



LAWRENCEVILLE

GEORGIA

BOARD OF APPEALS AGENDA

Tuesday, April 23, 2019
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

New Business

Discussion on variance requests will be limited to 10 minutes per side. Questions from Board of Appeals members and the resulting answers will not infringe on time limit.

- [1.](#) V-19-03, 202 East Crogan Street, Pleasant Paws (Richard Diegel)

Final Adjournment



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: BOARD OF APPEALS
AGENDA CATEGORY: NEW BUSINESS

Item: V-19-03, 202 East Crogan Street, Pleasant Paws (Richard Diegel)

Department: Planning and Development

Date of Meeting: Tuesday, April 23, 2019

Applicant Request: Variance to allow an encroachment into the front yard setbacks

Presented By: Todd Hargrave

Department Recommendation: N/A

Summary: Variance to allow an encroachment into the front yard setbacks

Attachments/Exhibits:
Report
Attachment

**CITY OF LAWRENCEVILLE
PLANNING AND DEVELOPMENT DEPARTMENT
VARIANCE REPORT**

VARIANCE CASE NUMBER: V-19-03

PROPERTY OWNER: RC Investment Group, LLC

APPLICANT NAME: Pleasant Paws (Richard Diegel)

PROPERTY IN QUESTION: 202 East Crogan Street

PARCEL ID NUMBER : 5-174-010

PRESENT ZONING: BG (General Business District)

ORDINANCE SECTION AFFECTED: Zoning Ordinance, Article VII, BG General Business, Section 7.9, Space Limits

VARIANCE TO ALLOW: Encroachment on the Building Front Setback.

VARIANCE:

To authorize such variance from the terms of this Ordinance as will not be contrary to the public interest where, owing to special conditions and not to the intentional conduct of the requesting party, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship.

1. Are there special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district? Yes
2. Do the special conditions or circumstances result from the actions of the applicant? Yes
3. Are there uses of neighboring land, structures or buildings non-conforming and being used as a reason to grant the request? No.
4. Is the variance request the minimum deviation that will make possible the reasonable use of the land, structure or building? Yes
5. Will the granting of the request be in harmony with the general purpose and intent of the Zoning Ordinance? Yes
6. Will the granting of the request be injurious to the neighborhood? No

7. Will the granting of the request be detrimental to the public welfare? No

ANALYSIS:

The applicant request relief from the Zoning Ordinance, Article VII Section 7.9 space limits. The subject property is located at the northwest corner of East Crogan Street and Victor Street. The applicant intends to subdivide the parcel and use the southeastern tract for commercial retail service uses considered to be consistent with the Long Range Plans of the City of Lawrenceville.

The City of Lawrenceville 2040 Future Development Map indicates the property lies within the Neighborhood Mixed Use Character area. The vision for the Neighborhood Mixed Use character area is a center for local services that is walkable from nearby residential areas. Buildings should be oriented towards the street, with limited parking in front. Therefore, the requested variance could be considered to be consistent with the policies of the 2040 Comprehensive Plan.

Article VII, Section 7.9 of the Zoning Ordinance requires a 50-foot building setback from the front property line. The existing building encroaches on the required setback as a result of East Crogan Street being widened. Therefore, the applicant is requesting relief from the building setbacks where the property fronts along East Crogan Street.

Finally, the policies established by the City of Lawrenceville encourage the development of neighborhood-level services and destinations near residential areas and assisting local business in improving their storefronts. Therefore, allowing relief of the building setback could be considered to be the first step toward expanding local business connections to serve nearby neighborhoods.



