plat was gathered by radial survey measurements and has a positional tolerance of 0.1 feet.
This map or plat has been calculated for closure and is found to be accurate within one foot in 133,491 feet.

155 CLIFTWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE: (404) 255-4671 - FAX: (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM



SURVEY PLAT FOR: 4970 Hodgkins Place, Lilburn Georgia 30047		DATE: 2/24/21	SCALE: 40'
MARCELLA COX			
LAND LOT: 100	6th DISTRICT	SECTION	Gwinnett COUNTY, GA
LOT: 9	BLOCK: C	UNIT:	PHASE:
SUBDIVISION: Haralson Hills			
PLAT BOOK 40, PAGE 273	DRAFTER: BJC	REVISION DATE:	
DEED BOOK 58277, PAGE 268	PARTY CHIEF: RG	FIELD DATE: 3/16/21	SHEET 1 OF 1



This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, 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.

By: *Josh Lewis*
Josh Lewis, Registered Land Survey Number 3028



GWINNETT COUNTY

PLANNING AND DEVELOPMENT

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8/18/21 12:00PM

Mail - Marcella Cox - Outlook

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	300.00'	88.90'	88.57'	S 21°58'34" E	16°58'41"
C2	300.00'	56.51'	56.42'	S 35°27'48" E	10°47'32"
C3	300.00'	26.06'	26.06'	N 08°53'11" W	4°58'40"

LEGEND

- These standard symbols may be found in the drawing.
- 1/2" Rebar Set
 - Iron Pin Found
 - △ Stake Placed
 - BL Building Line
 - ⊖ Electric Meter
 - ⊕ Water Meter
 - ⊗ Gas Meter
 - ⊘ Air Conditioning Unit
 - ⊙ Cable Box
 - Fence
 - - - Neighbor's Fence

AREA
21866 SQ. FT.
0.502 ACRES

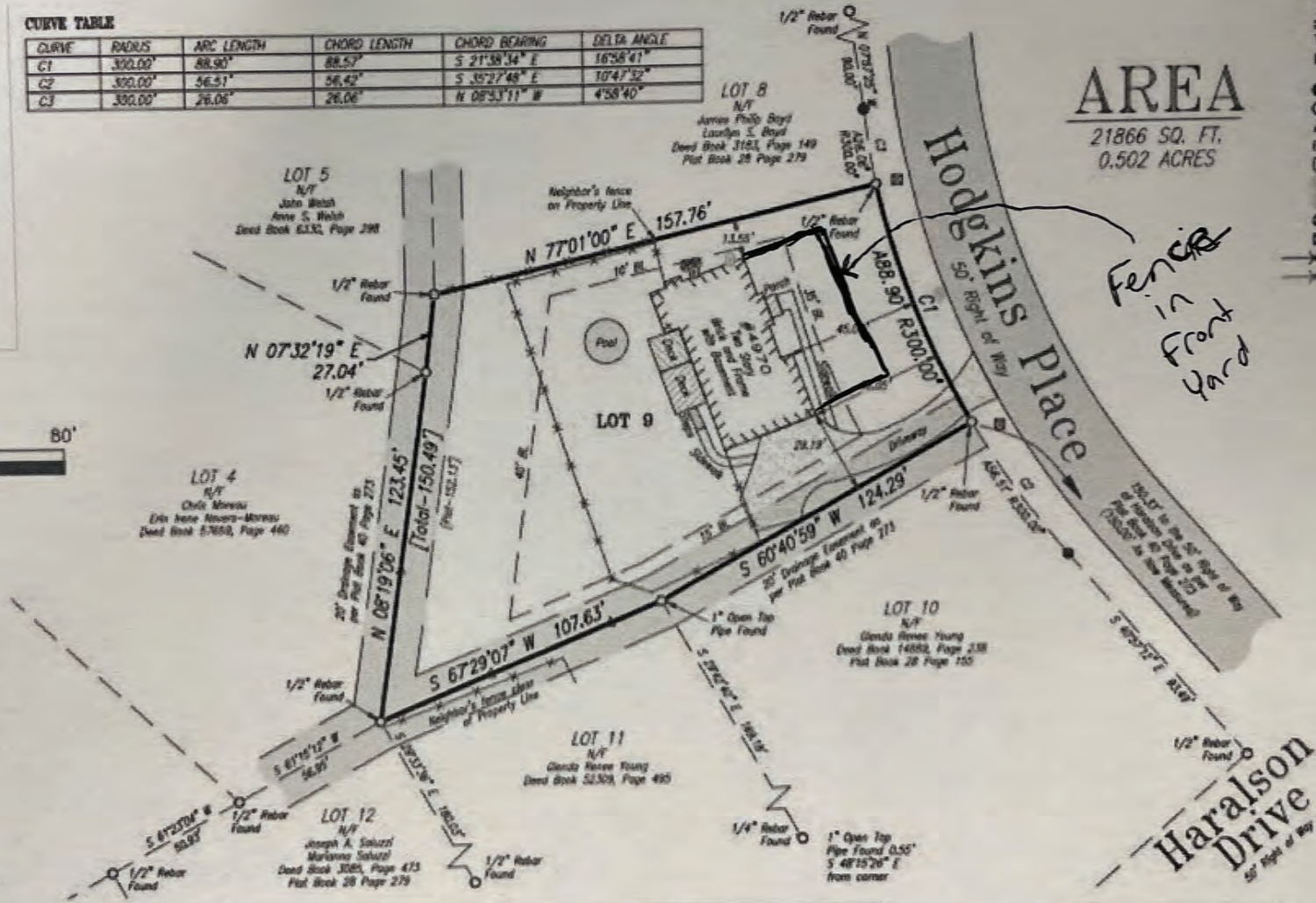
Fence in Front Yard



ZONING
(Gwinnett County)
(R-100) (Single Family Residential)
Front yard setback-35'
Side yard setback-10' One Yard/25' Two Yards
Rear yard setback-40'
Notes: Graphic depiction of setback lines are the interpretation of the Surveyor and should be verified with a zoning official prior to design work.

SURVEY NOTES
1. Equipment used: Leica 1200 robotic total station and Leica 560 data collector.
2. Software used: Carlson Survey 2013 and Carlson Survey.

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155 CLYBWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE: (404) 255-4671 - FAX: (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM

SURVEY PLAT FOR 4970 Hodgkins Place, Lilburn Georgia 30047

MARCELLA COX

LAND LOT: 100 6th DISTRICT SECTION Gwinnett COUNTY, GA

LOT: 9 BLOCK: C UNIT: PHASE:

SUBDIVISION: Haralson Hills

PLAT BOOK 40 PAGE 273 DRAFTER: BJC REVISION DATE:

DEED BOOK 58277 PAGE 266 PARTY CHIEF: RG FIELD DATE: 3/16/21 SHEET 1 OF 1



This plat is a re-confirmation of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the parcel documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDED INFORMATION 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 G.C.G.A. Section 15-2-67.

By: *[Signature]*
Josh Lewis, Registered Land Survey Number 3028



THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS REIFICATION BY THE SURVEYOR NAMING SAID PERSON.

Exhibit C: Standards for Granting Variances

[attached]

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: N/A

- 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: N/A

- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: I placed a decorative iron fence in my front yard to keep my dog safe and running a little. I didn't know about the height restrictions, and code enforcement came by and said the fence is too tall. It does not obstruct view, and is pretty. The code enforcement officer suggested I make this application.

- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: No

- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: No. The fence does not obstruct a view to or from the house, and it is decorative and a pleasant addition to my yard.

- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: Yes. I am just asking that the variance be allowed so I can leave my fence in place.

- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: Yes. It is very pretty, and enhances my property without negatively affecting anyone in my surroundings.

GWINNETT COUNTY

PLANNING AND DEVELOPMENT

RECEIVED

8/3/2021 8:07PM

8/4/2021

RE: Case Number CEU20-21-09015

To Whom It May Concern,

I am writing to present my request for variance of the maximum height for a front yard fence. I was not aware of the height requirements, or this wouldn't have happened. The fence I installed is decorative, it does not obstruct the view to or from my home, and it creates a small safe space where my dog can join me when I sit in front of my home.

The code enforcement officer, Shannon Ashe, brought this to my attention and advised that I apply for this variance, and she has already loaded pictures into the system.

I thank you for your kind consideration and assistance.

Sincerely,



Marcella Cox

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

8/3/2021 8:07PM



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
8/3/2021 8:07PM



Exhibit D: CEU2021-09015

[attached]

CASE NUMBER : CEU2021-09015

PRIMARY ADDRESS:	4970 HODGKINS PL, LILBURN, GA 30047
PARCEL:	6100 326
RECEIVED DATE:	7/28/2021
APPLICATION STATUS:	RINSP
DESCRIPTION:	FENCE IN FRONT YARD IS TOO TALL

OWNER NAME	ADDRESS	CITY/STATE/ZIP
COX MARCELLA CHERRY	4970 HODGKINS PL SW	LILBURN, GA, 30047-5381

Phone:

CONTACTS ROLE	NAME	ADDRESS	CITY/STATE/ZIP

Phone:

COMMENTS

View ID	COMMENTS	DATE
SFASHE	7-30-21 SPOKE WITH P/O MARIAM COX 404-785-7378, SHE ADVISED SJE IS APPLYING FOR A VARIANCE FOR THE FENCE. SHE WILL KEEP ME UPDATED AS TO THE PROCESS AND RESULTS OF THIS.	7/30/2021

INSPECTIONS

Inspection	Requested	Scheduled	Completed	Status	Inspector	Comment
Re-Inspection	7/29/2021	8/13/2021	8/16/2021	Not Complied Extension Granted	Shannon Ashe	VARIANCE HAS BEEN APPLIED FOR, PICS TAKEN TO UPDATE CASE
Initial Inspection	7/29/2021	7/29/2021	7/29/2021	Field Courtesy Notice	Shannon Ashe	MET WITH JASON KENNEDY 404-423-3077, HE ADVISED FENCE IN FRONTYARD IS JUST OVER 4 FT., HE WILL APPLY FOR VARIANCE AND KEEP ME INFORMED OF THE PROCESS. FCNOV PROVIDED

WORKFLOW HISTORY

Workflow Task	Assigned	Due	Completed	Status	Inspector	Comment
Enforcement Intake	7/28/2021	7/28/2021	7/28/2021	Complaint Accepted	Thor Neff	

VIOLATIONS

ORDINANCE	CODE SECTION	VIOLATION DATE	COMPLIANCE DATE	VIOLATION STATUS
Unified Development Ordinance	230-80.1 FENCES & WALLS	07/29/2021	08/12/2021	Not Met

CITATIONS

ORDINANCE	CODE SECTION	DATE OF CITATION	CITATION NUMBER	COURT DATE

DOCUMENTS

DOCUMENT NAME	FILE NAME	DESCRIPTION	UPLOADED BY	UPLOADED ON
COMPLAINT	Re front yard fence.msg		TDNEFF	7/28/2021 1:05:45 PM

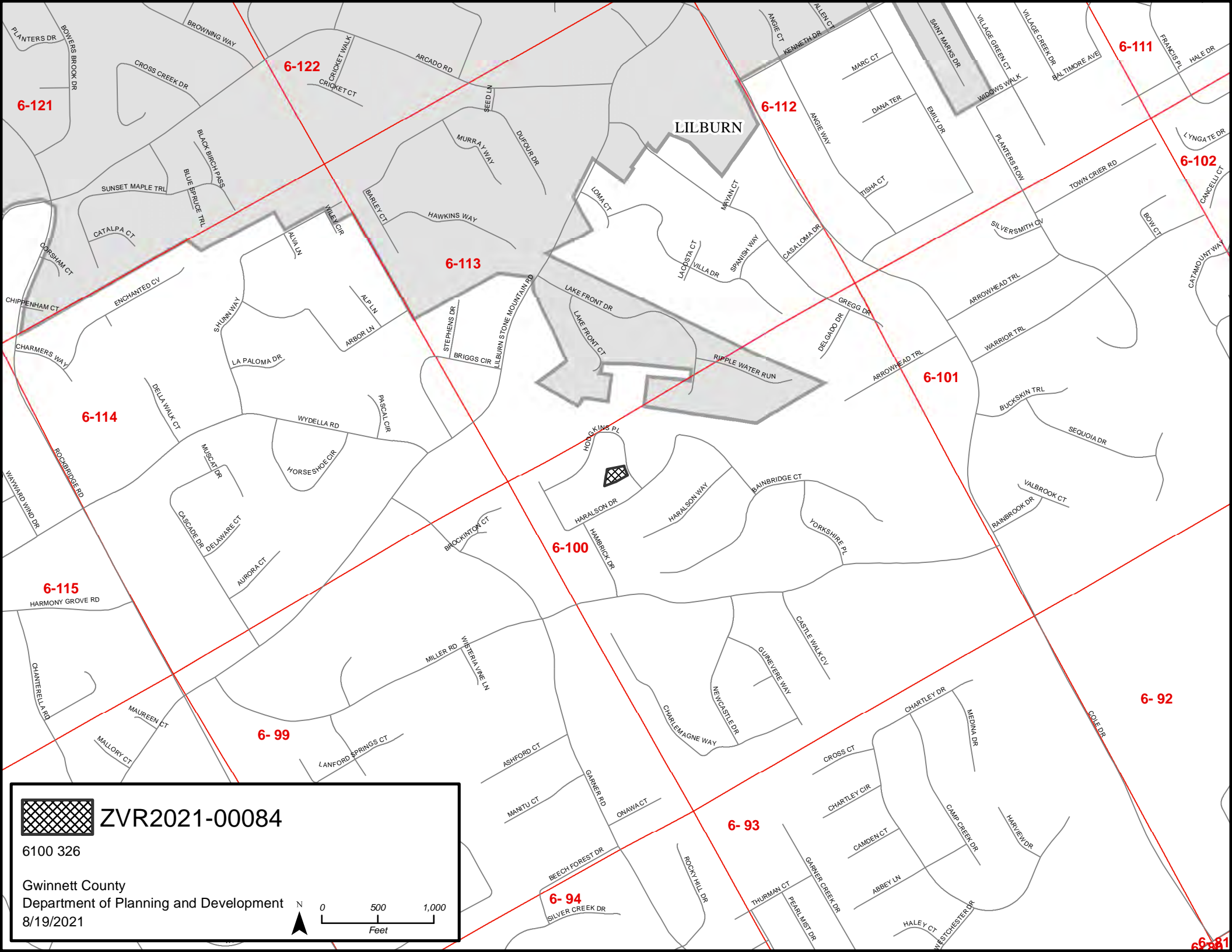
CASE NUMBER : CEU2021-09015

CASE NUMBER : CEU2021-09015

7-29-21	IMG_8629.JPG	FRONT/LEFT VIEW	SFASHE	7/29/2021 9:53:37 AM
7-29-21	IMG_8628.JPG	LEFT SIDE	SFASHE	7/29/2021 9:53:38 AM
7-29-21	IMG_8630.JPG	LEFT SIDE	SFASHE	7/29/2021 9:53:39 AM
7-29-21	IMG_8631.JPG	FRONT/RIGHT VIEW	SFASHE	7/29/2021 9:53:40 AM
7-29-21	IMG_8632.JPG	RIGHT SIDE	SFASHE	7/29/2021 9:53:42 AM
8-4-21	4970 hodgkins.msg	VARIANCE APPLICATION EMAIL	SFASHE	8/4/2021 2:53:04 PM
8-16-21	IMG_9158.JPG	FENCE	SFASHE	8/16/2021 2:51:42 PM
8-16-21	IMG_9157.JPG	FENCE	SFASHE	8/16/2021 2:51:44 PM

Exhibit E: Maps

[attached]



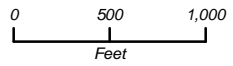
LILBURN



ZVR2021-00084

6100 326

Gwinnett County
Department of Planning and Development
8/19/2021



6-81



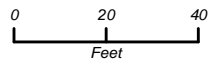
HODGKINS PL



ZVR2021-00084

6100 326

Gwinnett County
Department of Planning and Development
8/19/2021

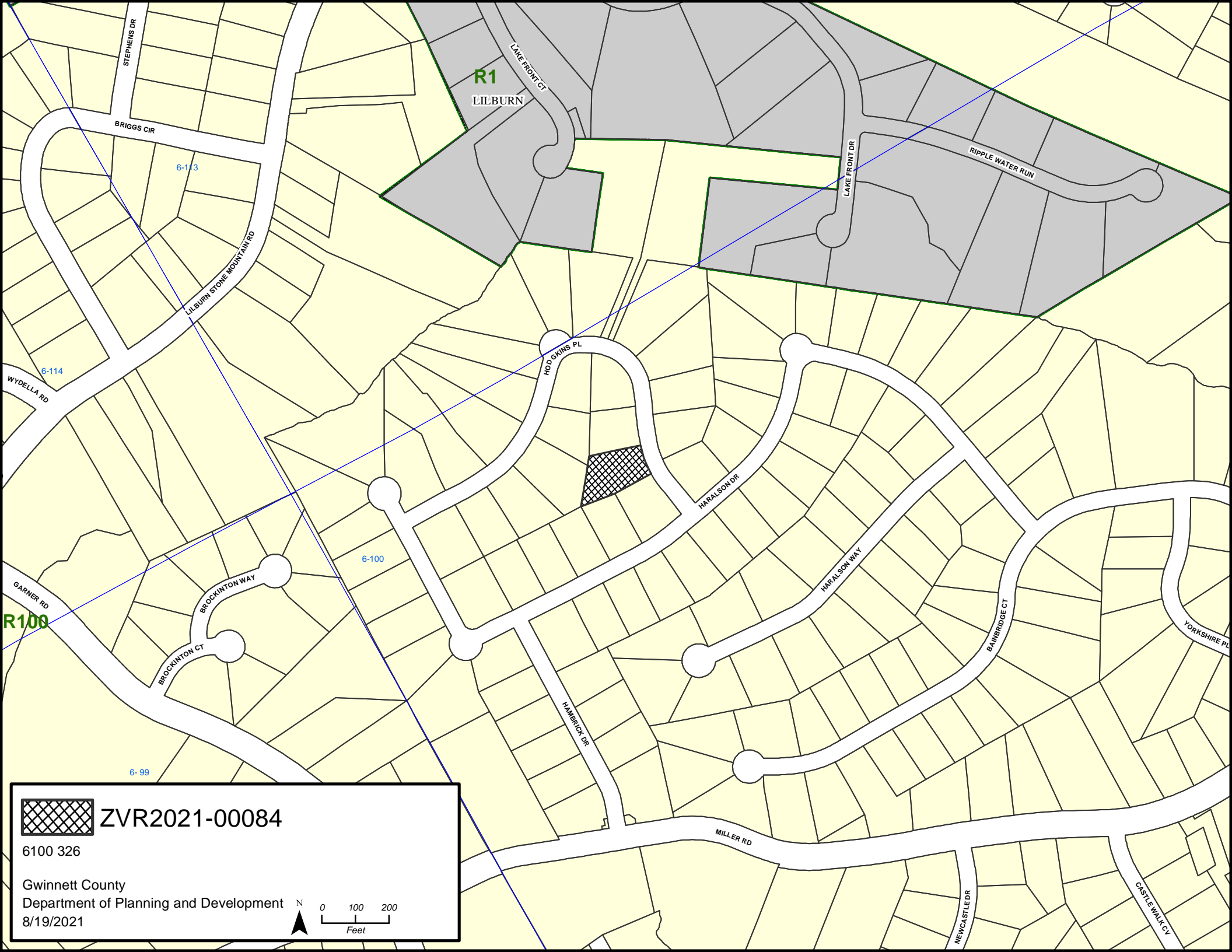




ARBOR LN
STEPHENS DR
BRIGGS CIR
LILBURN STONE MOUNTAIN RD
WYDELLA RD
HODEKIN SPL
HARALSON DR
HARALSON WAY
BAINBRIDGE CT
YORKSHIRE PL
CASTLE WALK CV
NEWCASTLE DR
MILLER RD
HAMBRICK DR
GARNER RD
BROCKINTON CT
BROCKINTON WAY
LAKEFRONT DR
LAKEFRONT CT
VILLA DR
DELGADO DR
RIPPLE WATER RUN

 ZVR2021-00084
6100 326
Gwinnett County
Department of Planning and Development
8/19/2021

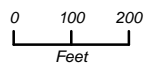
N
0 200 400
Feet



ZVR2021-00084

6100 326

Gwinnett County
Department of Planning and Development
8/19/2021





PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Numbers: ZVR2021-00091 & ZVR2021-00092 (Lot 2)
ZVR2021-00093 & ZVR2021-00094 (Lot 3)
ZVR2021-00095 & ZVR2021-00096 (Lot 4)
ZVR2021-00097 & ZVR2021-00098 (Lot 5)
ZVR2021-00099 & ZVR2021-00100 (Lot 6)
ZVR2021-00101 & ZVR2021-00102 (Lot 7)

Address: 3458 South Scales Road

Map Number: R7198 005

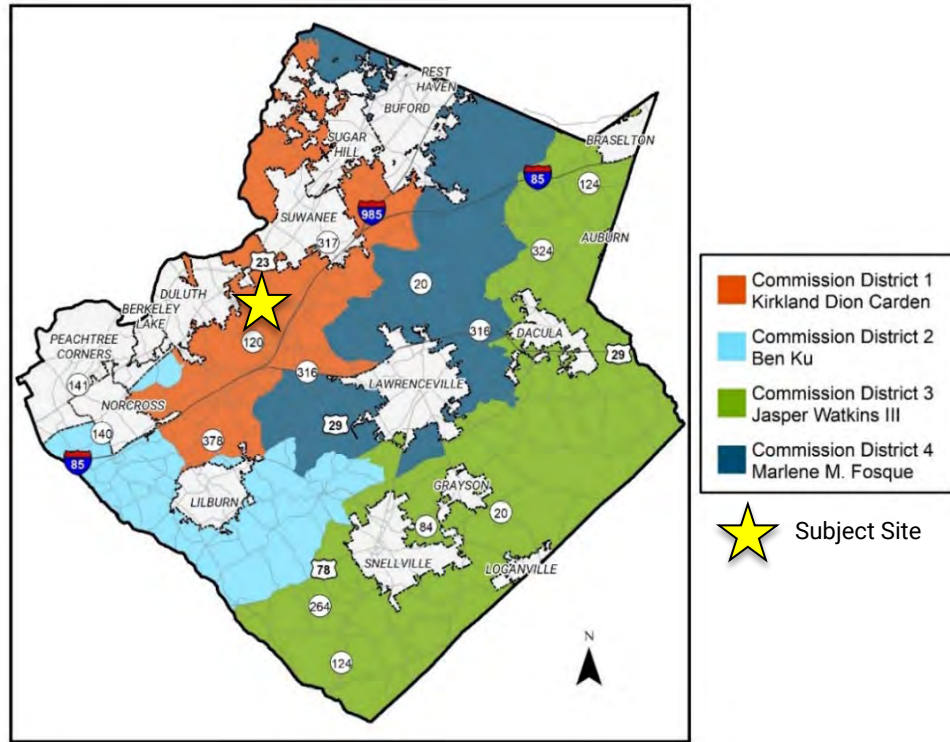
Zoning: R-100 (Single-Family Residence District)

