



# LAWRENCEVILLE

## GEORGIA

### BOARD OF APPEALS AGENDA

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Monday, July 12, 2021  
6:00 PM

Council Assembly Room  
70 S. Clayton St, GA 30046

#### **Call to Order**

#### **Approval of Agenda**

#### **Approval of Prior Meeting Minutes**

#### **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. VAR2021-00057; Patty Shupe; 115 Carriage Station Drive

#### **Final Adjournment**



# LAWRENCEVILLE

## GEORGIA

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

**Item:** VAR2021-00057; Patty Shupe; 115 Carriage Station Drive  
**Department:** Planning and Development  
**Date of Meeting:** Monday, July 12, 2021  
**Presented By:** Todd Hargrave, Planning and Development Director  
**Action Requested:** Consideration of variance

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**Summary:** The applicant requests the allowance of a pool (accessory structure) in the front yard.

**Attachments/Exhibits:**

- VAR2021-00057 Report
- VAR2021-00057 Attachments



# LAWRENCEVILLE

## GEORGIA

1.

WHEREAS, the City of Lawrenceville Board of Appeals held a duly advertised public hearing, with notice published in the Gwinnett Daily Post, the Official news Organ of the County, for a variance from the Zoning Ordinance, as described below and which is incorporated herein and made a part hereof by reference:

### CASE NUMBER: VAR2021-00057

<b>Appeal Description:</b>	Front Yard Building Setbacks
<b>Applicant Name:</b>	Patty Shupe
<b>Development Type:</b>	Residential
<b>Ordinance:</b>	Zoning Ordinance, Article 2 Supplemental Regulation
<b>Code Section:</b>	Section 200.3.1 Accessory Buildings and Structures
<b>Property Address:</b>	115 Carriage Station Drive
<b>Parcel #:</b>	R5114 400

The applicant request a Variance to allow a pool to encroach into the required 50-foot front yard setback and the 75-foot undisturbed buffer.

The applicant proposes to build a pool on the front setback, the pool would be built to include a privacy fence. Due to the configuration of the parcel, the front of the property is the only option for the pool placement; disrupting the required undisturbed buffer due to the pond. Article 2 section 4, states that an accessory structure must be in the rear yard. However, the Planning and Development Department recommends approval of the request due to the hardship created from the configuration of the parcel.



# LAWRENCEVILLE

## GEORGIA

1.

### *Reading and Adoption*

Name	Title	Attendance	Vote	Motion To
Mark Burson	Chairman			
John Pentecost	Vice Chairman			
Richard Hall	Board Member			
Rory Johnson	Board Member			
Bill Perkins	Board Member			

***Date of Action:***

***Mover:***

***Seconder:***

***Vote Carried:***

***Action Taken:***

***Action Certified By:***

***Title:***

***Date:***



# LAWRENCEVILLE GEORGIA

1.

## VARIANCE APPLICATION

Variance applications may only be accepted for height, area and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance.

Applicant: Patty Shupe  
Address: 2353 Thompson  
Mill Rd Buford Dr.  
30519  
Telephone: 678-765-2596

Owner: Angie Simpkins  
Address: 115 Carriage Station Drive  
Lawrenceville, GA  
Telephone: \_\_\_\_\_

Contact person: Patty Shupe  
Contact telephone: 770-906-6041 Email: amazingscapesadm@yahoo.com

### PROPERTY IN QUESTION

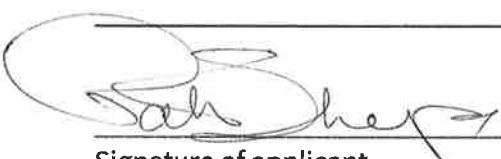
Street Address: 115 Carriage Station Drive Lawrenceville, GA

Property identification number: (Tax parcel number) R 5114 1400

Present zoning: Residential SFR

Variance(s) requested:

Install Swimming Pool in Sideyard

  
Signature of applicant

Date

Signature of property owner

Date

Patricia Shupe  
Printed name

Date

Angie Simpkins  
Printed name

Date

Notary public

Date

Notary public

Date

70 S Clayton St • PO Box 2200 • Lawrenceville, Georgia 30046-2200

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**VAR2021-00057**

# VARIANCE APPLICATION

The Undersigned is authorized to make this application and is aware that an application or reapplication for the same type of variance affecting the same land or portion thereof shall not be acted upon within the 12 months from the date of last action by the Zoning Board of Appeals unless waived by the Zoning Board of Appeals. An application or reapplication shall not be acted upon in less than 6 months from date of the last action (UDO section 270-70.1). Authorized administrative variances are not subject to this time lapse requirements (UDO Section 270-70.2).