LAWRENCEVILLE

GWINNETT • METRO ATLANTA

VARIANCE APPLICATION

APPLICANT: Pleasant Paws

PROPERTY OWNER: RC Group Inv. LLC

ADDRESS: 202 E. Crogan St
Lawrenceville GA 30046

ADDRESS: 202 East Crogan St.
Lawrenceville GA 30046

TELEPHONE NUMBER: 678-687-1775

TELEPHONE NUMBER: 678-598-1010

CONTACT PERSON: Richard Diegel

CONTACT PERSON PHONE NUMBER: 678-687-1775

EMAIL: rsdiegel@gmail.com

PROPERTY IN QUESTION

STREET ADDRESS: 202 E Crogan St. Lawrenceville GA 30046

PROPERTY IDENTIFICATION NUMBER: (TAX PARCEL NUMBER) R151741010

PRESENT ZONING: BG

VARIANCE(S) REQUESTED:

Setback - East Crogan ST.

SIGNATURE OF APPLICANT 3/15/19

Richard Diegel 3/15/19
TYPED OR PRINTED NAME DATE

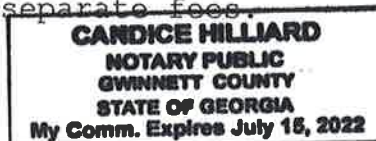
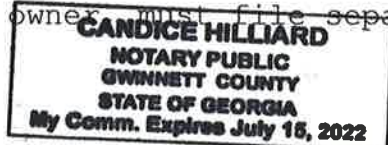
Candice Hilliard 3/15/19
NOTARY PUBLIC DATE

SIGNATURE OF PROPERTY OWNER RC Group INV. LLC, R/P/H/L -

Rustin Cash/LLC - 3-15-19
TYPED OR PRINTED NAME DATE

Candice Hilliard 3/15/19
NOTARY PUBLIC DATE

* If there are multiple landowners for one project, each owner must file an application form, however only one fee is required. Multiple projects with one owner must file separate applications, with separate fees.



V-19-03

RECEIVED Mar 1 2019



LAWRENCEVILLE

GWINNETT • METRO ATLANTA

please see letter attached

DEMONSTRATION QUESTIONNAIRE

Demonstrate the special conditions and circumstances that exist which are peculiar to the land, structure, or building for which the variance is being requested:

*when the building was initially built it was within
set back limits of the city, over time the road was
widened so the setbacks changed.*

Demonstrate that these special conditions or circumstances are unique to this property:

See Attached Survey.

Demonstrate that these special conditions or circumstances are not the result from actions of the applicant:

*we were not there at that time and we did not
build the road or building.*

Demonstrate that the variance requested is the minimum variance that will make possible the reasonable use of land, structure, or building:

See Attached Survey.

Demonstrate that the request is in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

See Attached Architect Letter and Survey.

RECEIVED MAR 15 20

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V-19-03



Lawrence Design Group

Architectural Construction Planning

Date March 15 2018
From Gordon Lawrence
To The Lawrenceville Zoning Board of Appeals
Re 202 E. Crogan Street, Lawrenceville, Ga. 30046,
Property Occupied by Richard Diegel and Pleasant Paws

Greetings Board Members.

On behalf of Richard Diegel, we write this letter to request a Zoning Variance for the subject property. The existing building has been on the property and a part of the downtown landscape for at least 30 years. For some reason the building was constructed within the required 50' front setback, and for this reason, we request a hardship variance.

To answer the required variance questions, the existing BG building does in fact create a special condition that is unique to the property. Obviously, an existing building was a condition that the owner did not create. Our request for variance seems to be a reasonable minimum standard, in that we are not creating new structures in the intended setback area. We believe the variance request is in harmony with the nature of development in this area, and will not in any way be injurious to the future of downtown Lawrenceville. It should also be pointed out that the City has conflicting standards for some buildings in downtown, which require that they build up to the sidewalk with all parking in the rear. Obviously, there is no sense of encroachment in this case, and we therefore request your lenience in allowing us the privilege of serving the downtown community.

Thanks for your consideration.