Site Area: 5.17 acres

Proposed Development: Single-Family Subdivision (Minor)

Commission District: District 1 – Commissioner Carden

Requests: ZVR2021-00091 - Allow Reduction of required Road Frontage from 40 feet to 0 feet
ZVR2021-00092 - Allow Reduction of required Lot Width from 100 feet to 0 feet
ZVR2021-00093 - Allow Reduction of required Road Frontage from 40 feet to 0 feet
ZVR2021-00094 - Allow Reduction of required Lot Width from 100 feet to 0 feet
ZVR2021-00095 - Allow Reduction of required Road Frontage from 40 feet to 0 feet
ZVR2021-00096 - Allow Reduction of required Lot Width from 100 feet to 0 feet
ZVR2021-00097 - Allow Reduction of required Road Frontage from 40 feet to 0 feet
ZVR2021-00098 - Allow Reduction of required Lot Width from 100 feet to 0 feet
ZVR2021-00099 - Allow Reduction of required Road Frontage from 40 feet to 0 feet
ZVR2021-00100 - Allow Reduction of required Lot Width from 100 feet to 0 feet
ZVR2021-00101 - Allow Reduction of required Road Frontage from 40 feet to 38.31 feet
ZVR2021-00102 - Allow Reduction of required Lot Width from 100 feet to 38.31 feet



Location Map

Applicant: BURCH001, LLC
 PO BOX 720314
 Atlanta, GA 30358

Owner: BURCH001, LLC
 PO BOX 720314
 Atlanta, GA 30358

Contact: Andrew Perry

Contact Phone: 404-987-1224

Zoning History

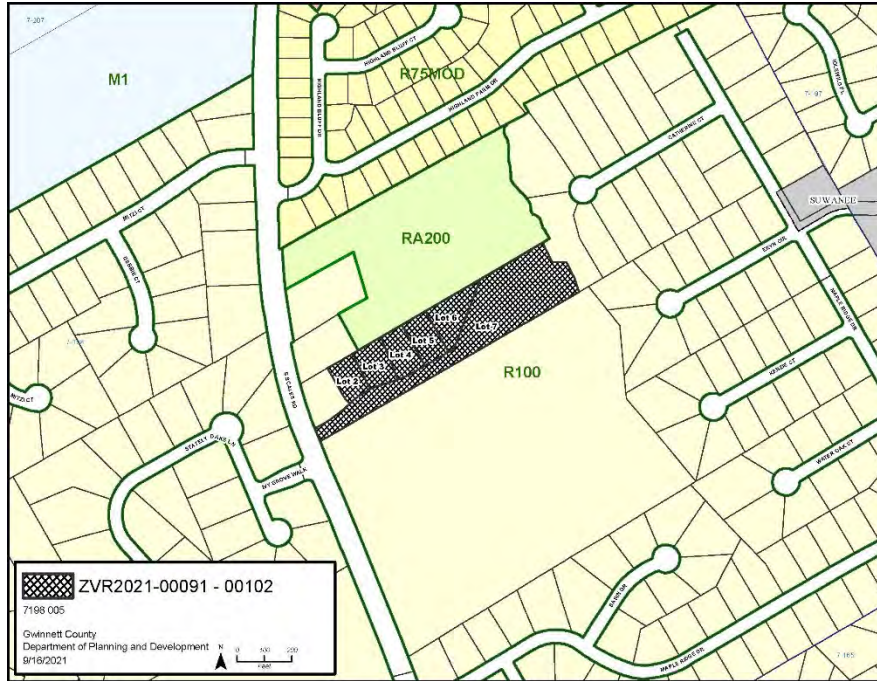
The subject property is zoned R-100 (Single-Family Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject site is a proposed 5.17-acre partially developed parcel located along the east side of South Scales Road. An exemption plat (XPL2021-00001) was submitted for review on January 5, 2021. Sanitary sewer has been permitted, installed, and as-built approved by the Department of Water Resources to serve the proposed lots. The proposed private drive has been graded, but currently is unpaved. According to the Gwinnett County Department of Transportation, South Scales Road is classified as a minor collector and the speed limit is 40 miles per hour.

Surrounding Use and Zoning

The surrounding properties are single-family residences and established subdivisions. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning	Density
Subject Property	Single-Family Residential	R-100	1.35 units per acre
North	Place of Worship Single-Family Residential	RA-200 R-75MOD	1 unit per acre 3 units per acre
East	Single-Family Residential	R-100	1.31 units per acre
South	Single-Family Residential	R-100	0.05 units per acre
West	Single-Family Residential	R-100	1 unit per acre

Project Summary

The applicant is requesting 12 variances on this lot for the development of 6 single-family residences, including:

- The lot will be accessed via a 26-foot-wide private driveway located within an access easement line and will connect a total of seven homes.
- The lots will meet applicable standards for R-100 lot design, including size, setbacks, and minimum heated floor area.
- Minimum 3,252 square-foot residences. Elevations provided by the applicant indicate each home will feature brick siding on three sides with accents of Hardi-shake or similar fiber-cement siding.

The rear of each home will be finished with fiber-cement siding and a 3-foot brick water table.

- Exemption plat submitted for review January 5, 2021.
- Development Permit for sanitary sewer has been issued. Installation is completed and an as-built has been approved.
- Proposed Lot 1 meets minimum lot frontage and lot width requirements.

Variations Requested

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

1. **Variance from Section 360-70.2A.** Reduction of the required road frontage.
2. **Variance from Section 210.30.5.** Reduction of required lot width.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Road Frontage	Minimum 40'	0'	NO*
Lot Width	Minimum 100'	0' for Lots 2-6 38.31' for Lot 7	NO*
Front Yard Setback	Minimum 35'	>35' from proposed access easement	YES
Rear Yard Setback	Minimum 40'	>40'	YES
Side Yard Setback	Minimum 10' One Yard 25' Total for Two Side Yards	>10'	YES
Lot Size (sewer)	Minimum 15,000 sq. ft.	≥15,033 sq. ft	YES

*While this does not meet the dimensional requirements found in 230-10, the proposed reductions are allowed with a variance from 360-70.2.

Recommended Staff Conditions

Should the Board approve this request, staff recommends the following conditions of approval:

1. The subdivision shall be developed in conformance with the exemption plat for Creekside Duluth, dated May 19, 2020 and shall be limited to no more than seven homes.
2. Exemption plat must be recorded, subject to approval by the Department of Planning and Development.
3. Driveway to be completed prior to issuance of first Certificate of Occupancy. Location and design, including sight distance, subject to approval by the Department of Planning and Development.
4. Shared driveway to be located within an access and maintenance easement and recorded on the exemption plat.

5. Homes shall be a minimum 3,200 square feet and shall be constructed with front and sides of brick or stacked stone with accents of EIFS, Hardi-shake or fiber cement siding. Rear of homes shall be finished with fiber cement siding and a three-foot brick or stacked stone water table.

Exhibits:

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

Exhibit A: Site Visit Photos



View from Private Drive



View from Private Drive towards rear of property



Cul-de-Sac at rear of property

Exhibit B: Site Plan

[attached]

WINNETT COUNTY
 PLANNING AND DEVELOPMENT DEPARTMENT
 RECEIVED
 8/24/21 12PM

EXEMPTION PLAT FOR:
CREEKSIDE DULUTH
 LAND LOT 198 - 7th DISTRICT
 GWINNETT COUNTY, GEORGIA
 EXISTING ZONING: R-100
 225,069 SQ FT
 5.17 ACRES

CDP2020-00073
 XPL2021-00003

OWNER/DEVELOPER:
 4841, LLC
 PO BOX 76133
 ATLANTA, GA 30358
 24 HOUR CONTACT
 ANDY PERRY
 404-987-1224

PARENT PARCEL:
 3488 SCALES ROAD
 P/N: 7198 005
 225,069 SQ FT
 5.17 ACRES

RECORDED AS:
 MAP: RIDGE SUBDIV.
 BLOCK A - UNIT 4
 LOT 71
 P/B 39, P/G 59-B
 P/B 39, P/G 60
 N/T
 TOBIAS SANDRA M
 ET AL
 DB 56245, PG 121
 ZONED: R100
 P/N: 7198 178
 1554 S. CATHERINE, CT.

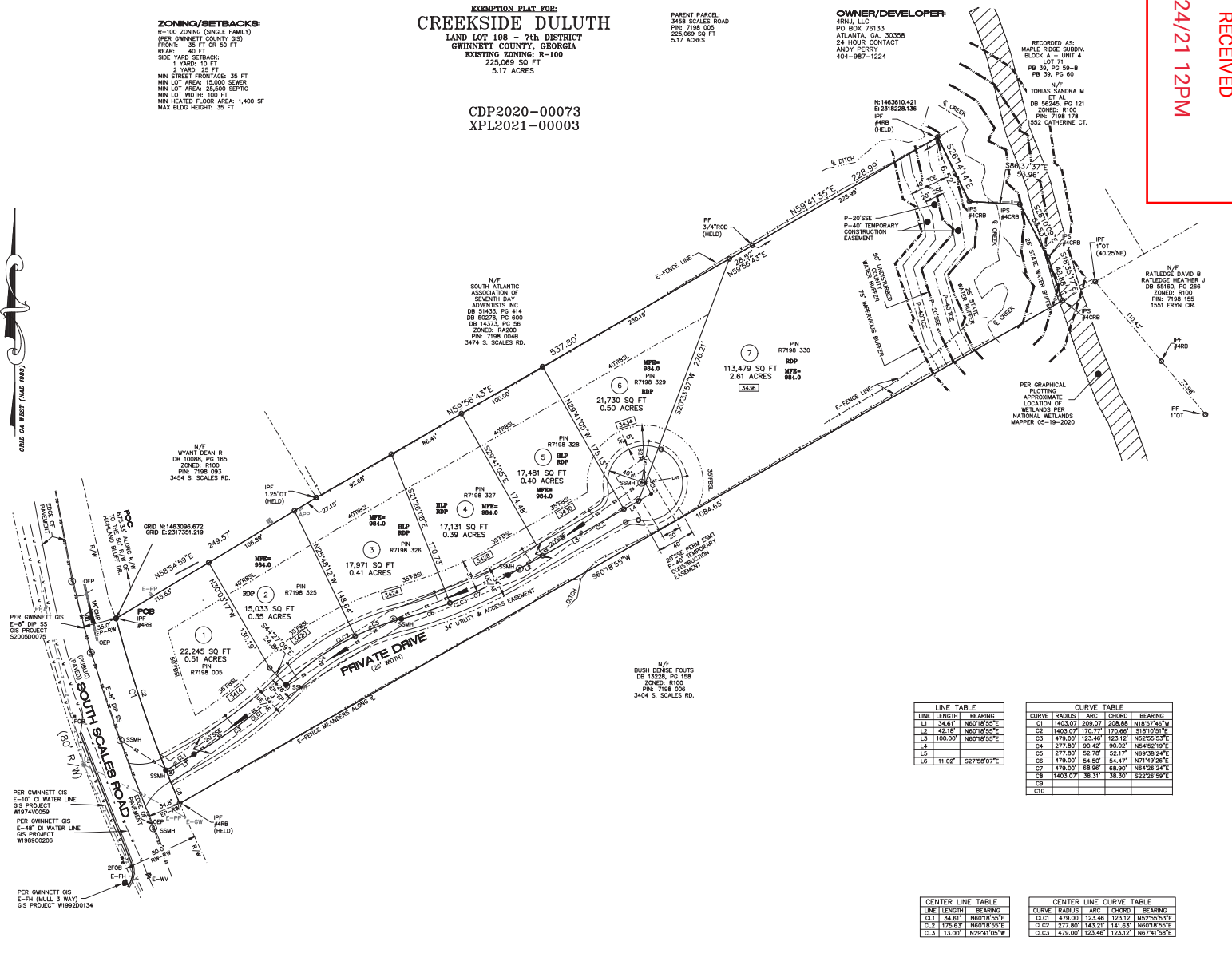
THE FIELD DATA WAS BASED ON THE PLAT AS SHOWN ON THE PLAT. THE INFORMATION USED IN THE PREPARATION OF THIS PLAT IS THE INFORMATION PROVIDED BY THE OWNER/DEVELOPER AND THE INFORMATION PROVIDED BY THE SURVEYOR. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE INFORMATION PROVIDED BY THE OWNER/DEVELOPER AND THE INFORMATION PROVIDED BY THE SURVEYOR IS CORRECT AND ACCURATE TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE INFORMATION PROVIDED BY THE OWNER/DEVELOPER AND THE INFORMATION PROVIDED BY THE SURVEYOR IS CORRECT AND ACCURATE TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

3595 Canton Road
 Suite 116, P.M.B. 272
 Marietta, GA 30066
 (678) 355-9805
 (678) 355-9805
 www.frontlinesurveying.com



THIS BLOCK RESERVED FOR THE CLERK
 OF THE SUPERIOR COURT.

- LEGEND:**
- IPS IRON PIN SET
 - OT IRON PIN FOUND
 - OT OPEN TOP PIN
 - CRMP CRIMP TOP PIN
 - RE-BAR REINFORCING BAR
 - CRB CENTERLINE
 - OL RIGHT-OF-WAY
 - LL LAND LOT LINE
 - L L
 - CONC CONCRETE
 - C CURVE
 - PP POWER POLE
 - GV GAS VALVE
 - GM GAS METER
 - LP LAMP POLE
 - SS SANITARY SEMER
 - FC FENCE CORNER
 - X FENCE
 - AE ACCESS EASEMENT
 - PROP PROPOSED
 - APR AIR-CONDITIONER
 - GA GA POWER MANHOLE
 - PB POWER BOX
 - CATV CABLE TELEVISION JUNCTION BOX
 - TELEPHONE TELEPHONE JUNCTION BOX
 - APP ABANDONED POWER POLE
 - BSL BUILDING SETBACK LINE
 - HC HAND-CAP
 - BOLLARD
 - CONCRETE MONUMENT FOUND
 - OVERHEAD UTILITY LINES(S)
 - SANITARY SEMER MAN HOLE
 - MHT MAN HOLE TELEPHONE
 - CATCH BASIN
 - JUNCTION BOX
 - DI DROP INLET
 - HW HEAD WALL
 - CONCRETE METAL PIPE
 - CONCRETE PLASTIC PIPE
 - REINFORCED CONCRETE PIPE
 - SANITARY SEMER EASEMENT
 - FW FIRE HYDRANT
 - DE DRAINAGE EASEMENT
 - WV WATER VALVE
 - PIV POST INDICATOR VALVE
 - MM WATER METER
 - SANITARY SEMER CLEANOUT
 - POINT OF BEGINNING
 - POB POINT OF COMMENCEMENT
 - NOT TO SCALE
 - SWCB SINGLE WING CATCH BASIN
 - UTILITY EASEMENT
 - PM POWER METER
 - CHAIN-LINK FENCE
 - CROSS-TIE WALL
 - CTW
 - HCS HAND-CAP SIGN



LINE TABLE

LINE	LENGTH	BEARING
L1	34.61'	N60°18'52"E
L2	42.18'	N60°18'52"E
L3	100.00'	N60°18'52"E
L4	277.80'	90.42'
L5	277.80'	90.42'
L6	479.00'	134.50'
L7	11.02'	S27°08'07"E

CURVE TABLE

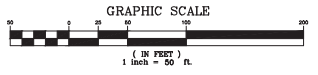
CURVE	RADIUS	ARC	CHORD	BEARING
C1	1463.07'	209.01'	228.88'	N187°46'W
C2	1463.07'	170.77'	170.66'	S181°01'W
C3	479.00'	123.46'	123.17'	N60°18'52"E
C4	277.80'	90.42'	90.02'	N54°52'19"W
C5	277.80'	90.42'	90.17'	N60°18'52"E
C6	479.00'	134.50'	134.47'	N114°42'26"W
C7	479.00'	68.96'	68.90'	N64°58'24"W
C8	1463.07'	96.31'	96.50'	S22°26'50"E
C9				

CENTER LINE TABLE

LINE	LENGTH	BEARING
CL1	34.61'	N60°18'52"E
CL2	175.63'	N60°18'52"E
CL3	13.00'	N29°41'05"W

CENTER LINE CURVE TABLE

CURVE	RADIUS	ARC	CHORD	BEARING
CLC1	479.00'	133.44'	133.12'	N60°18'52"E
CLC2	277.80'	143.21'	141.63'	N60°18'52"E
CLC3	479.00'	123.46'	123.12'	N67°41'58"E



DATE: 05/19/20
 SCALE: 1" = 50'
 SECTION: GWINNETT COUNTY, GEORGIA
 COUNTY COMMENTS, ADDRESS, P/N: [blank]
 MODIFIED SEWER ROUTE: [blank]
 REWORKED LOTS: [blank]
 REWORKED LOT 7: [blank]

3488 SOUTH SCALES ROAD
 CREEKSIDE DULUTH
 LAND LOT 198
 7th DISTRICT
 BLOCK: [blank]
 SUBDIVISION: [blank]

I HAVE THIS DATE EXPANDED THE "PLAT OFFICIAL" MAP.
 AND FOUND THAT BY DRAWING PLATTING ONLY OF THE SURFACE PARCEL
 MAP NO. 131300020N EFFECTIVE DATE: 05-04-13

Exhibit C: Elevations

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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8/24/21 12PM



Exhibit D: Letter of Intent and Standards for Granting Variances

[attached]

August 24th, 2021

GWINNETT COUNTY

PLANNING AND DEVELOPMENT

RECEIVED

8/24/21 12PM

BURCH001, LLC

PO BOX 720314, Atlanta, GA, 30358

Attention:

Gwinnett County
Department of Planning and Development
446 West Crogan Street
Lawrenceville, GA 30046-2440

RE: 3420, 3424, 3428, 3430, 3434, & 3436 S Scales Road Duluth, GA 30097

Thank you for looking at these variance applications. We have a property that is zoned by right as R-100 and we are not looking to change this zoning. Our plan is to build Seven (7) single family homes, most likely a mix of two story and basement homes. We are not seeking to modify or reduce any of the lot width, home sizes or setbacks between homes and buffers associated with R-100.

Our original intent was to fully develop the property under the existing zoning or to try to rezone to R-75 or R-60.

We have chosen to propose a single row of homes on one side of the property accessing a private drive. We feel this best minimizes the disruption of the topography of the property. Also by limiting the development to 7 homes we feel we will match the yard size and home separation of adjacent properties. Our lot widths will really by 100'. Our road frontage will really by 100'. But by designating this as a private, owner maintained drive, we respectfully request these variances on these lots.

Thank you.


Andrew Perry

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:

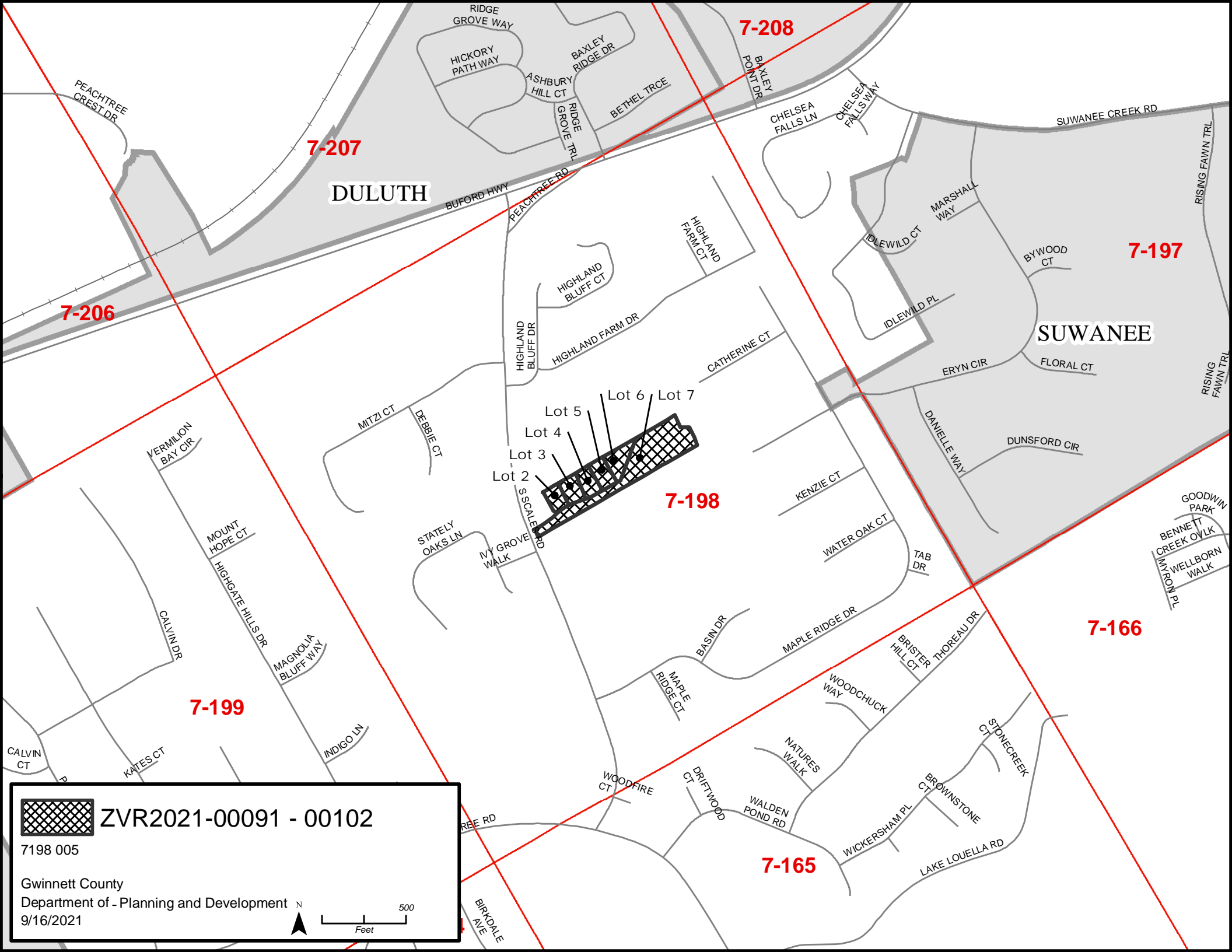
RECEIVED

8/24/21 12PM

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: Yes. The property is fairly steep and narrow. In order to plateau the and create much larger R-100 pads we feel that it needs to be have only one access point and only homes on one side of the road. The site lends itself to larger R-100 lots with a private drive accessed by each lot owner.
- 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 hardships are related to topography and granite. The site can be built out in a way to provide for larger R-100 lots. It can also be built out with more homes, but the 7 that are proposed fit the scale and rolling nature of the 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: Yes this condition probably does exist. There are dozens of R-100 or R-75 properties that are requesting access to a private drive as we are, in the area. We feel it would have been more intrusive to attempt to double load the street and add more homes.
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: We are proposing the private drive and fewer lots. We believe we meet all of the other criteria for R-100 lots as spelled out in Title 2. Our setbacks, lot sizes and home sizes are no smaller, we are just asking to use a private drive.
- 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: We are proposing to build home product that is consistent with neighboring properties in terms of size and price point. We do not believe that 7 homes exiting from a private drive onto S Scales will create a congestion issue. Last, we have significant wooded buffers on both sides and the rear of the property.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: We had discussed rezoning the property for a lighter density. We have decided to keep the underlying zoning and only do a private drive versus a public road. We feel that any more than 7 lots would take away from the private feel of the property and would only disturb more acreage.
- 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. Our lots are R-100 lots and we are not asking for any reductions in the true setbacks or lot sizes. We are asking for a private drive.