I hereby certify that all statements made by me are true, complete and correct, to the best of my knowledge.

NOTARY SEAL



NOTARY SEAL



  
SIGNATURE OF APPLICANT

3/2/2021  
DATE

  
TYPED OR PRINTED APPLICANT NAME

  
SIGNATURE OF NOTARY PUBLIC

03/02/21  
DATE

  
SIGNATURE OF PROPERTY OWNER

3/2/21  
DATE

  
TYPED OR PRINTED PROPERTY OWNER

  
SIGNATURE OF NOTARY PUBLIC

3/2/21  
DATE

**NOTE:** Please submit the completed application and related documents to the Department of Planning and Development, Development Plan Review section. Failure to complete the application and/or to provide the necessary documentation may result in non-acceptance of the application.

\*\*\*\*\* Staff Use Only Below \*\*\*\*\*

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_ MRN: \_\_\_\_\_

Zoning District: \_\_\_\_\_ Hearing Date (for ZBA): \_\_\_\_\_ Commission District: \_\_\_\_\_

Variance Type: \_\_\_\_\_ Code Section: \_\_\_\_\_

Related Cases & Applicable Conditions: \_\_\_\_\_

Variance Description: \_\_\_\_\_

Approval: \_\_\_\_\_ Date: \_\_\_\_\_

(Administrative Variance Only)

Conditions: \_\_\_\_\_

Case Number: \_\_\_\_\_

Page 2 of 2

I hereby request a variance from the requirements of one or more of the following code(s):  Applicable Box

- International Building Code
- International Energy Conservation Code
- International Fuel Gas Code
- International Mechanical Code
- International Plumbing Code
- International Residential Code

- Gwinnett County Construction Code
- Georgia Accessibility Code
- International Fire Code
- NFPA National Electrical Code
- NFPA Life Safety Code
- Gwinnett County Fire Protection & Life Safety Ordinance

List Applicable Code Section(s): 100-232-120

Describe Proposed Alternatives: Placing/Installing Pool in Side yard of the house

**ADDITIONAL INFORMATION REQUIRED (attach to this application):**

- Attach to this application a **LETTER OF INTENT** to clearly explain in detail the requested variance and substantiate that acceptance of the variance will not be detrimental to the safeguard of life, health, property, and public welfare.
- Attach to this application a reproduced copy of the **APPLICABLE CODE SECTIONS**.
- Attach to this application **CONSTRUCTION DOCUMENTS OR OTHER PERTINENT INFORMATION** to clearly illustrate the conditions of the requested variance.

**APPLICANT CERTIFICATION**



John Shape  
Signature of Applicant

3/2/2021  
Date

Patricia Shape  
Typed or Printed Name

Operations  
Title

Mushtaq  
Signature of Notary Public

02/02/21  
Date

**PROPERTY OWNER CERTIFICATION**

Angie Simpkins  
Signature of Property Owner

3/2/21  
Date

Angie Simpkins  
Typed or Printed Name

Title

J. L. Brat  
Signature of Notary Public

3/2/21  
Date

**Gwinnett County Government Use Below Only**

Date Received \_\_\_\_\_ Received By \_\_\_\_\_ Hearing Date \_\_\_\_\_

Variance Case # **BCA** \_\_\_\_\_ District-Land Lot-Parcel (MRN) \_\_\_\_\_



1.

To Whom it may Concern,

It is our intent to install an inground swimming pool for Angie Simpkins and Rochelle Hamilton. They wish to install this pool to enjoy with their family and will be completely closed in with a privacy fence.

The property is a corner lot and the only location for this pool to be installed on their property is in the side yard. It is a large piece of property .79 acres but based on the location of the house the side yard is the only option. We have designed the pool so that the fence will be decorative from the street and not visible.

Our pool has less than 6 feet of pipe and equipment is located in a vault which is installed in the pool decking. The vault contains the pump, the salt cell, the relay and equipment control box.

The pool will be a 16'x32' with an "L" 12'x12'. Depth will be from 4' to 6' deep. No diving accessories.

Please call me with any additional questions you may have

Patricia Shup

Operations

2353 Thompson Mill Road Ste 102

Buford, Ga 30519

678-765-2596

1.