RECEIVED MAR 15 2019

Legal Description

All that tract or parcel of land lying and being in Land Lot 174 of the 5th Land District, Gwinnett County, Georgia, containing 2.0753 acres according to a plat of survey prepared for Kay P. Grant by Lannes K. Burkhalter, Registered Land Surveyor, dated March 17, 1995 and recorded at Plat Book 66, Page 93-B, Gwinnett County, Georgia Records, which Plat is incorporated herein by reference and being more particularly described as follows:

To find the true point of beginning, begin at a point when an iron rod is set at the intersection of the Southwesterly right of way of Victor Street and the Northwesterly right of way of U.S. Highway 29 (Crogan Street) which is the true point of beginning, thence proceed along the Northwesterly right of way of U.S. Highway 29 (Crogan Street) in a Southwesterly direction a distance of 393.02 feet to an iron rod; thence proceed North 48 degrees 13 minutes 28 seconds West a distance of 156.27 feet to an axle found; thence proceed North 35 degrees 40 minutes 59 seconds East a distance of 97.91 feet to a point; thence proceed North 49 degrees 00 minutes 00 seconds West a distance of 100.42 feet to an iron rod; thence proceed North 36 degrees 58 minutes 59 seconds East a distance of 334.42 feet to a point along the Southwesterly right of way of Victor Street; thence proceed along the Southwesterly right of way of Victor Street a distance of 230.77 feet to an iron rod which is the true point of beginning.

R5174 010
202 E CROGAN STREET
LAWRENCEVILLE, GA 30046
65341.10 Sq. Feet
1.50 Acres
ZONING: BG

THIS BLOCK RESERVED FOR THE
 CLERK OF THE SUPERIOR COURT.

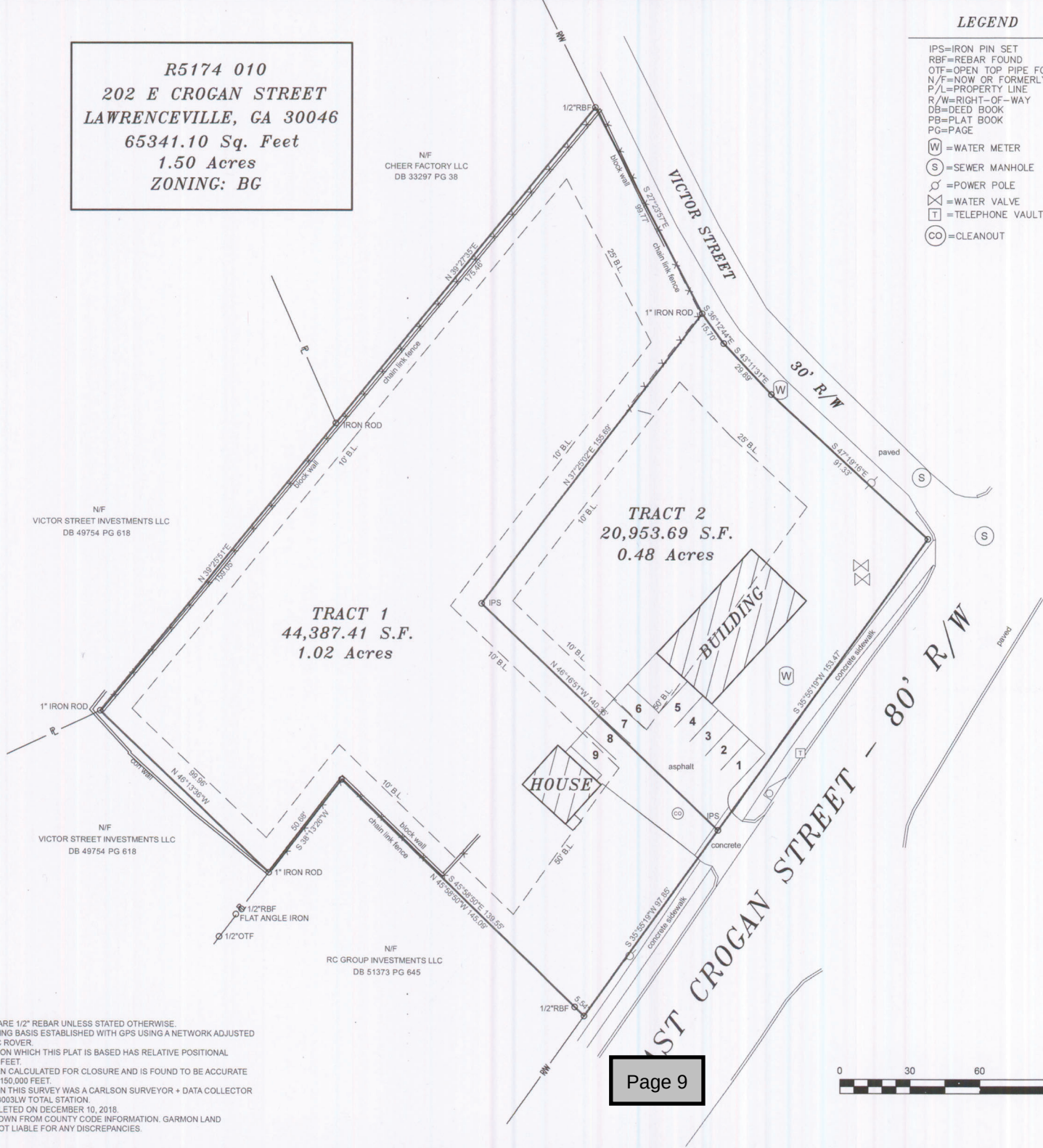
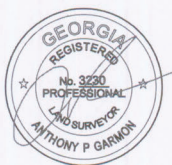