Exhibit E: Maps

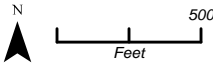
[attached]



ZVR2021-00091 - 00102

7198 005

Gwinnett County
Department of - Planning and Development
9/16/2021





BUFORD HWY

IDLEWILD CT

HIGHLAND BLUFF CT

HIGHLAND FARM DR

HIGHLAND BLUFF DR

CATHERINE CT

IDLEWILD DR

MITZI CT

DEBBIE CT

ERYN CIR

Lot 6

Lot 7

Lot 5

Lot 3

Lot 4

Lot 2

KENZIE CT

S SCALES RD

STATELY OAK'S LN

WATER OAK CT

IVY GROVE WALK

BASIN DR

MAPLE RIDGE DR

THOREAU DR

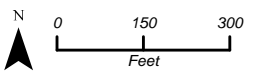
MAPLE RIDGE CT



ZVR2021-00091 - 00102

7198 005

Gwinnett County
Department Planning and Development
9/16/2021





SCALES RD

Lot 2

Lot 3

Lot 4

Lot 5

Lot 6

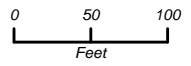
Lot 7



ZVR2021-00091 - 00102

7198 005

Gwinnett County
Department of Planning and Development
9/16/2021



M1

R75MOD

RA200

R100

SUWANEE

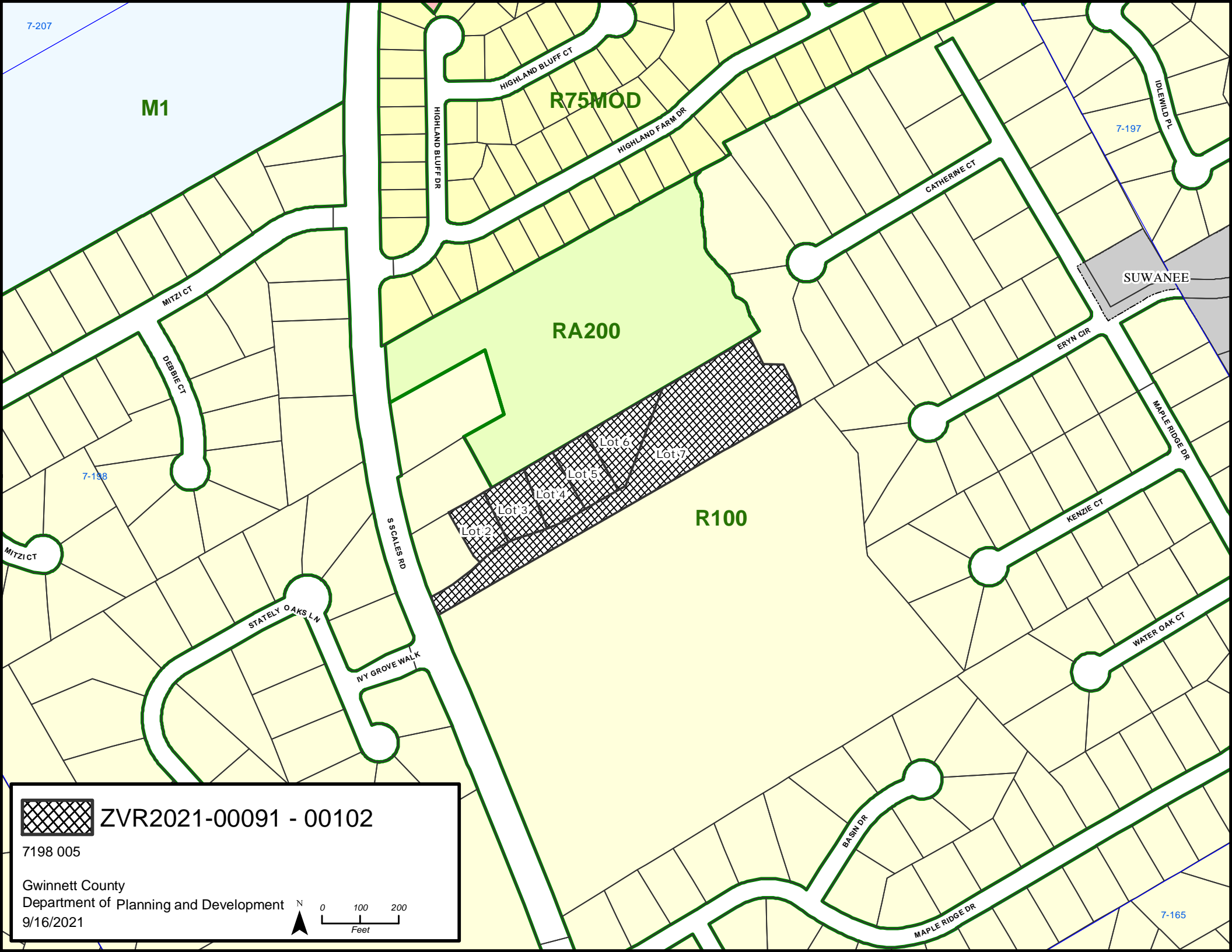
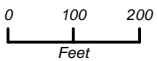
Lot 2
Lot 3
Lot 4
Lot 5
Lot 6
Lot 7



ZVR2021-00091 - 00102

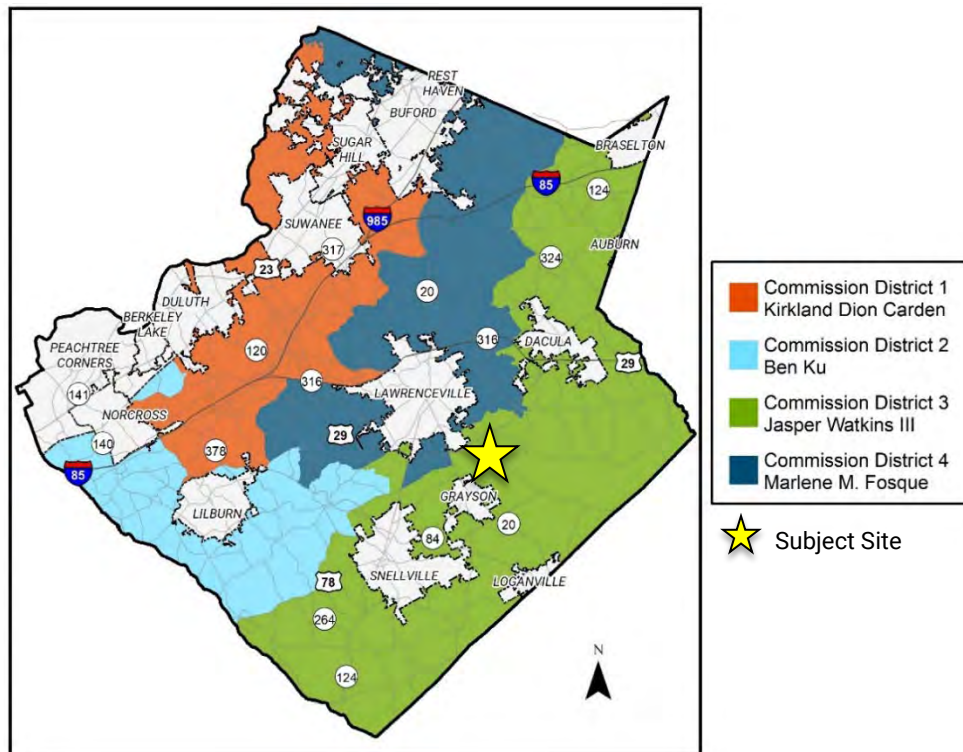
7198 005

Gwinnett County
Department of Planning and Development
9/16/2021



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number(s): ZVR2021-00103 & ZVR2021-00113
Address: 1490 Bowman Road
Map Number: R5184 021
Current Zoning: OSC (Open Space Conservation District)
Site Area: 49.89 acres
Proposed Development: Single-Family Residential Subdivision
Commission District: District 3 – Commissioner Watkins
Request(s):
ZVR2021-00103 – Allow increase of maximum cul-de-sac street length from 600 feet to 775 feet
ZVR2021-00113 – Allow increase of maximum cul-de-sac street length from 600 feet to 675 feet



Location Map

Applicant: ResiBuilt Homes, LLC c/o Jeff Hill
3630 Peachtree Road NE, Suite 1500
Atlanta, GA 30326

Owner: Stan L. Hall
1490 Bowman Road
Lawrenceville, FL 30045

Contact: Jeff Hill

Contact Phone: 470.809.1256

Zoning Board of Appeals Advertised Public Hearing Date: 10/12/2021

Zoning History

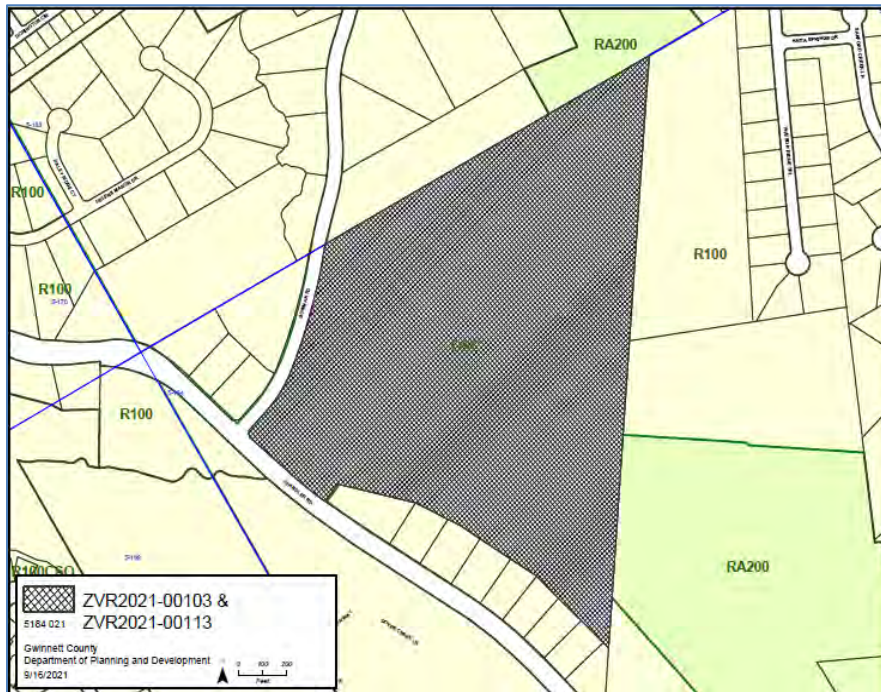
The subject property is zoned OSC (Open Space Conservation District). The property was rezoned from R-100 to OSC pursuant to RZR2021-00009, in March 2021.

Existing Site Condition

The subject site is a 49.89-acre lot on the southeast corner of Chandler Road and Bowman Road. The development plan is in review for issuance of a development permit in a 102-lot single-family detached subdivision.

Surrounding Use and Zoning

The surrounding properties are single-family residences on large acreage tracts and in subdivision developments. The property is bordered to the north and east by large estate lots consisting of single-family detached homes zoned R-100 and RA-200. To the south, across Chandler Road, is a subdivision currently under construction zoned OSC. To the west, across Bowman Road, are undeveloped tracts of property zoned R-100. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning
Subject Property	Open Space Conservation	OSC
North	Single-Family Residential	R-100
East	Single-Family Residential/ Agriculture Residential	R-100/RA-200
South	Single-Family Residential/Open Space Conservation	R-100/OSC
West	Single-Family Residential	R-100

Project Summary

The applicant is requesting two variances to increase the 600-foot maximum cul-de-sac length as depicted on the Exhibit B: Site Plan:

- Road B is for a 775-foot cul-de-sac street length.
- Road E is for a 675-foot cul-de-sac street length.
- Subdivision layout and road configuration are restricted by existing site topography and subsurface rock.

Variances Requested

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

1. **Variance from Section 210-50.14 Section A** to allow cul-de-sac length to exceed the maximum 600-foot street length limitation.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Cul-de-Sac Street Length	Maximum 600 feet	775 Road 'B'	NO
	Maximum 600 feet	675 Road 'E'	NO

Recommended Staff Condition

Should the Board approve this request, staff recommends the following condition of approval:

1. Traffic calming measures shall be provided throughout the subdivision subject to review and approval by Gwinnett County Department of Transportation.

Exhibits:

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

Exhibit A: Site Visit Photos



Intersection of Bowman Road and Chandler Road



Along Bowman Road



Residence Located at 1490 Bowman Road

Exhibit B: Site Plan

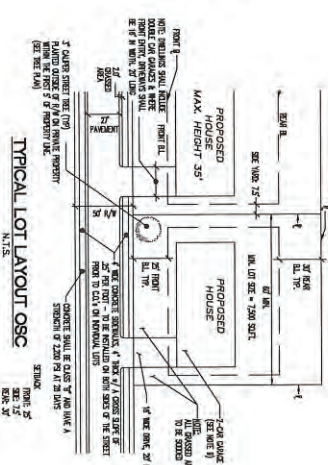
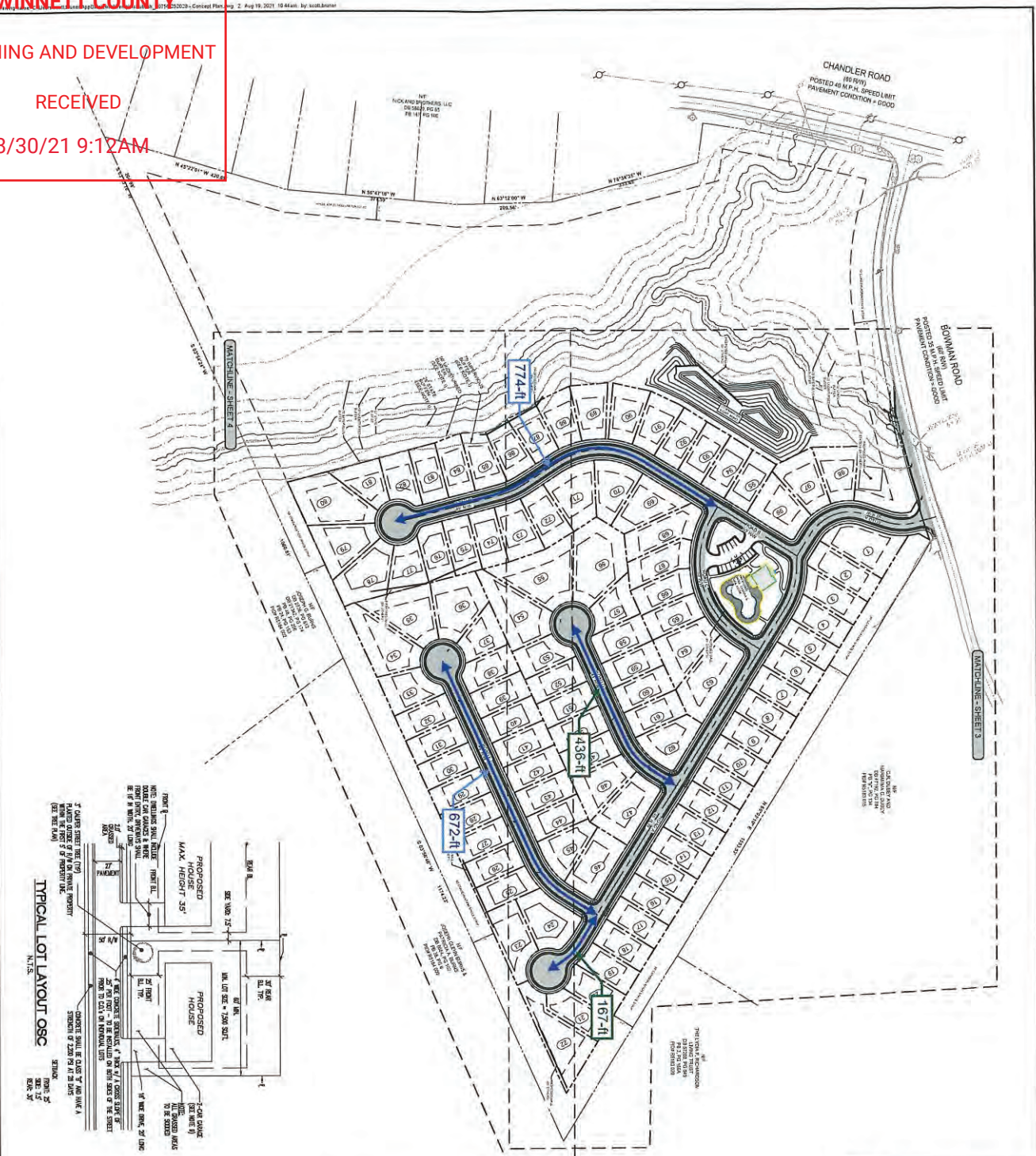
[attached]

GWINNETT COUNTY

PLANNING AND DEVELOPMENT

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8/30/21 9:12AM



TYPICAL LOT LAYOUT OSC
N.T.S.

PROPOSED HOUSE

FOUNDATION

WALLS

ROOF

NOTES:

- 1. FOUNDATION SHALL BE CONCRETE ON GRADE.
- 2. WALLS SHALL BE CONCRETE ON GRADE.
- 3. ROOF SHALL BE AS SHOWN.
- 4. FINISH FLOOR SHALL BE 1\"/>

STATEMENT OF WORK

RESUBMITTAL BLOCK

DATE: 8/17/21

PROJECT: CHANDLER STATION

SITE SUMMARY

SITE AREA	448,848 SQ. FT. (10.21 AC)
ZONING CLASSIFICATION	GWINNETT COUNTY
ADJACENT ZONING	RESIDENTIAL
ADJACENT DEVELOPMENT	RESIDENTIAL
ADJACENT SETBACKS	25'
FRONT	25'
BACK	25'
LEFT	25'
RIGHT	25'
ADJACENT DEVELOPMENT	RESIDENTIAL
ADJACENT SETBACKS	25'
FRONT	25'
BACK	25'
LEFT	25'
RIGHT	25'



DESIGN TEAM

DESIGNED BY: [Signature]

DATE: 8/17/21

SCALE: AS SHOWN

CALL LETTERS: [Signature]

CLIENT

RESUBMIT HOMES, LLC.

3630 PEACHTREE ROAD, SUITE 1500
ATLANTA, GA, 30326

PROJECT

CHANDLER STATION

1800 CHANDLER ROAD
LL 184 5th DISTRICT, PARCEL 5154 021
LAWRENCEVILLE, GWINNETT COUNTY, GA.

PARKING SUMMARY

PROPOSED TOTAL	278
REQUIRED TOTAL	278
DEFICIT	0

PREPARED BY THE OFFICE OF

LECRAW ENGINEERING

2321 LECRAW ENGINEERING, INC.
1475 CORPORATE WAY
SUITE A
DULUTH, GA 30096
PHONE - 478 546 3100
FAX - 478 541 0208
WWW.LECRAWENGINEERING.COM

Exhibit C: Letter of Intent and Standards for Granting Variances

[attached]



August 30, 2021

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

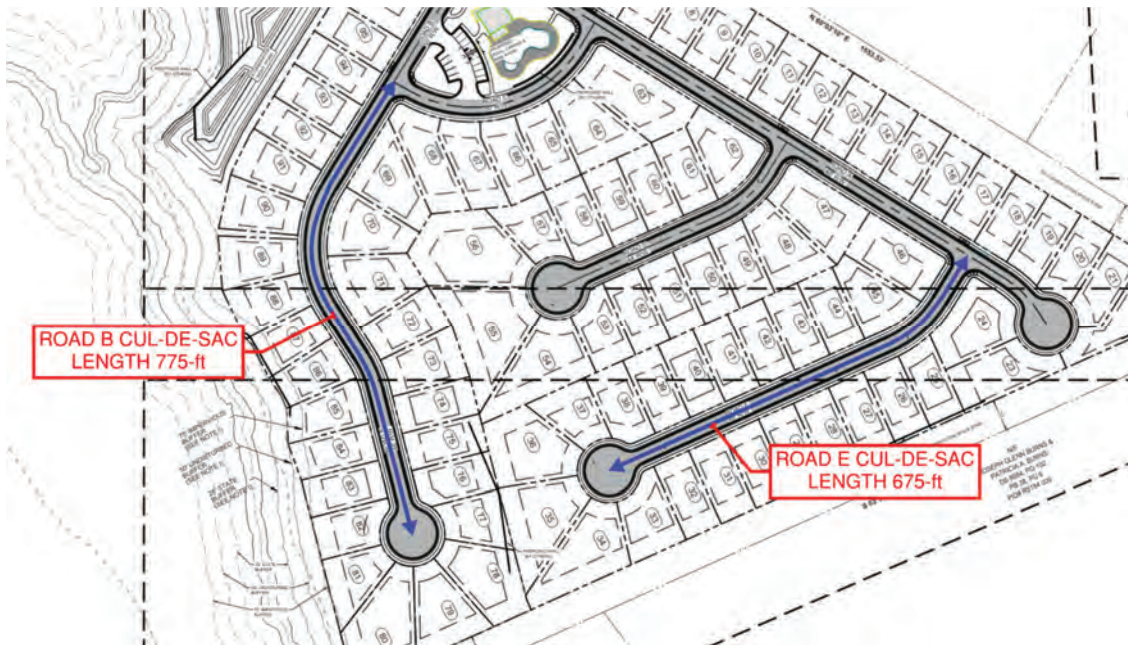
**Letter of Intent
Variance Requests for two Cul-De-Sac Road Lengths (675-ft Road E and 775-ft Road B)**

Dear Chairwoman;

On behalf of our client, ResiBuilt, Inc., we are submitting this Letter of Intent and attached variance application for the purpose of requesting two variances from the requirement of the Gwinnett County's Unified Development Ordinance (UDO). The requested variances relate to the proposed Chandler Station single-family subdivision (Subdivision application # 2021-01729) on a ±49.89-acre tract of land located at 1680 Chandler Rd Lawrenceville, GA 30045.