# CARRIAGE STATION HOMEOWNERS ASSOCIATION

865 CARRIAGE LAKE DRIVE

LAWRENCEVILLE, GEORGIA 30046

February 25, 2021

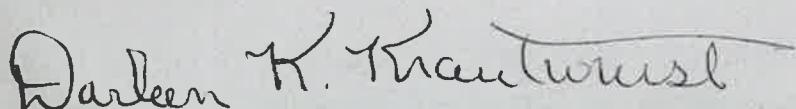
Dr. Angie Simpkins  
115 Carriage Station Drive  
Lawrenceville, Georgia 30046

Dear Angie,

I am writing to you with regard to your email of February 2, 2021, sent to Sandra Gustavson, HOA Treasurer, concerning the construction of swimming pools in the Carriage Station Subdivision. According to our Bylaws and Covenants, there are not any restrictions for constructing a swimming pool in this subdivision.

I hope this letter confirms the information needed. Please let me know if you need anything else.

Sincerely,



Darleen K. Krautwurst, Secretary  
Carriage Station Homeowners Association  
770-962-3673

Property at 115 Carriage Station Drive Lawrenceville, Ga. Lot 2, Carriage station Subdivision, Land lot 114, 5<sup>th</sup> district, Gwinnett County Georgia. Impervious surface area summary, Area sq FT, total lot 34,205, home 2827, drive/steps/concrete 1306, porch/deck 438, walls, 135. Total impervious 4706 percentage of coverage 13.8%. Starting at the NW of the property marker and indicated with the ½" rebar, at the corner of road of Carriage station Drive follow the property line S 36°03'57" W 238.70 between Alvarenga Moises Property and Simpkins property which continues to and past the pond at which there is a property line but actual rebar is placed 19.15' to the south west and marked with ½" rebar. This will be corner of properties for Alvarenga Moises, Sheila Y. Jackson and Angie Simpkins. Moving South 47°30'54" East 113.05' between Sheila Y. Jackson and Angie Simpkins property to the property marked with ½' Rebar at the corner of property and adjacent to Carriage lake Drive at Curve C3 arc length 109.86', radius 148.68' Chord Bearing N71°09'25E, Chord Length 108.38' to L2 S 87°42'42" E distance 4.20, curve C2 arc Length 18.34', Radius 12.00, Chord Bearing N48°49'17" W, Chord Length 16.61' passing the C2 curve follow property line N 0573'11" E 114.84' between Road - Carriage Station Drive and property 115 Carriage Station Drive for 114.84 NE to C1 arc length 114.36, radius 101.24' chord bearing N27°08'08'48" Chord length 108.38' to property point L1 N 59°30'30" W distance 25.72 continue to property marker with ½ rebar and beginning point.

THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENT (T(S), MAP(S), PLAT(S) OR OTHER INSTRUMENT(S) WHICH CREATED THE PARCEL(S) ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE. THE SURVEYOR CERTIFIES THAT THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT HIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT OCGA 15-6-7



FOR THE FIRM  
BOUNDARY ZONE, INC.  
LSP #839  
NOT VALID WITHOUT  
ORIGINAL SIGNATURE  
*J. F. Conroy* 05/  
L. F. CONROY PLS 22350 DA

ZONING SUMMARY: RS-180  
RESIDENTIAL

FRONT SETBACK: 50'  
SIDE SETBACK: 10'

INFORMATION OBTAINED FROM  
PLAT BOOK B7, PG 38

THE SURVEYOR IN NO WAY INTENDS TO  
INTERPRET OR MAKE CONCLUSION REGARDING  
THE ZONING AND SETBACK DESIGNATION SHOWN  
HEREON.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

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

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SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY  
WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

IMPERVIOUS SURFACE AREA SUMMARY	
AREA	SQ FT
TOTAL LOT	34,205
HOME	2,827
DRIVE/STEPS/CONC.	1,306
PORCH/DECK	438
WALLS	135
-	-
<b>TOTAL IMPERVIOUS COVERAGE</b>	<b>4,706</b>
<b>TOTAL % OF COVERAGE</b>	<b>13.8%</b>

BOUNDARY, TOPOGRAPHIC & TREE SURVEY  
PREPARED FOR: ANGIE SIMPKINS  
LOT 2, CARRIAGE STATION S/D  
LAND LOT 114, 5 TH DISTRICT,  
GWINNETT COUNTY, GEORGIA - 05/06/2021



GRID NORTH  
GA WEST NAD 83  
DATUM NAVD 88  
  
SCALE: 1"=30'

SCALE: 1"=30'



SUWANEE (770) 271-5772  
454 SATELLITE BLVD., SUITE 200  
SUWANEE, GA 30024

ATLANTA (404) 446-8180  
1100 PEACHTREE STREET, SUITE 200  
ATLANTA, GA 30309

KENNESAW (678) 730-4393  
125 TOWN PARK DRIVE, SUITE 300  
KENNESAW, GA 30144



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Page 11