LEGEND

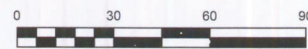
- IPS=IRON PIN SET
- RBF=REBAR FOUND
- O/F=OPEN TOP PIPE FOUND
- N/F=NOW OR FORMERLY
- P/L=PROPERTY LINE
- R/W=RIGHT-OF-WAY
- DB=DEED BOOK
- PB=PLAT BOOK
- PG=PAGE
- (W)=WATER METER
- (S)=SEWER MANHOLE
- (P)=POWER POLE
- (X)=WATER VALVE
- (T)=TELEPHONE VAULT
- (CO)=CLEANOUT

SURVEYOR CERTIFICATIONS

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. 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.



- NOTES**
1. ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
 2. SURVEY AND BEARING BASIS ESTABLISHED WITH GPS USING A NETWORK ADJUSTED REAL TIME KINEMATIC ROVER.
 3. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS RELATIVE POSITIONAL ACCURACY OF +/-0.03 FEET.
 4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 150,000 FEET.
 5. EQUIPMENT USED IN THIS SURVEY WAS A CARLSON SURVEYOR + DATA COLLECTOR AND A TOPCON GPT 3003LW TOTAL STATION.
 6. FIELD WORK COMPLETED ON DECEMBER 10, 2018.
 7. SETBACKS ARE SHOWN FROM COUNTY CODE INFORMATION. GARMON LAND SURVEYING, LLC IS NOT LIABLE FOR ANY DISCREPANCIES.



SURVEY FOR:		RICHARD DIEGEL	
LAND LOT:	DATE	 GARMON Land Surveying 1920 RAILROAD ST., STATHAM, GA 30666 678-726-7582 - garmonsurveying@gmail.com	
174	12/12/2018		
DISTRICT: 5	SCALE		
SECTION:	1"=30'		
COUNTY:	JOB NO.		
GWINNETT	2018-321	DRAWING NAME: 202 E CROGAN ST	



*The City of Lawrenceville
Planning & Development*

**Aerial Map and
Surrounding Area**
File # V-19-03

Applicant:
Pleasant Paws

Legend

-  Subject Property
-  Roads
-  Parcels



0 25 50
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*The City of Lawrenceville
Planning & Development*

Location Map and Surrounding Zoning File # V-19-03

Applicant:
Pleasant Paws

Legend

 Subject Property

 Roads

 Parcels

ZONING

 BG

 OI

 LM