This variance request is for two variances from the requirement of the Open Space Conservation District (OSC) zoning classification road cul-de-sac maximum length of 600-ft, to 675-ft for Road E, and 775-ft for Road B, as stated in the UDO in Chapter 210-50.14 Section A (p. T2:10). All other cul-de-sac roads for the subdivision are within the OSC requirement, with a length of less than 600-ft.

The cul-de-sac lengths are measured along the roadway's centerline extending from the Point of Beginning of the cul-de-sac Road to the center of the cul-de-sac bulb, as detailed on Figure 1 herein.



GWINNETT COUNTY

PLANNING AND DEVELOPMENT

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8/30/21 9:12AM



Figure 1: Variance request applicable to Road B and Road E.

The property was rezoned to the OSC zoning classification by the Gwinnett County Board of Commissioners (BOC) on March 23, 2021, pursuant to case number RZR2021-00009. The BOC approved the rezoning allowing a total of 102 single-family detached dwellings. Since this time, field investigations and topographical survey took place which uncovered unforeseen site constraints which impacted the overall layout for the project.

Multiple geotechnical investigations uncovered significant expanses of bedrock across the eastern portion of the site. This hardship resulted in necessary changes to the grading concept, and led to the proposed changes to the road layout to avoid significant rock blasting and to better align with the steep topography constraints of the parcel. The site plan was accordingly revised to engineer a layout that aligned more suitably with the existing topography and minimize the subsurface bedrock disturbance, leading to the number of lots being reduced from 102 to 98 lots, and a revised road network with cul-de-sac streets.

In designing the project around these site constraints, Road B and E, two cul-de-sac roads, are now proposed to have a length that exceeds the allowed 600-ft cul-de-sac road length (Road E of 675-ft and Road B of 775-ft) and therefore granting these variances will permit the two cul-de-sac roads to be of the lengths proposed. The requested variance is the minimum necessary to afford the relief such that allows the property to be developed in accordance with the intent of the BOC approved site plan and intent of the OSC zoning of the UDO.

The particular hardship in this matter arose from the unforeseen conditions that are unique to this particular property (significant bedrock and topography challenges) and therefore granting the variances will not impair other properties in the neighborhood, nor will a variance approval increase the congestion of public streets, nor endanger the overall safety, health, and welfare of the public.

We respectfully request that you approve this variance application.

Kind Regards,

Richard Stevenson, P.E

cc: Mr. Jeff Hill / ResiBuilt, Inc.

JN252028

8/30/21 9:12AM

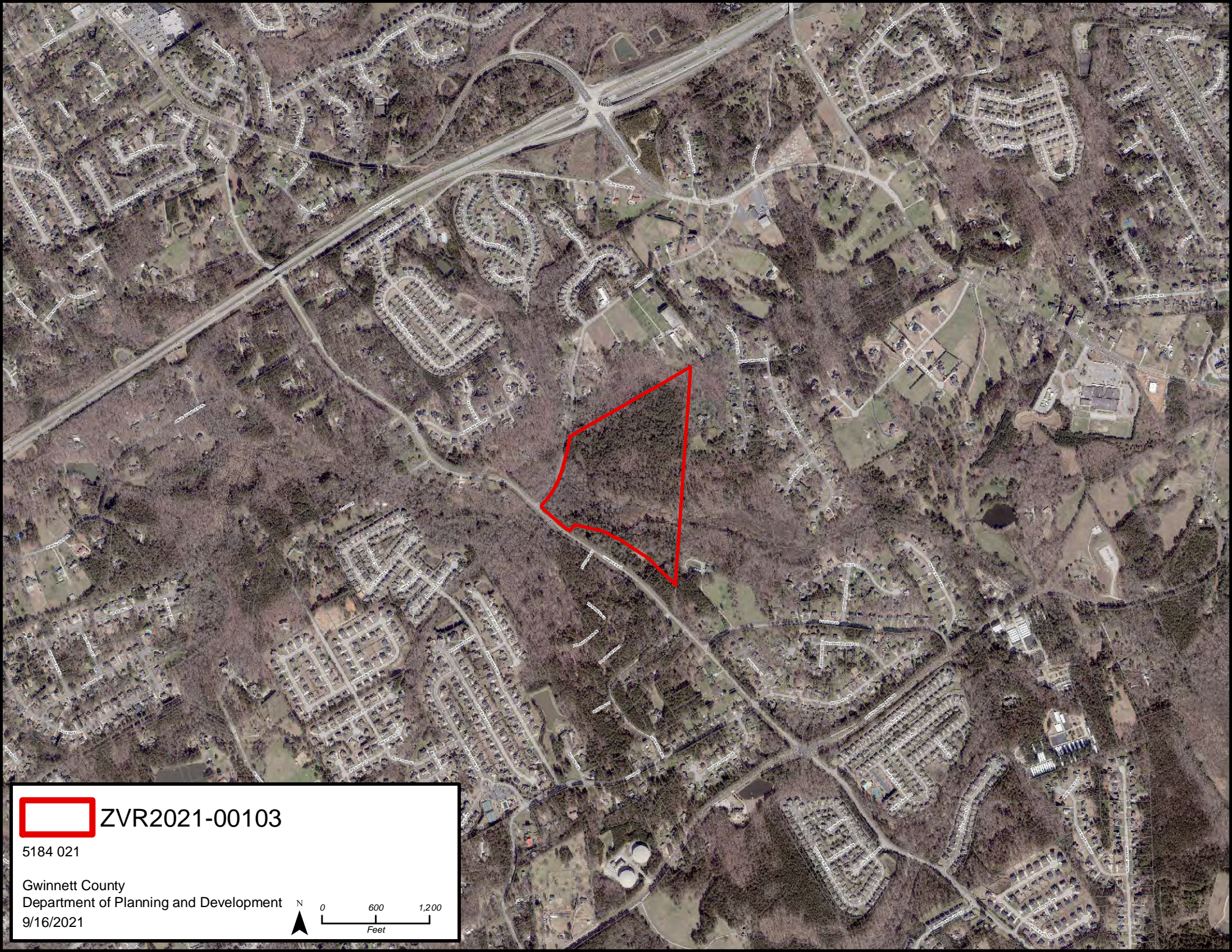
Standards for Granting Variances:

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 variance is a result of site conditions that limit the ability to meet the UDO requirements on two roads within the subdivision, specifically the lengths were increased to avoid significant expanses of bedrock across the eastern portion of the site, and steep topography constraints, both items impacting the layout.
Please see attached Letter of Intent detailing the site issues.
- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: Yes, the variance is being sought due to topographical and subsurface rock restrictions limiting the subdivision layout.
Please see attached Letter of Intent further detailing the site issues.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: No, the relief condition is unique to the property, such that there is significant topographical challenges to overcome, without the ability to appropriately grade the site due to larges expanses of shallow bedrock. Please see attached Letter of Intent further detailing the site issues.
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: No, the variance request is not due to actions by the property owner, or the applicant.
- 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: A variance approval will not increase the congestion of public streets, nor endanger the overall safety, health, and welfare of the public, or diminish or impair property values within the neighborhood.
- 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 variance request is from 600-ft to 675-ft and 775-ft for only two roads within the subdivision.
- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: Yes, The requested variance is the minimum necessary to afford the relief such that allows the property to be developed in accordance with the intent of the BOC approved site plan (RZR2021-00009) and intent of the OSC zoning of the UDO.

Exhibit D: Maps

[attached]

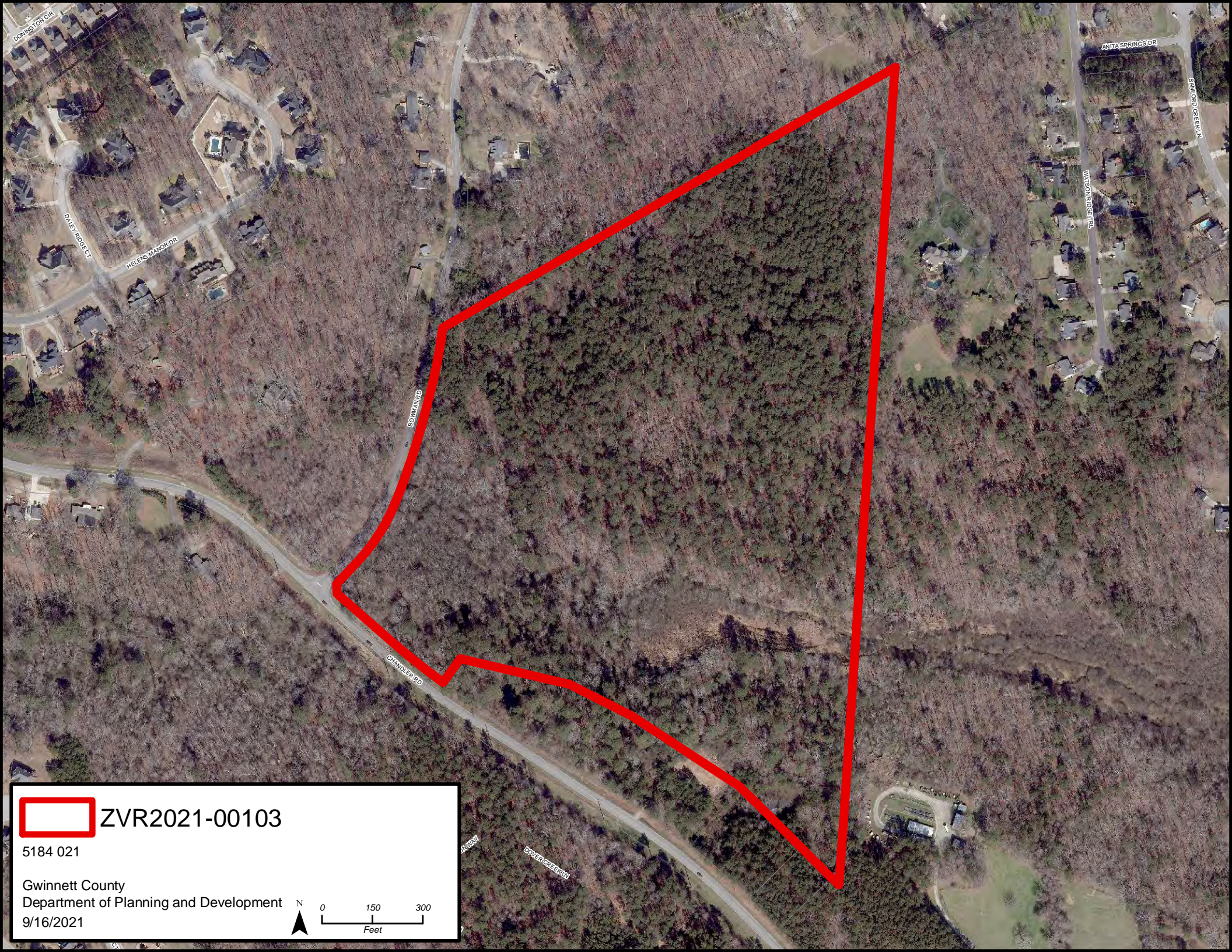


ZVR2021-00103

5184 021

Gwinnett County
Department of Planning and Development
9/16/2021

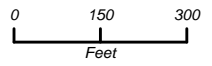


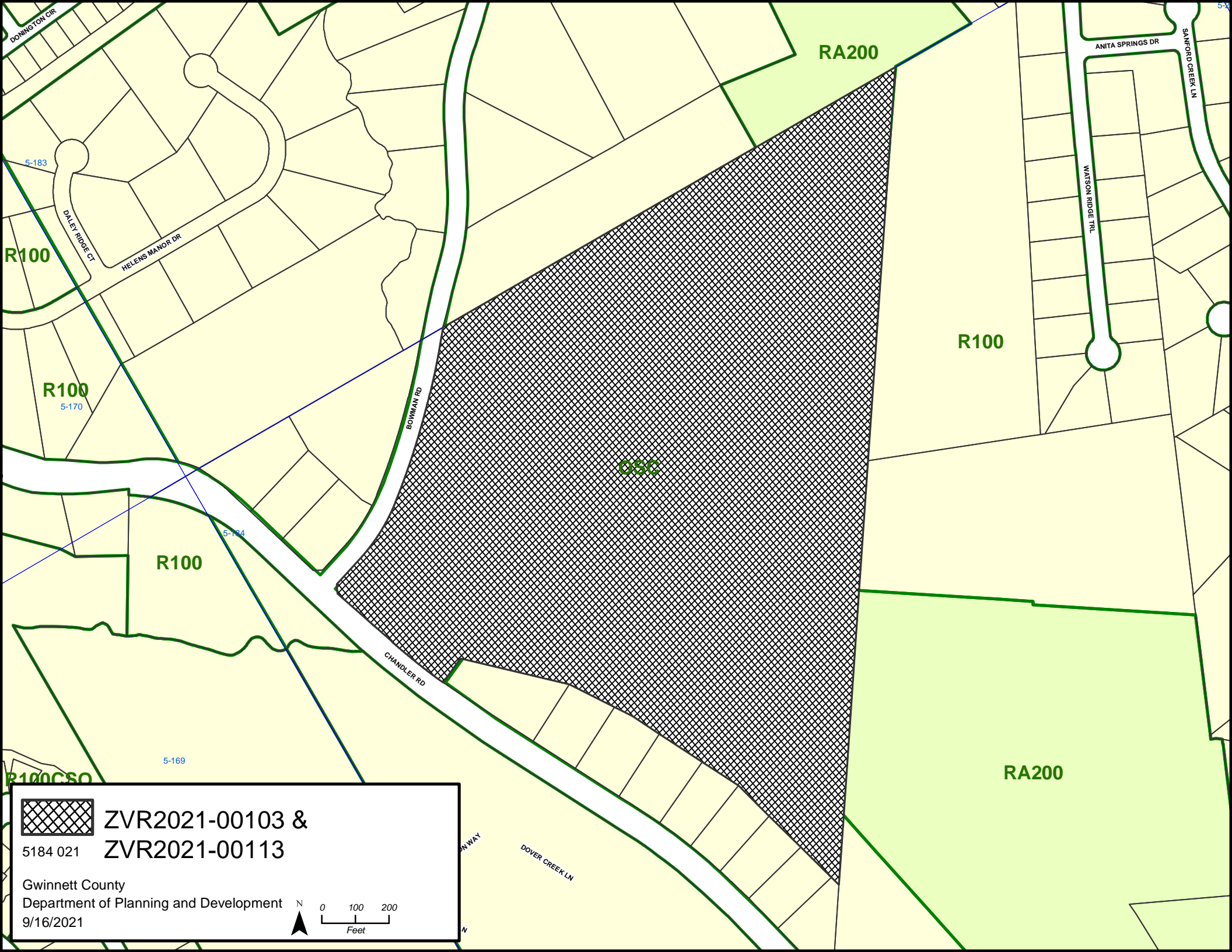


ZVR2021-00103

5184 021

Gwinnett County
Department of Planning and Development
9/16/2021

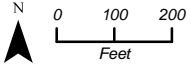




ZVR2021-00103 &
ZVR2021-00113

5184 021

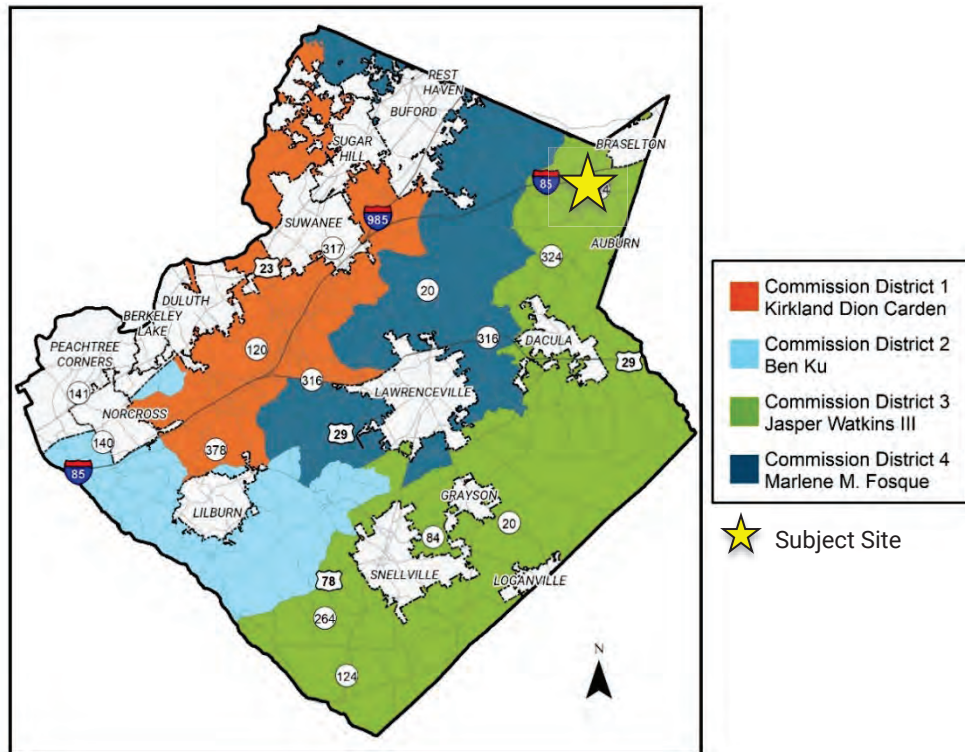
Gwinnett County
Department of Planning and Development
9/16/2021





PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: ZVR2021-00104
Address: 4604 Braselton Highway
Overlay District: GA Hwy 124/324/Hamilton Mill Overlay District
Map Number: R3003 013
Zoning: RA-200 (Agriculture-Residence District)
Site Area: 5.37 acres
Proposed Development: Kennel
Commission District: District 3- Commissioner Watkins
Request: ZVR2021-00104 - To allow primary building façade and entrance to be located greater than 70 feet.



Location Map

Applicant: Barefoot Brothers LLC
 3450 Braselton Highway
 Dacula, GA 30019

Owner: Barefoot Brothers LLC
 3450 Braselton Highway
 Dacula, GA 30019

Contact: Bo Braswell

Contact Phone: 770.238.9000

Zoning Board of Appeals Advertised Public Hearing Date: 10/12/2021

Zoning History

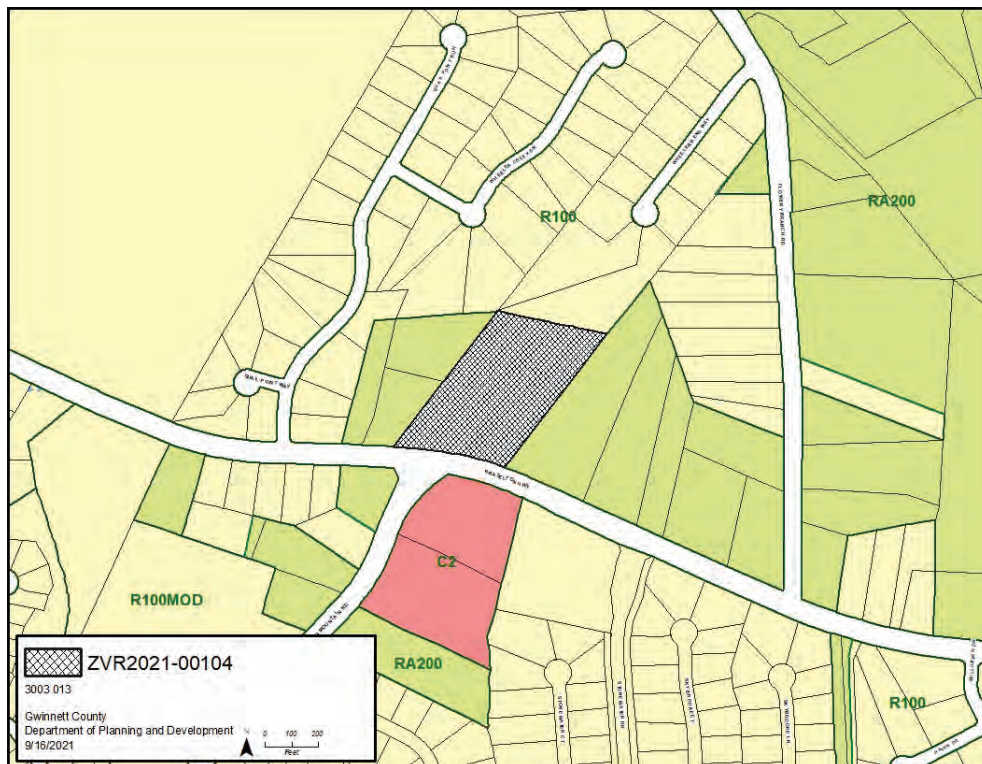
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject site is a 5.37-acre undeveloped, agriculture-residential lot located along the north side of Braselton Highway at its intersection with Hog Mountain Road. Two residential driveways provide access to the site along Braselton Highway. The subject site is located in the GA Highway 124/324/Hamilton Mill Overlay District.

Surrounding Use and Zoning

The surrounding uses are predominantly single-family residences on acreage tracts and in subdivisions. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning
Subject Property	Agriculture-Residential	RA-200
North	Single-Family Residential	R-100
East	Agriculture-Residential	RA-200
South	Undeveloped	C-2
West	Single-Family Residential	RA-200

Project Summary

The applicant is requesting a variance to allow the primary building façade and entrance of a pet kennel within the Hamilton Mill Overlay District to be located greater than 70 feet from the public right-of-way, including:

- A 20,000 square-foot structure, with associated outdoor pens located in accordance with the supplemental regulations of the Unified Development Ordinance which states that dog runs, pens, and other similar facilities should be located no closer than 100 feet from any property line.
- A 5-foot-wide sidewalk connecting the facility entrance to the sidewalk along Braselton Highway.
- A 10-foot-wide landscape strip.
- Site layout and building location constrained by existing topography and planning for vehicular and pedestrian traffic from parking to building.

Variance Requested

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

1. **Variance from Section 220-30.3.** to allow building facades and entrances to be located greater than 70 feet from the public right-of-way within an Overlay District.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Front Yard Setback	Maximum 70 feet	>100 feet	NO
Side Yard Setback	Minimum 20 feet	100 feet	YES
Rear Yard Setback	Minimum 40 feet	100 feet	YES
Lot Size	Minimum 40,000 square feet	5.37 acres	YES

Staff Recommended Conditions

Should the Board approve this request, staff recommends the following conditions of approval:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated and received September 2, 2021 by the Department of Planning and Development, with revisions required by conditions, subject to the review and approval of the Director of Planning and Development.
2. The development shall comply with all GA Highway 124/324/Hamilton Mill Overlay District requirements.
3. Animal pens and similar facilities are to be located no closer than 100 feet to any property line unless a Special Use Permit is approved by the Board of Commissioners.
4. Obtain all required approvals and permits prior to any land disturbance.
5. Provide landscaping along the side and rear property lines for visual screening, subject to approval by the Director of Planning and Development.

Exhibits:

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

Exhibit A: Site Visit Photos



Property Frontage along Braselton Highway



Property along Braselton Highway



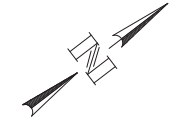
Entrance to Property along Braselton Highway

Exhibit B: Site Plan

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
9/2/21 9:59AM

RA-200 ZONING REQUIREMENT
IN AGRICULTURAL ZONING, DOG RUNS, PENS AND OTHER SIMILAR FACILITIES SHALL BE LOCATED NO CLOSER THAN 100 FEET TO ANY PROPERTY LINE.
IN ALL OTHER ZONING DISTRICTS ANY OUTDOOR DOG RUNS, PENS OR OTHER SIMILAR FACILITIES SHALL REQUIRE APPROVAL OF A SPECIAL USE PERMIT.



REED
PLANNING & DESIGN
100 Old Dawson Village Rd
Suite 110
Dawsonville, GA 30534
Phone: 706-531-8428

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STAMP
GSWCC LEVEL 3
CERTIFIED DESIGN
PROFESSIONAL
CERTIFICATION NO. 1639
EXPIRES 10/27/2023

PET RESORT FACILITY
BAREFOOT BROTHERS LLC
4604 BRASELTON HWY

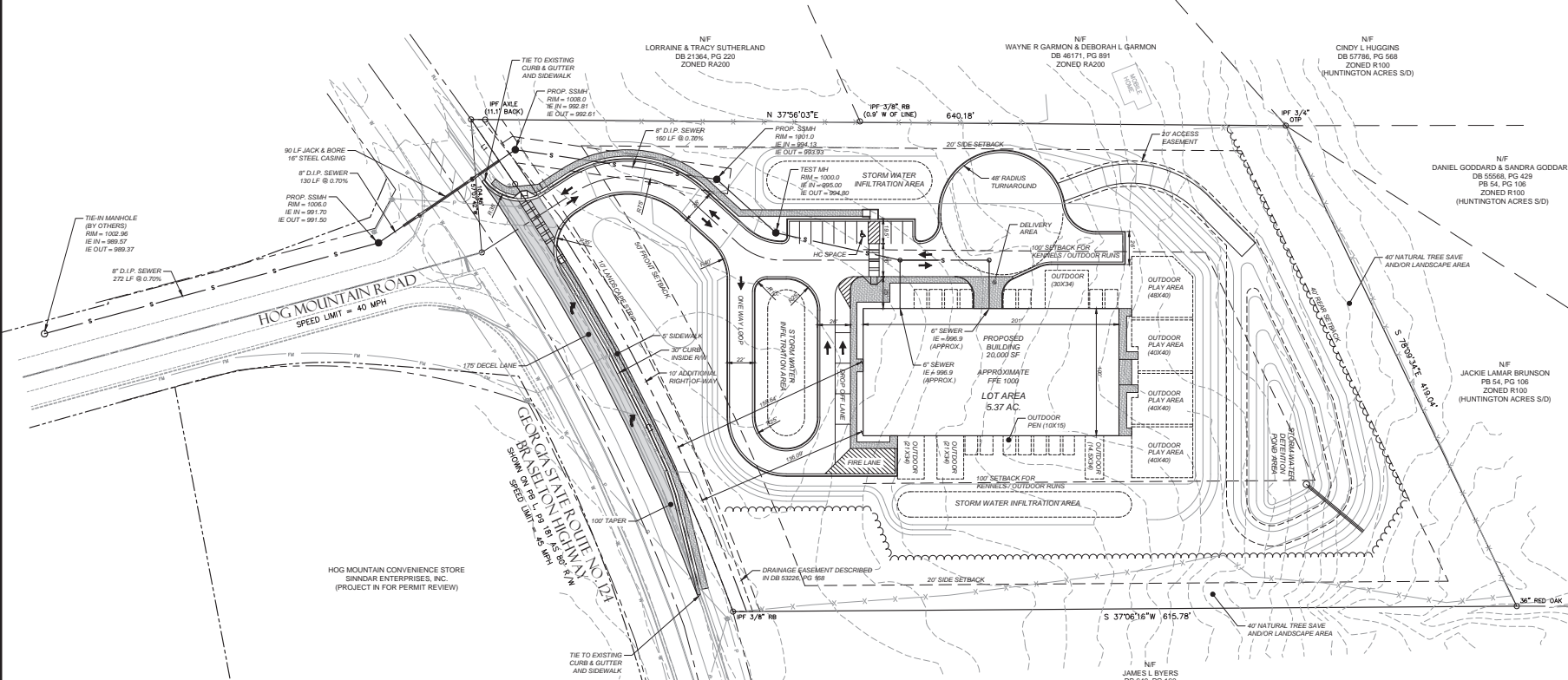
PARCEL	3003-013
LAND LOT	003
DISTRICT	3
CITY	
COUNTY	GWINNETT
STATE	GEORGIA

CONCEPT PLAN

JOB NUMBER	DATE
21110	8-31-2021

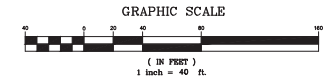
DATE	NO	REVISION

C-1



Course	Bearing	Distance
L1	N 86°45'29" W	61.49'

Curve	Radius	Length	Chord	Chord Bear.
CI	1556.10'	378.04'	377.11'	N 79°30'17" W



- LEGEND**
- NTS = NOT TO SCALE
 - IPS = 1/2" REBAR PIN SET
 - LL = LAND LOT
 - LLL = LAND LOT LINE
 - P.L. = PROPERTY LINE
 - C.L. = CENTERLINE
 - IFF = IRON PIN FOUND
 - RFP = REBAR FOUND
 - CTP = CRIMP TOP PIPE
 - OTF = OPEN TOP PIPE
 - BSL = BUILDING SETBACK LINE
 - R/W = RIGHT-OF-WAY
 - SSE = SANITARY SEWER EASEMENT
 - DE = DRAINAGE EASEMENT
 - MH = MANHOLE
 - CB = CATCH BASIN
 - JB = JUNCTION BOX
 - HW = HEADWALL
 - DI = DROP INLET
 - PP = POWER/UTILITY POLE
 - TH = FIRE HYDRANT
 - IE = INVERT ELEVATION
 - FEE = FIRST FLOOR ELEVATION
 - BFE = BASEMENT FLOOR ELEVATION
 - GFE = GARAGE FLOOR ELEVATION
 - UTP = UNDERGROUND TELE. PED.
 - S- = SANITARY SEWER LINE/PIPE
 - STP = STORM SEWER LINE/PIPE
 - F- = FENCE LINE
 - N/F = NOW OR FORMERLY
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT

SURVEY REFERENCE
BOUNDARY INFORMATION SHOWN PER SURVEY FOR BAREFOOT BROTHERS LLC PREPARED BY DAVIS ENGINEERING & SURVEYING DATED 10-16-2020.
TOPOGRAPHIC INFORMATION SHOWN PER GWINNETT COUNTY GIS MAP DATA.

OWNER/DEVELOPER
BAREFOOT BROTHERS LLC
3450 BRASELTON HWY.
Dacula, GA 30019

CIVIL ENGINEER
REED PLANNING & DESIGN, INC.
100 OLD DAWSON VILLAGE RD.
DAWSONVILLE, GA 30534
CONTACT: KEVIN REED
PHONE: 706-531-8428

Exhibit C: Letter of Intent and Standards for Granting Variances

[attached]

RECEIVED

9/2/21 9:59AM



August 31, 2021

Gwinnett County Department of Planning & Development
One Justice Square - 446 West Crogan Street
Lawrenceville, GA 30046

Re: Pet Kennel Facility / 4604 Braselton Highway / Barefoot Brothers LLC

UDO Section 220-30.3 (E.4)

Overlay District / Design Requirements / Parking and Accessory Structures

4. For developments exceeding 7,500 square feet, primary 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 and shall provide a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.

Variance Request - Allow primary building facade & entrance to be located greater than 70 feet from the public right-of-way line of Braselton Highway and oriented as shown on the included site plan.

Letter of Intent

The property owner (Barefoot Brothers LLC) plans to develop the subject 5.37-acre property as a new Pet Kennel Facility within its existing RA-200 Zoning designation as allowed by the Gwinnett County UDO. The proposed plan is included with this letter and has been reviewed with Gwinnett County Planning & Development through a designated Pre-Application Meeting. The owner is requesting a variance to UDO Section 220-30.3 (E.4) to allow for the primary building entrance to be greater than 70' from the public right-of-way line of Braselton Highway and oriented as shown on the included site plan.

In discussion with Gwinnett County Planning & Development, the nature of the ordinance is to promote easier walking pathways for pedestrians among commercial developments along certain corridors throughout the county. Due to the use of the proposed business as a pet kennel, walking traffic is not expected for pet drop off and retrieval and would not particularly require access to other commercial developments along the corridor. Furthermore, the surrounding properties directly adjacent to the subject property are zoned RA-200 and R-100 such that the larger setback would allow the development to be more centered on the property with landscaping on all sides for better screening. This helps reduce noise and visual distractions for pets onsite, and it allows more open space and landscaping in front of the building which may soften the transition to the adjacent RA200 properties.

Additionally, the planned building is generally oriented toward the street but angled slightly to the intersection of Braselton Highway and Hog Mountain Road. It is oriented with the property boundary and topography which prohibit the building being parallel to the right-of-way of Braselton Highway. A sidewalk connection will still be provided from the facility to a continuous sidewalk along Braselton Highway per the UDO section requirement.

Should you have questions or require additional information, please contact me to further discuss this request.

Sincerely,



J. Kevin Reed, P.E.
Georgia Registered PE #25526



RECEIVED

9/2/21 9:59AM

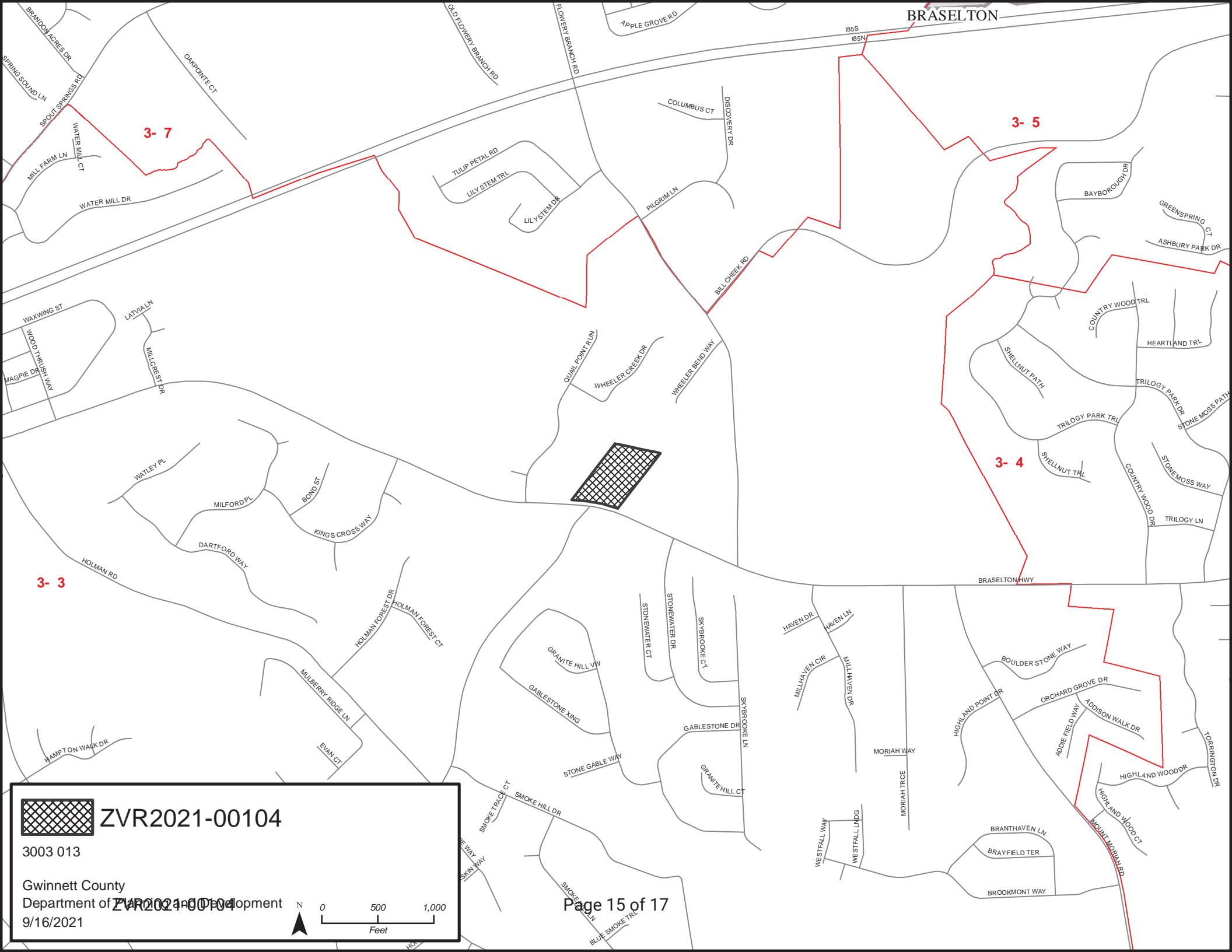
Standards for Granting Variances:

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 proposed use (Pet Kennel) does not require walkable pedestrian connection with other commercial properties along the corridor and the facility benefits from the additional area out front in the form of reduced distractions for onsite pets.
- 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 - Orientation is limited by the property boundary and topography along with a 100' kennel setback requirement. The additional setback also provides screening benefits for the onsite pets as well as the surrounding residential properties.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: _____
YES - This is a unique situation in that the proposed kennel is to be constructed within a RA-200 zoning designation which is not typical of properties generally located along commercial portions of major corridors such as Braselton Highway.
- 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 regulations are intended to cover most all commercial development along this corridor - but the project use and zoning designation present a unique situation with regards to this specific property.
- 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 of the variance should not impair surrounding properties, adjacent neighborhoods, nor the general corridor plan.
- 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 setback proposed will substantially aid in reducing distractions for onsite pets.
- 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 - Although pedestrian access from the street is not expected, a sidewalk connection is still provided in conformance with the UDO section listed. The variance will just allow additional open space between the facility and the street.

Exhibit D: Maps

[attached]



3- 7

3- 5

3- 4

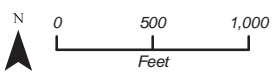
3- 3



ZVR2021-00104

3003 013

Gwinnett County
Department of Planning and Development
ZVR2021-00104
9/16/2021





QUAIL POINT RUN

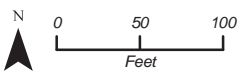
BRASELTON HWY

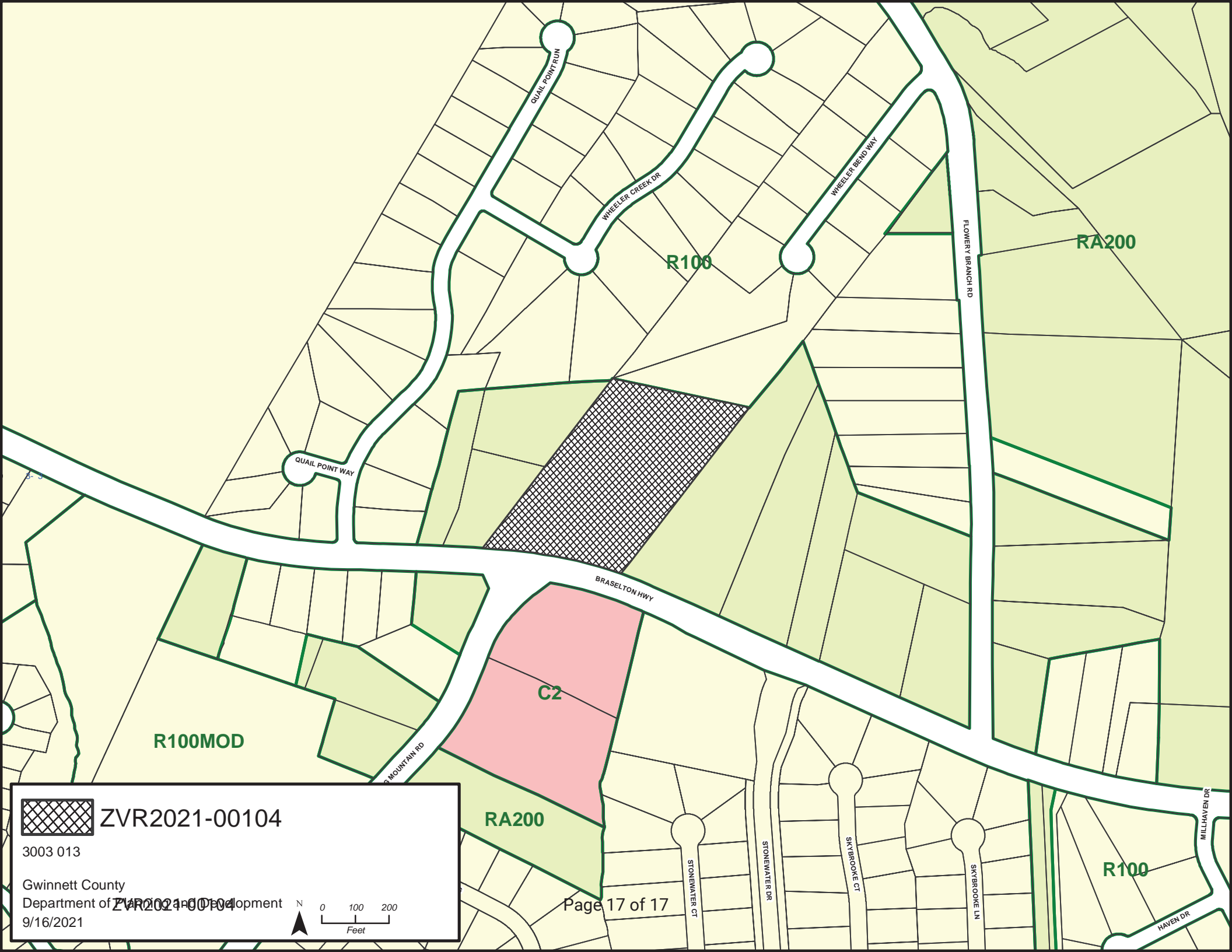


ZVR2021-00104

3003 013

Gwinnett County
Department of Planning and Development
9/16/2021

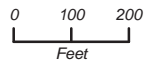




ZVR2021-00104

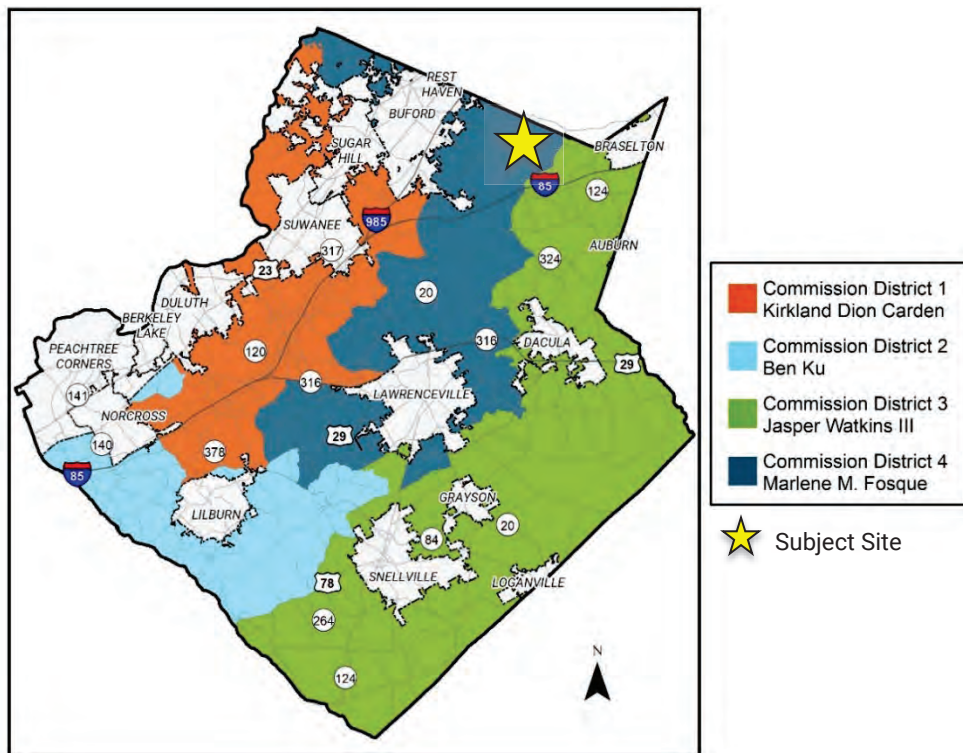
3003 013

Gwinnett County
Department of Planning and Development
ZVR2021-00104
9/16/2021



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: ZVR2021-00105
Address: 3591 Tuggle Road
Map Number: R1001 049
Current Zoning: OSC (Open Space Conservation District)
Site Area: 53.13 acres
Proposed Development: Single Family Residential Subdivision
Commission District: District 4– Fosque
Request: ZVR2021-00105 - To allow increase of maximum cul-de-sac length from 600 feet to 1,048 feet.



Location Map

Applicant: Thomas and Hutton
5074 Bristol Industrial Way, Suite A
Buford, GA 30518

Owner: Robert Pounds
3591 Tuggle Road
Buford, GA 30519

Contact: Tonya Woods

Contact Phone: 770.271.2868

Zoning History

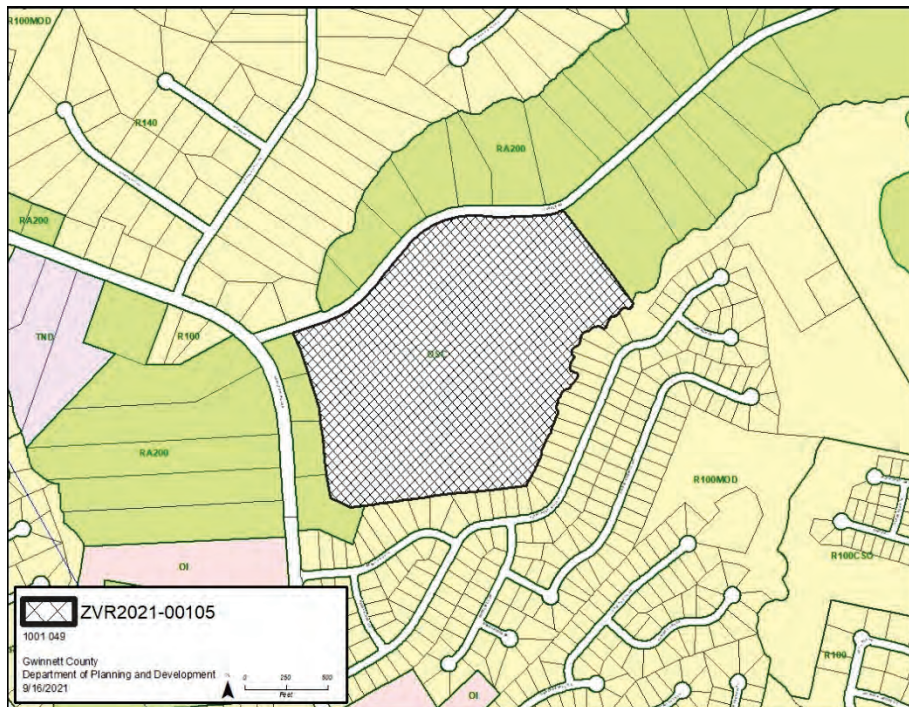
The subject property is zoned OSC (Open Space Conservation District). In 2020, the property was rezoned from RA-200 (Agriculture Residence District) to OSC (Open Space Conservation District) for a conservation subdivision, pursuant to RZR2020-00040.

Existing Site Condition

The subject site is a 53.13-acre undeveloped lot located to the east of the intersection of Tuggle Road and Hamilton Mill Road. There is currently one gravel driveway accessing the site. Development plans for an OSC subdivision are in the review process for issuance of a development permit.

Surrounding Use and Zoning

The surrounding properties are established single-family residences or acreage tracts and in subdivisions. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning
Subject Property	Open Space Conservation	OSC
North	Agriculture-Residential	RA-200
East	Agriculture-Residential	RA-200
South	Single-Family Residential	R-100
West	Agriculture-Residential	RA-200

Project Summary

The applicant is requesting a variance to allow for a cul-de-sac street longer than 600 feet in length, including:

- The cul-de-sac length is 1,048 feet. Topography, major utility transmission easements, with buffers create constraints on the subdivision's design and street layout.
- Development plan for the 89-lot subdivision is in review for issuance of a development permit.

Variance Requested

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

1. **Variance from Section 210-50.14.** to allow increase in maximum length of a cul-de-sac street.

Recommended Staff Conditions

Should the Board approve this request, staff recommends the following conditions of approval:

1. Traffic calming measures shall be provided throughout the subdivision subject to review and approval by Gwinnett County Department of Transportation.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Letter of Intent and Standards for Granting Variances
- D. BOC Resolution – RZR2020-00040
- E. Maps

Exhibit A: Site Visit Photos



Property along Tuggle Road



Entrance to Property along Tuggle Road

Exhibit B: Site Plan

[attached]



5074 BRISTOL INDUSTRIAL WAY
SUITE A
BUFORD, GEORGIA 30518
(770) 271-2868
www.dpengr.com

PREPARED FOR:
HERITAGE HOMES OF GEORGIA
2700 CUMBERLAND PKWY
ATLANTA, GA 30339

PROJECT NAME:

TUGGLE ROAD TRACT

TASK:

TRAFFIC CALMING EXHIBIT

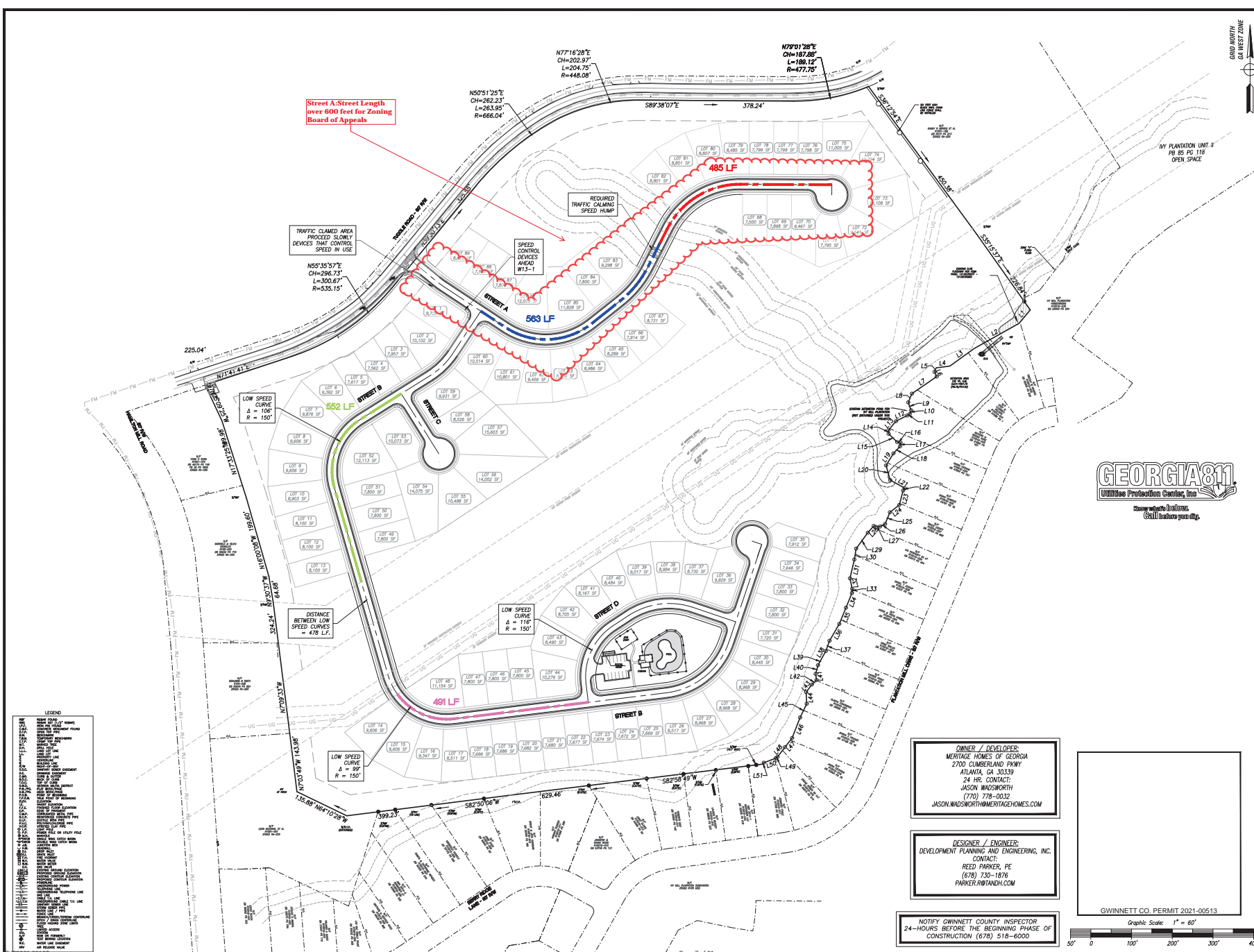
PROJECT INFORMATION:

TUGGLE ROAD TRACT
Project Name
20-036
Project Number
3591 TUGGLE ROAD
Project Address
G.M.D. 1379
Land Lot No.(s)
District
PARCEL R1001-049
GWINNETT COUNTY, GA.
County, State

DATE	DESCRIPTION	BY	NO.	REV.	0	1	2	3	4	5	6	7	8	9	0

RIP DESIGN AS SHOWN SCALE
RIP DRAWING
RIP CHECKED SHEET
DATE 08/11/21 20-036 PROJECT No.

1 of 1



OWNER / DEVELOPER:
HERITAGE HOMES OF GEORGIA
2700 CUMBERLAND PKWY
ATLANTA, GA 30339
24 HR. CONTACT:
JASON WADSWORTH
(770) 778-0032
JASON.WADSWORTH@HERITAGEHOMES.COM

DESIGNER / ENGINEER:
DEVELOPMENT PLANNING AND ENGINEERING, INC.
CONTACT:
REED PARKER, PE
(678) 730-1876
PARKER@DPTANH.COM

NOTIFY GWINNETT COUNTY INSPECTOR
24-HOURS BEFORE THE BEGINNING PHASE OF
CONSTRUCTION (678) 518-6000

GWINNETT CO. PERMIT 2021-00513

Graphic Scale: 1" = 60'

LEGEND

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Exhibit C: Letter of Intent and Standards for Granting Variances

[attached]

RECEIVED

9/2/21 3:37PM

September 1, 2021

Re: Tuggle Road Tract
2021-00513

Gwinnett County Planning and Development
446 W Crogan Street
Lawrenceville, Georgia 30046

To Whom it may Concern:

Please accept this letter of intent to request for a variance for the property located at 3591 Tuggle Road known as the submitted project Tuggle Road Tract (Gwinnett Case number 2021-00513). The property is currently zoned OSC in unincorporated Gwinnett County and is approximately 54 acres in size and is proposed with 89 lots.

We are seeking a variance to Section 210-50.14 of the Unified Development Ordinance which requires streets be no longer than 600 feet in length without an intersecting street.

210-50.14

Public Improvements.

Streets.

- A. The street network shall form a connected pattern (grid system), with a minimum of cul-de-sacs which shall be approved by the Director only in cases of topographical hardship. Street shapes should be varied with loop streets, curving crescents, eyebrows, ovals, and courts providing visual interest and traffic calming effects. Approved cul-de-sac streets may be no longer than 600 feet in length. Street patterns shall be designed to respect and follow existing terrain as much as possible, to minimize earthmoving and disruption of the existing topography. Streets shall be designed to:
1. Parallel and preserve existing tree lines, hedgerows, existing historic structures, and water elements.
 2. Minimize alteration of natural, cultural or historic features.
 3. Minimize the acreage devoted to streets.
 4. Calm traffic speeds.
 5. Promote pedestrian movement.
 6. Secure the view to prominent natural vistas.
 7. Be aligned so that the "terminal vista" is of civic buildings or Conservation Space land, either man-made (such as greens, commons, squares, or parks) or natural.
 8. Minimize crossing of Primary Conservation Areas.

As shown on the plan, our site has significant topographical constraints, as well as power and gas easement crossings along with a stream crossing that prevents us from providing intersecting streets. As described in UDO Section 900-20.2, additional length may be necessitated by topography or property configuration.

General Layout Requirements.

C. Cul-de-sac Streets.

- i. Dead end streets designed to have one end permanently closed shall provide a cul-de-sac turnaround and may be no more than 600 feet in length. Additional length necessitated by topography or property configuration may be approved by the Director.

Also noteworthy is the site layout, including the street design, is in substantial conformance to the site plan presented at the Planning Commission and approved by the Board of Commissioners on December 15th, 2020, under case RZR2020-00040. We have also implemented traffic calming devices and design as dictated by the Gwinnett County Traffic Calming Design Guidelines, which include low speed curves and speed humps and our shown on our Traffic Calming Exhibit.

We appreciate your consideration of this variance request, and please do not hesitate to contact me with any questions.

Sincerely,

Tonya Woods
Development Planning and Engineering dba
Thomas and Hutton



Standards for Granting Variances:

RECEIVED
9/2/21 3:37 PM
Response 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, we are seeking the variance for streets over 600 feet in length due to the
_____ unique topography along with a power easement bisecting the property and a stream. _____

- 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 topographical condition of the property along with the associated grades and easements, there is an unnecessary hardship to comply with a street length not exceeding 600 feet. _____

- 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 is unique in its topography, gas and power line easements and a stream with associated buffers. _____

- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: _____
The site would be in compliance if not for the Section in the UDO that requires streets would be no longer than 600 feet. _____

- e. Would granting the variance impair or injure other property or improvements in the neighborhood in which the subject property is located, or impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, create a hazard to air navigation, endanger the public safety, or substantially diminish or impair property values within the neighborhood? Please explain: _____
The request of the additional road length would not have any impact on the surrounding communities. _____

- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: _____
The street layout is the only design that will work in order to access the property on the other side of the stream crossing and the power and gas easement. _____

- 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 variance will allow for the subdivision to be constructed in the only way the site can be engineered based on the topography and site constraints. _____

Exhibit D: BOC Resolution – RZR2020-00040

[attached]

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: AMENDMENT TO THE OFFICIAL ZONING MAP

ADOPTION DATE: DECEMBER 15, 2020

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

	<u>Present</u>	<u>Vote</u>
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Ben Ku, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
Marlene Fosque, District 4	Yes	Aye

On motion of COMM. FOSQUE, which carried 5-0, the following Resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from RA-200 to OSC by MERITAGE HOMES OF GEORGIA for the proposed use of OPEN SPACE CONSERVATION SUBDIVISION on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on DECEMBER 15, 2020 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners, this the 15th day of DECEMBER 2020, that the aforesaid application to amend the Official Zoning Map from RA-200 to OSC is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
 - A. Single family detached dwellings and accessory uses and structures, not to exceed 99 lots, per the plan dated August 31, 2020 and submitted at the November 4, 2020, Planning Commission meeting.
 - B. The minimum heated floor area per dwelling unit shall be 1,800 square feet for single-story dwellings and 2,000 square feet for two-story dwellings.
 - C. Homes shall be constructed with front façades of primarily brick or stacked stone. The balance of the home may be the same, or of fiber-cement siding or shake with a minimum two-foot high brick or stacked stone water table.
 - D. All dwellings shall have at least a double-car garage.
2. To satisfy the following site development considerations:
 - A. A 50-foot wide conservation space strip shall be provided around the perimeter of the property. Six-foot-high black vinyl coated chain link fence shall be installed five feet from the property line along the common border with Danny Morris at 3651 Tuggle Road. The fence line can meander, if needed, to avoid removing any significant trees along the pathway.
 - B. The frontage and project entrance on Tuggle Road shall be landscaped by the developer and maintained by the Homeowners Association. Entrance shall include a decorative masonry entrance feature. Landscape and entrance feature plans shall be subject to review and approval by the Director of Planning and Development.

- C. Natural vegetation shall remain on the property until the issuance of a development permit.
- D. All grassed areas on dwelling lots shall be sodded.
- E. All utilities shall be placed underground.
- F. Building lots and stormwater facilities shall not be located within any required conservation strip, stream buffer, or accompanying impervious surface setback area.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 12/17/20

ATTEST:

Diana Kemp
County Clerk/Deputy County Clerk



LEGAL DESCRIPTION

All that tract or parcel of land lying and being in G.M.D. 1379 (Pucketts), Gwinnett County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at an iron pin set on the southeasterly right-of-way of Tuggle Road having a right-of-way width of 60 feet, said pin being located 201.69 northeasterly feet from the southeasterly right-of-way of Hamilton Mill Road having a 80' right-of-way, said point being THE TRUE POINT OF BEGINNING;

THENCE along said right-of-way of Tuggle Road for the following seven (7) courses and distances:

THENCE North 71 degrees 41 minutes 41 seconds East a distance of 225.06 feet to a point;

THENCE along a curve to the left for an arc length of 300.67 feet, having a radius of 535.15 feet, being subtended by a chord bearing North 55 degrees 35 minutes 57 seconds East, for a distance of 296.73 feet to a point;

THENCE North 39 degrees 30 minutes 13 seconds East a distance of 325.55 feet to a point;

THENCE along a curve to the right for an arc length of 263.95 feet, having a radius of 666.04 feet, being subtended by a chord bearing North 50 degrees 51 minutes 25 seconds East, for a distance of 262.23 feet to a point;

THENCE along a curve to the right for an arc length of 204.91 feet, having a radius of 448.80 feet, being subtended by a chord bearing North 77 degrees 17 minutes 05 seconds East, for a distance of 203.13 feet to a point;

THENCE along a curve to the left for an arc length of 190.05 feet, having a radius of 477.75 feet, being subtended by a chord bearing North 78 degrees 58 minutes 05 seconds East a distance of 188.80 feet to a point;

THENCE South 36 degrees 11 minutes 38 seconds East a distance of 450.40 feet leaving said right-of-way to an iron pin set;

THENCE South 35 degrees 13 minutes 44 seconds East a distance of 226.84 feet to a point located in the centerline of a creek;

THENCE along said centerline following the meanderings thereof for the following XX courses and distances:

THENCE South 39 degrees 52 minutes 07 seconds West a distance of 43.05 feet to a point;

THENCE South 60 degrees 44 minutes 57 seconds West a distance of 126.61 feet to a point;

THENCE South 54 degrees 07 minutes 39 seconds West a distance of 73.47 feet to a point;

THENCE South 82 degrees 46 minutes 20 seconds West a distance of 34.76 feet to a point;

THENCE South 60 degrees 45 minutes 39 seconds West a distance of 67.78 feet to a point;

THENCE South 12 degrees 27 minutes 33 seconds East a distance of 30.56 feet to a point;

THENCE South 26 degrees 53 minutes 14 seconds West a distance of 19.52 feet to a point;

RECEIVED BY
PLANNING AND DEVELOPMENT
AUGUST 27, 2020
RZR2020-00040

THENCE South 32 degrees 55 minutes 19 seconds West a distance of 84.75 feet to a point;
THENCE South 08 degrees 24 minutes 48 seconds West a distance of 82.56 feet to a point;
THENCE South 03 degrees 03 minutes 45 seconds East a distance of 49.03 feet to a point;
THENCE South 75 degrees 05 minutes 27 seconds East a distance of 41.91 feet to a point;
THENCE South 13 degrees 25 minutes 11 seconds West a distance of 48.84 feet to a point;
THENCE South 53 degrees 24 minutes 16 seconds West a distance of 85.28 feet to a point;
THENCE South 28 degrees 23 minutes 39 seconds West a distance of 80.40 feet to a point;
THENCE South 04 degrees 03 minutes 53 seconds West a distance of 83.11 feet to a point;
THENCE South 23 degrees 41 minutes 17 seconds West a distance of 161.28 feet to a point;
THENCE South 21 degrees 58 minutes 20 seconds West a distance of 160.01 feet to a point;
THENCE South 21 degrees 53 minutes 50 seconds West a distance of 80.01 feet to a point;
THENCE South 50 degrees 28 minutes 31 seconds West a distance of 92.43 feet to a point;
THENCE South 83 degrees 01 minutes 21 seconds West a distance of 629.25 feet leaving said creek to a pin found;
THENCE South 82 degrees 53 minutes 21 seconds West a distance of 399.12 feet to an iron pin set;
THENCE North 64 degrees 16 minutes 28 seconds West a distance of 135.93 feet to a concrete monument found;
THENCE North 07 degrees 02 minutes 51 seconds West a distance of 143.29 feet to an iron pin found;
THENCE North 07 degrees 08 minutes 35 seconds West a distance of 324.24 feet to an iron pin found;
THENCE North 09 degrees 29 minutes 39 seconds West a distance of 64.75 feet to an iron pin set;
THENCE North 15 degrees 59 minutes 10 seconds West a distance of 199.83 feet to an iron pin set;
THENCE North 17 degrees 32 minutes 27 seconds West a distance of 199.98 feet to an iron pin set;
THENCE North 25 degrees 08 minutes 27 seconds West a distance of 97.11 feet to an iron pin set, said point being THE TRUE POINT OF BEGINNING.

The above described tract of land being more particularly shown on plat of survey for the Estate of Robert S. Pounds, SR. dated May 12, 2015 and being prepared by M.V. Ingram Enterprises, Inc.

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PLANNING AND DEVELOPMENT
AUGUST 27, 2020
RZR2020-00040

Exhibit E: Maps

[attached]

7-223

7-182

1- 3

1- 1

7-181

1- 2

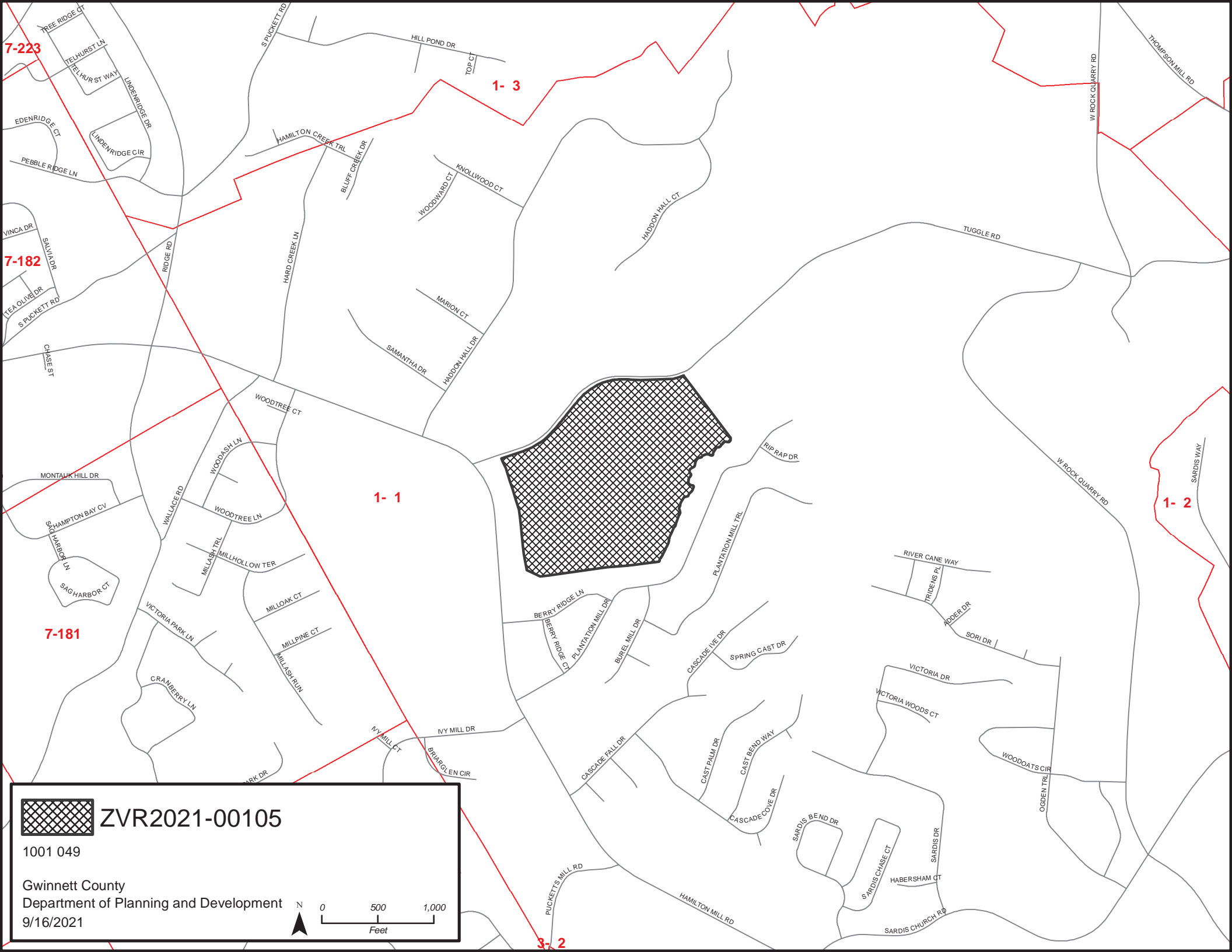
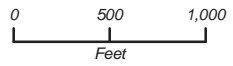
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ZVR2021-00105

1001 049

Gwinnett County
Department of Planning and Development
9/16/2021





MARLOW CT
SAMANTHA DR
HOBSON HILL DR

TUGGLE RD

PLANTATION MILLS DR

RIP RAP DR

PLANTATION MILLS DR

PLANTATION MILLS DR

BYRE MILL DR

CASCADE DR

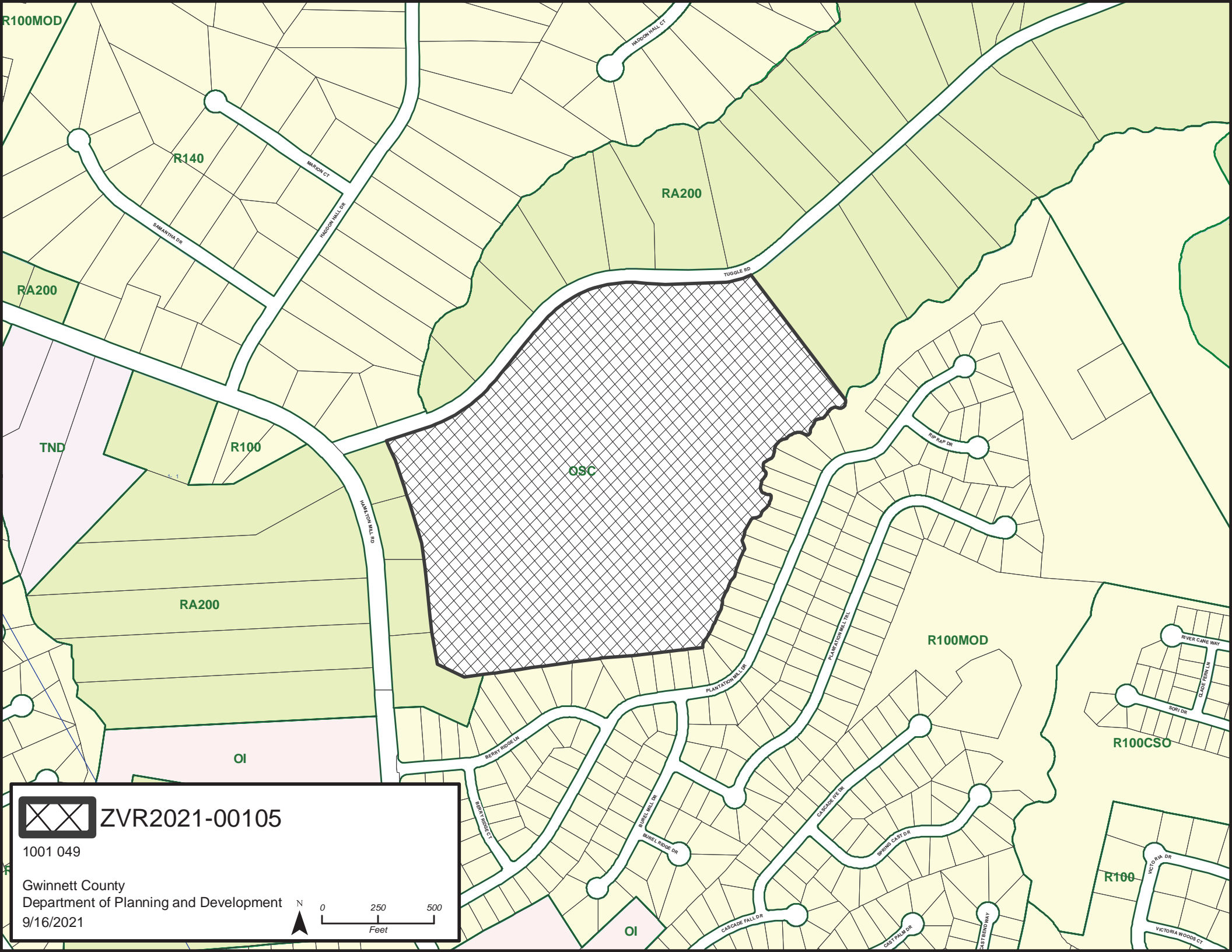
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Gwinnett County
Department of Planning and Development
9/16/2021

N

0 150 300
Feet



ZVR2021-00105

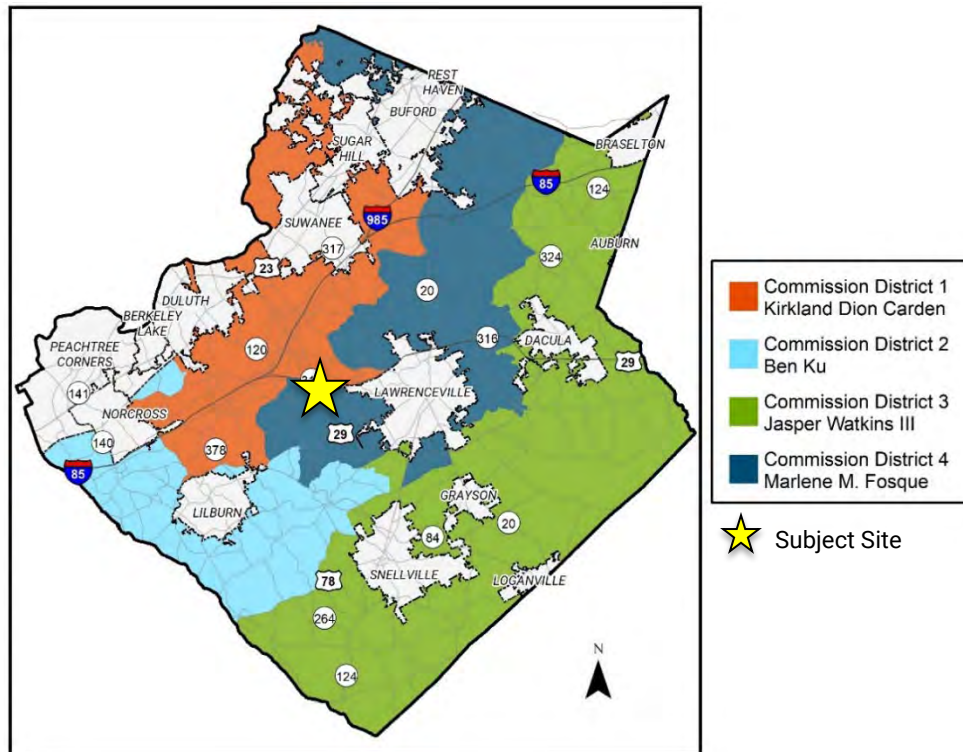
1001 049

Gwinnett County
Department of Planning and Development
9/16/2021



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number ZVR2021-00109
Address: 1170 Lendl Lane
Map Number: R7004 536
Current Zoning: R-ZT (Single-Family Residence)
Site Area: 0.18 acres
Proposed Development: Single-Family Home (addition)
Commission District: District 4 – Commissioner Fosque
Request: ZVR2021-00109 – allow an encroachment of 17.8 feet into the 35-foot rear setback for building addition



Location Map

Applicant: Sejd Rizvic
1170 Lendl Lane
Lawrenceville, GA 30044

Owner: Sejd Rizvic
1170 Lendl Lane
Lawrenceville, GA 30044

Contact: Sejd Rizvic

Contact Phone: 404.483.9483

Zoning Board of Appeals Advertised Public Hearing Date: 10/12/2021

Zoning History

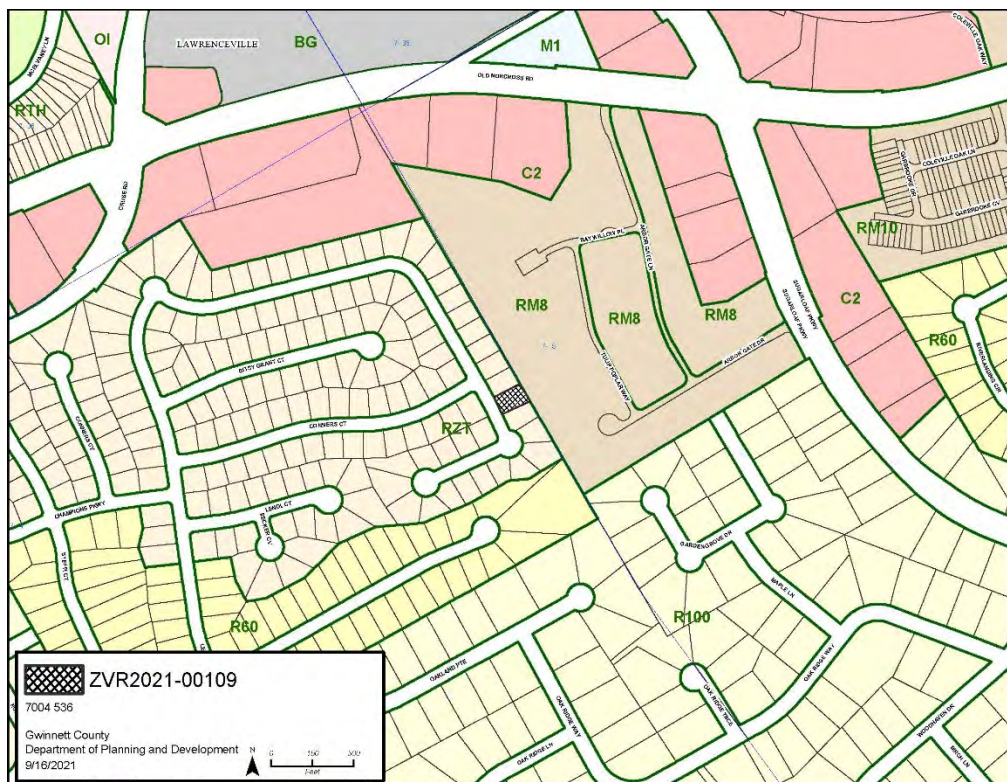
The subject property is zoned R-ZT (Single-Family Residence District). The property was rezoned from R-100 to R-ZT pursuant to REZ1990-00074 in 1990.

Existing Site Condition

The subject site is a 0.18-acre developed, single-family lot, Lot 85 Block B, in Glen Oaks Racquet Club subdivision. There is one driveway from Lendl Lane, and a wooden fence along the rear and side of property. A 96 square-foot accessory shed in the northeast corner of the rear yard is visible from Lendl Lane. A storage shed is located in the northeast corner of the rear yard. A 50.2 by 18-foot concrete slab is located at the rear of the building in the location of the proposed addition. The slab encroaches into a stormwater easement.

Surrounding Use and Zoning

The surrounding properties are single-family residences within established subdivisions. The property to the rear serves as the open space and contains the detention pond for the townhouse development. The following is a summary of surrounding uses and zoning:



Surrounding Zoning

Location	Land Use	Zoning
Subject Property	Single-Family Residential	R-ZT
North	Single-Family Residential/ Multi-Family Residential	R-ZT/RM-8
East	Multi-Family Residential	RM-8
South	Single-Family Residential	R-ZT/R-60
West	Single-Family Residential	R-ZT

Project Summary

The applicant is requesting a 17.8-foot encroachment into the 35-foot rear yard setback to construct an addition to the principal structure, including:

- 50.2-foot by 18-foot addition
- Building addition is for a physical therapy treatment room for the applicant's mother and a sunroom
- The rear yard is enclosed by a 6-foot-high wooden privacy fence
- 2-foot encroachment of concrete pad into drainage easement has been approved by Stormwater Plan Review Section.

Variance Requested

This variance application is the result of a building permit application for the addition to the home. The applicant requests approval of a variance from the following regulation of the Unified Development Ordinance (UDO):

1. **Variance from UDO Section 5-60.2** to allow an encroachment of 17.8 feet into the 35-foot rear setback for building addition.

Zoning and Development Standards

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

Standard	Required	Proposed	Meets Standard
Rear Yard Setback (Final Plat)	Minimum 35 feet	17.2 feet	NO
Side Yard Setback	Minimum 5 feet	Left: 10.9 feet Right: 11.5 feet	YES

Recommended Staff Conditions

Should the Board approve this request, staff recommend the following condition of approval:

1. Obtain all required approvals and permits prior to beginning construction.
2. Materials and colors of building addition are to be consistent with existing house.

Exhibits:

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

Exhibit A: Site Visit Photos



Concrete Slab at Finished Floor Elevation (Front)



Concrete Slab at Finished Floor Elevation (Side)

Exhibit B: Site Plan

[attached]

RECEIVED

9/1/21 9:09AM

LAND SURVEYING - CONSULTING - COMMERCIAL - RESIDENTIAL

DISTANCES ARE HORIZONTAL GROUND DISTANCES.

THE SURVEY DIMENSIONS ARE BASED ON THE U.S. FOOT (39.37 INCHES = 1 METER)

EQUIPMENT USED:
THEODOLITE READING DIRECTLY TO 02 SECONDS.
ELECTRONIC DISTANCE METER READINGS DIRECTLY TO .003 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A HORIZONTAL CLOSURE OF 1 FOOT IN 21,259 FEET. THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE BY LATITUDE AND DEPARTURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 168,171 FEET.

THIS PROPERTY HAS BEEN FIELD SURVEYED.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND MAY BE SUBJECT TO OTHER EASEMENTS AND ENCUMBRANCES NOT SHOWN THAT MAY OR MAY NOT BE OF RECORD.

LEGEND

- REBAR FOUND OR SET (RBF) (RBS)
- CORNER CALCULATED OR SET (CPS)
- ⊕ LIGHT POLE (LP) / POWER POLE (PPS)
- ⊖ WATER METER (W.M.)
- ⊙ GAS METER (G.M.)

CURVE TABLE

Curve	Radius	Arc	Chord	Chord Bearing
1	1165.00	89.52	88.92	N28°09'05"W

SHORT LINE TABLE

Line Bearing	Distance
1	N26°40'09"W 10.00'

LOT AREA
0.177 ACRES +/-
7727 SQ.FT. +/-

PLAT CERTIFICATION NOTICE
I, the undersigned, being a duly qualified and licensed land surveyor in the State of Georgia, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed land surveyor in the State of Georgia. I am not aware of any other persons who have assisted me in the preparation of this plat. I am not aware of any other persons who have assisted me in the preparation of this plat. I am not aware of any other persons who have assisted me in the preparation of this plat.

STATE WATERS NOTE
THIS PLAT IS SUBJECT TO THE JURISDICTION OF THE STATE OF GEORGIA AS TO ALL WATERWAYS AND WATER RIGHTS. THE SURVEYOR HAS NO AUTHORITY TO INTERFERE WITH OR OBTAIN RIGHTS IN ANY WATERWAY OR WATER RIGHT. THE SURVEYOR HAS NO AUTHORITY TO INTERFERE WITH OR OBTAIN RIGHTS IN ANY WATERWAY OR WATER RIGHT. THE SURVEYOR HAS NO AUTHORITY TO INTERFERE WITH OR OBTAIN RIGHTS IN ANY WATERWAY OR WATER RIGHT.

ACCORDING TO THE GWINNETT COUNTY RECORDS AS SHOWN ON THE GIS DATA BROWSER AND THE REFERENCED SUBDIVISION PLAT THIS SITE IS ZONED R2.

NOTE THAT ANY BUILDING SETBACKS SHOWN ARE SUBJECTIVE AND HAVE BEEN INTERPOLATED FROM ZONING INFORMATION OR PLATS OF RECORD. THESE BUILDING SETBACKS MAY CHANGE WHEN REVIEWED BY THE LOCAL GOVERNING AUTHORITY.

PURSUANT TO THE OFFICIAL CODE OF GEORGIA ANNOTATED SECTION 44-1-10 IT IS UNLAWFUL FOR ANY PERSON WILLFULLY AND KNOWINGLY TO REMOVE, DESTROY, INJURE, OR DISPLACE ANY PROPERTY CORNER MARKER EXCEPT UNDER THE AUTHORITY OF A REGISTERED LAND SURVEYOR.

ACCORDING TO THE GWINNETT COUNTY RECORDS AS SHOWN ON THE GIS DATA BROWSER AND THE REFERENCED SUBDIVISION PLAT THIS SITE IS ZONED R2.

NOTE THAT ANY BUILDING SETBACKS SHOWN ARE SUBJECTIVE AND HAVE BEEN INTERPOLATED FROM ZONING INFORMATION OR PLATS OF RECORD. THESE BUILDING SETBACKS MAY CHANGE WHEN REVIEWED BY THE LOCAL GOVERNING AUTHORITY.

PURSUANT TO THE OFFICIAL CODE OF GEORGIA ANNOTATED SECTION 44-1-10 IT IS UNLAWFUL FOR ANY PERSON WILLFULLY AND KNOWINGLY TO REMOVE, DESTROY, INJURE, OR DISPLACE ANY PROPERTY CORNER MARKER EXCEPT UNDER THE AUTHORITY OF A REGISTERED LAND SURVEYOR.

SURVEYORS CERTIFICATION

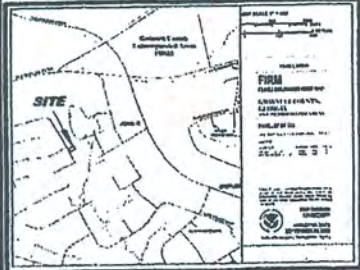
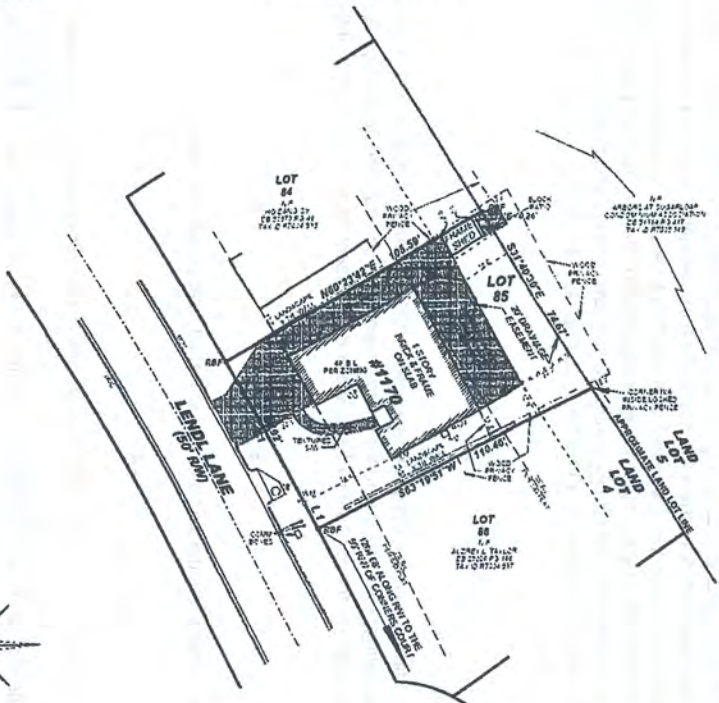
I, the undersigned, being a duly qualified and licensed land surveyor in the State of Georgia, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed land surveyor in the State of Georgia. I am not aware of any other persons who have assisted me in the preparation of this plat. I am not aware of any other persons who have assisted me in the preparation of this plat. I am not aware of any other persons who have assisted me in the preparation of this plat.

**MATTERS OF TITLE ARE EXCEPTED
COPYRIGHT AARROW SURVEYING 2021**



SUBJECT LOT IS
LOT 85 BLOCK "B" UNIT VI
GLEN OAKS RACQUET CLUB B/D
AS RECORDED IN
PLAT BOOK 69 PAGE 113
TAX ID 7004 636

- SITE REFERENCES:**
- 1) DEED BOOK 48836 PAGE 122
 - 2) DEED BOOK 48487 PAGE 849
 - 3) PLAT BOOK 69 PAGE 113
 - 4) TAX MAPS AND TAX DATA AVAILABLE ONLINE FROM THE GWINNETT COUNTY WEB SITE.



NO PORTION OF THIS PARCEL IS IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP NUMBER 13120C0377 PANEL 07 OF 105 COVERING GWINNETT COUNTY, GEORGIA DATED SEPTEMBER 29, 2004.



BOUNDARY/ASSULT SURVEY FOR:
SEJD RIZVIC

LOCATED AT:
#1170 LENDL LANE
LAND LOT 4 OF THE 7TH DISTRICT
GWINNETT COUNTY, GEORGIA

DATE OF SURVEY: 09/01/21
BY: AARROW SURVEYING



AARROW SURVEYING
LICENSE NO. LSF000595

2245 COUNTRY WALK
SNELLVILLE, GEORGIA 30039
PH. AND FAX 770-982-9900

SHEET 01 OF 01

REVISIONS:
DATE: 09/01/21 BY: AARROW SURVEYING

Exhibit "A"

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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9/1/21 9:09 AM

84

N/F

HO DANG SY
DB 50673 PG 46
TAX ID R7004 535

N/F
ARBORS AT SUGARLO
CONDOMINIUM ASSOCIA
DB 51314 PG 417
TAX ID R7005 365

STORMWATER

REVIEWED

FINAL REVIEW

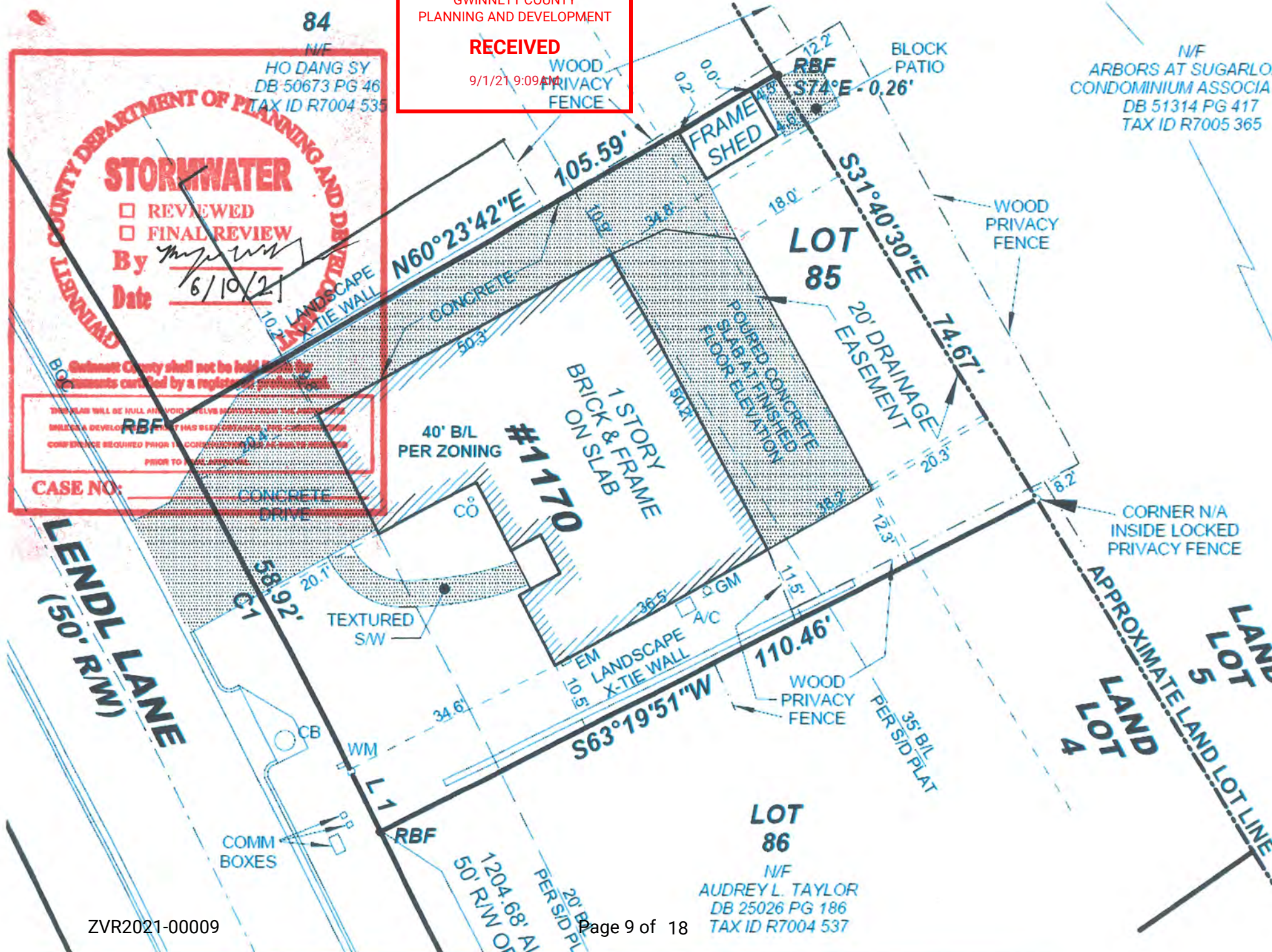
By *[Signature]*

Date 6/10/21

Gwinnett County shall not be held liable for comments carried by a registered professional.

THIS PLAN WILL BE NULL AND VOID TWELVE MONTHS FROM THE DATE THIS UNLESS A DEVELOPER HAS BEEN OBTAINED AND CONFERENCE REQUIRED PRIOR TO CONSTRUCTION OF THE PROJECT PRIOR TO FINAL APPROVAL.

CASE NO: _____



LOT 86
N/F
AUDREY L. TAYLOR
DB 25026 PG 186
TAX ID R7004 537

Exhibit C: Letter of Intent and Standards for Granting Variances

[attached]

RECEIVED

9/1/21 9:09AM

August 26, 2021

Letter of Intent

In Support of Request for Variance

Re: 1170 Lendl Lane
Lawrenceville, GA 30044

This Letter of Intent is in support of my request for a variance to the addition of my backyard. Before I even poured the concrete in the backyard, I went to the Gwinnett Department of Planning and Developing office to obtain a permit, but I was told a permit was not needed to do this kind of work. That being said, I continued with my original plan and poured the concrete to extend my porch in the backyard. I am aware I went about 1 or 2ft beyond drainage easement line, however that should not create any problems with the current property lines.

I plan to create an extra closed room (sunroom) in the backyard. The dimensions are 30.5 by 18ft (closed area) and 19.7 by 18ft (opened area). We want to make the sunroom for my 69-year-old mother who was advised by her doctor to have a “physical therapy” room to ensure she is getting the proper treatment outside of her regular doctor visits. To add on, the existing shed is currently encroaching into the accessory structure setback. There is no need to setback the shed 5 feet from the property lines because this shed has been there ever since I moved to the property and it has not caused any problems to me or my neighbors. Needless to say, I believe this project will not jeopardize nor harm the properties surrounding mine.

Best Regards,

(Seid Rizvic - Property Owner)

Cell: 404-483-9483

RECEIVED

9/1/21 9:09AM

Standards for Granting Variances:

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

- a. Does the request arise from a condition that is unique and peculiar to the land, structures, and buildings involved? Please explain: No, sheds are a "norm" to have behind any home.

- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: No hardship. It has been on my property since I have moved there ,
and it has not caused any disturbances to me or my neighbors.

- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: No, most properties have sheds located in their backyard.

- 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: Property owner would like to keep the shed ,
as is due to the fact that there has been no issues/complaints about it thus far.

- 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. Keeping the shed there will not disturb current zoning/property guidelines. It has not caused any issues so far.

- 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 shed is currently taking up minimal amount of space ,
and will not exceed property zoning line.

- g. Does the variance desired meet the general spirit and intent of Title 2 of the UDO and/or the purpose and intent of the Gwinnett County Unified Plan? Please explain: Yes. The shed is used for extra storage space to my home.
It meets county requirements.

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9/1/21 9:09AM

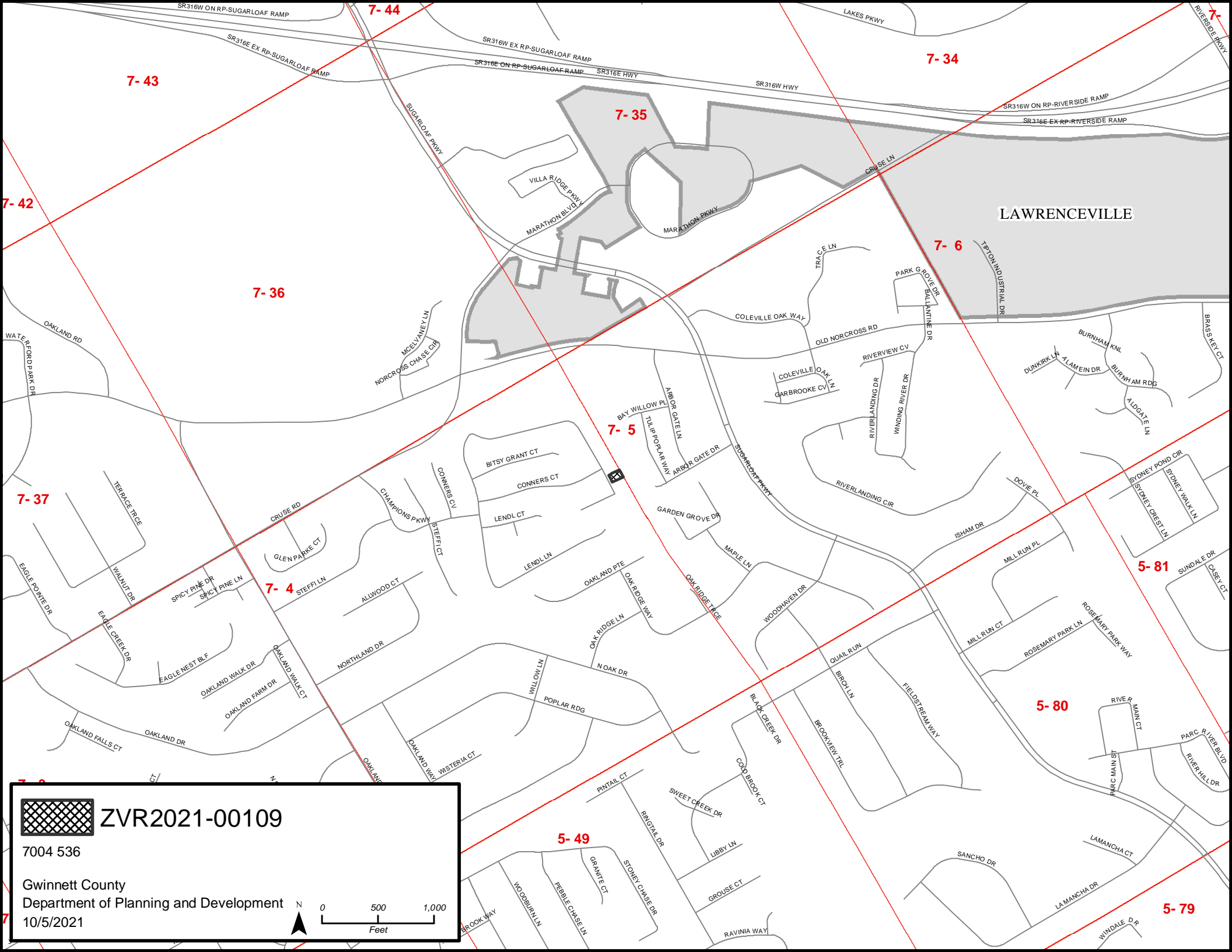
Standards for Granting Variances:

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: Typical Sunroom that most properties have
- b. Is the request necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved result in an unnecessary hardship for the owner, lessee, or occupants; as distinguished from a mere inconvenience, if the provisions of Title 2 of the UDO are literally enforced? Please explain: NO. Hardship currently. Just want to build sunroom for personal convenience.
- c. Is the condition requiring the requested relief not ordinarily found in properties of the same zoning district as the subject property? Please explain: NO. Most homes also have sunrooms on their property.
- d. Is the request a result of conditions created by the regulations of Title 2 of the UDO and not by an action or actions of the property owner or the applicant? Please explain: NO. Property OWNER is requesting variance for sun room.
- 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. Sun Room meets zoning and property guidelines and will not affect ~~property~~ the surroundings around it.
- f. Is the variance requested the minimum variance that will make possible the reasonable use of the land, building, or structures? Please explain: YES. Sun Room will not exceed property/zoning line
- 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. Sun Room is just and add-on to the home. Will meet county requirements.

Exhibit D: Maps

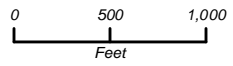
[attached]



ZVR2021-00109

7004 536

Gwinnett County
Department of Planning and Development
10/5/2021



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LAWRENCEVILLE

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LAWRENCEVILLE

7-6

7-42



MCELVANEY LN
NORCROSS CHASE CIR

CRUSER RD

OLD NORCROSS RD

COLEVILLE OAK WAY

GARBROOKE DR

COLEVILLE OAK LN

GARBROOKE CV

BAY WILLOW PL

ARBOR GATE LN

SUGARLOAF PKWY

SUGARLOAF PKWY

RIVERLANDING CIR

BITSY GRANT CT

CONNERS CT

TULIP POPLAR WAY

ARBOR GATE DR

CONNERS CV

LENDL CT

GARDEN GROVE DR

CHAMPIONS PKWY

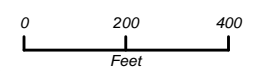
MAPLE LN

ALLWOOD CT

ZVR2021-00109

7004 536

Gwinnett County
Department of Planning and Development
9/16/2021



CONNERS CT

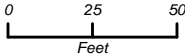
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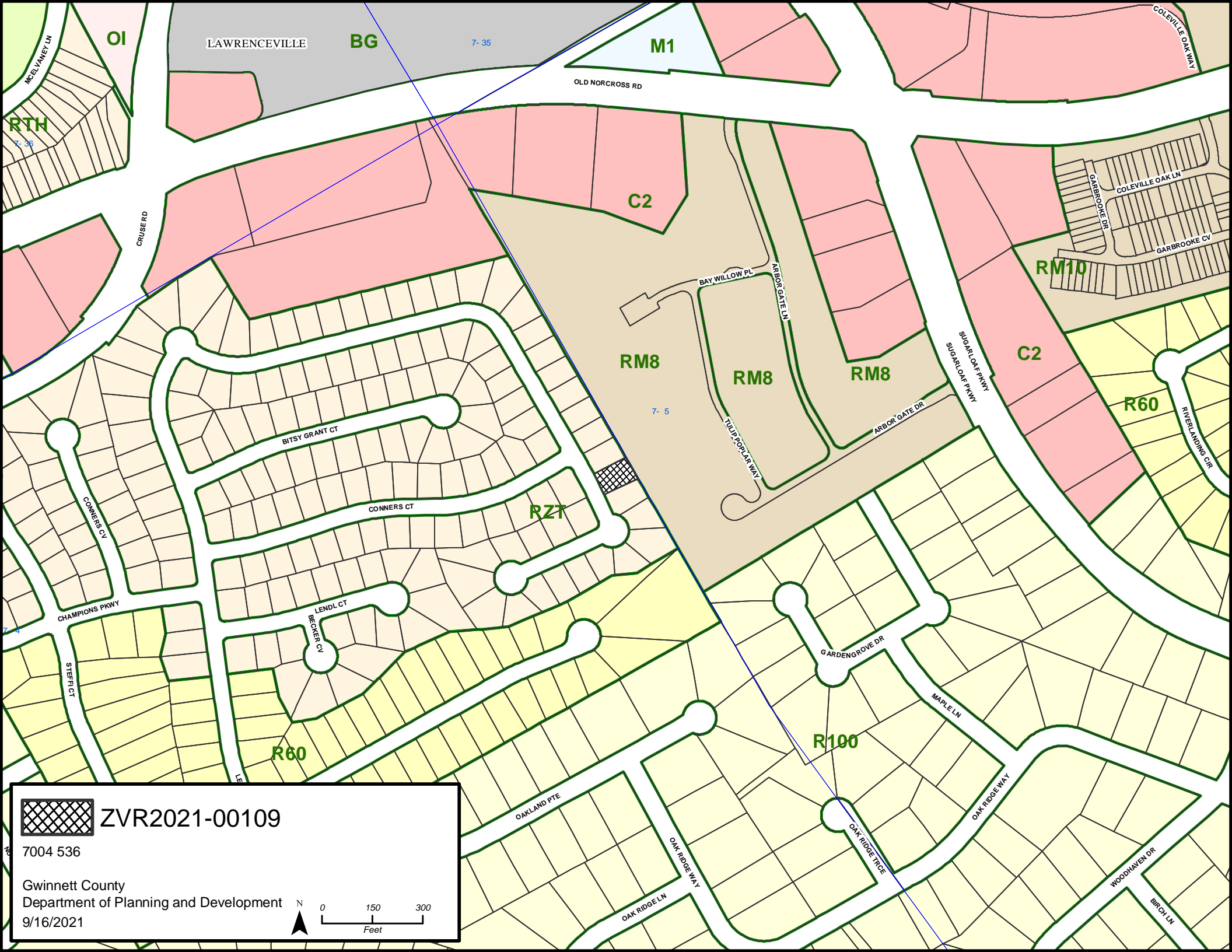


ZVR2021-00109

7004 536

Gwinnett County
Department of Planning and Development
9/16/2021

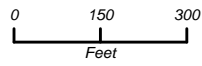




ZVR2021-00109

7004 536

Gwinnett County
Department of Planning and Development
9/16/2021





August 18, 2021

Dirk Heyns
2231 Lakeway Dr.
Dacula, GA 30019

RE: ZVR2021-00077

Dear Mr. Heyns:

This letter serves to confirm that at its regularly scheduled meeting on August 10, 2021, the Gwinnett County Zoning Board of Appeals **APPROVED WITH STAFF RECOMMENDED CONDITIONS** the referenced variance application with the following conditions:

1. The recreational vehicle shall be parked on a porous or grassed paving system in the side yard, a minimum of 10 feet from the side property line.
2. Provide vegetative screening to buffer view of vehicle from adjoining lot to the east and from the right-of-way. Screening plan to be submitted within 30 days of variance approval by the Zoning Board of Appeals and is subject to approval by the Director of Planning and Development.

The following variance was approved:

1. **Variance from Section 230-80.1.** to allow a 6-foot fence within the front setback line.

If you have any questions or concerns, please feel free to contact the Planning Division at P&D-PlanningZoning@GwinnettCounty.com or by phone at (678) 518-6000.

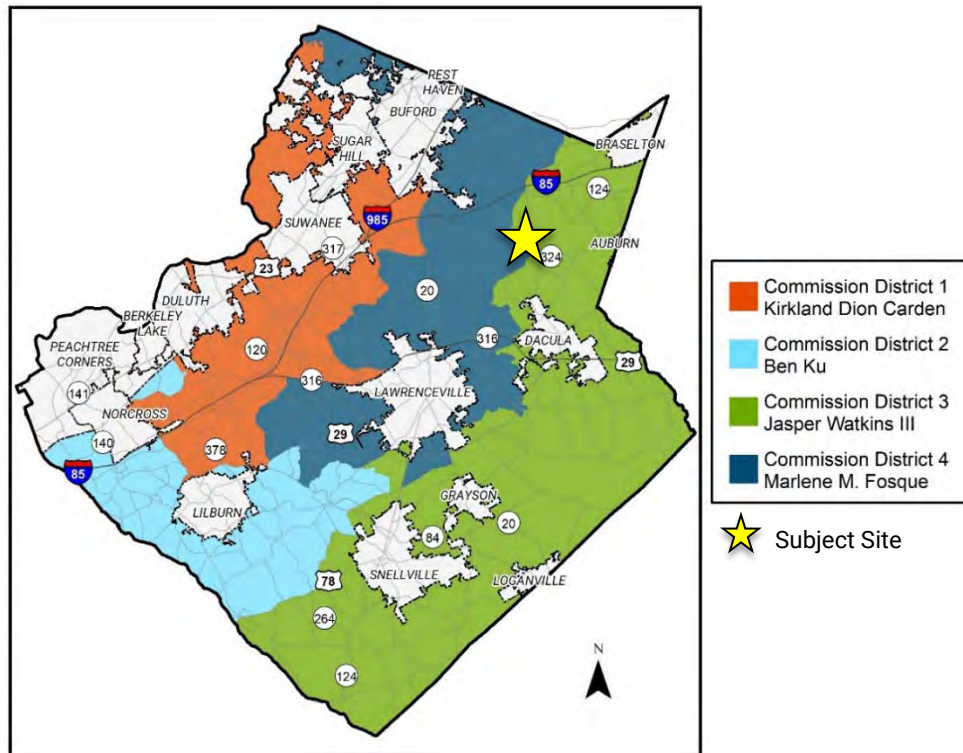
Sincerely,

Cyndi Sloan

Cyndi Sloan
Division Director

PLANNING AND DEVELOPMENT DEPARTMENT VARIANCE CASE REPORT

Case Number: ZVR2021-00077
Address: 2231 Lakeway Drive
Map Number: R3002A 101
Existing Zoning: R-100 (Single-Family Residence District)
Site Area: 0.92 acres
Proposed Development: Recreational Vehicle Parking Area
Commission District: District 3– Watkins
Request: Allow a recreational vehicle to be parked in the side yard



Location Map

Applicant: Dirk Heyns
2231 Lakeway Drive
Dacula, GA 30019

Owner: Katinka Heyns
2231 Lakeway Drive
Dacula, GA 30019

Contact: Dirk Heyns

Contact Phone: 610.202.1728