



# LAWRENCEVILLE

## GEORGIA

### BOARD OF APPEALS AGENDA

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Tuesday, June 25, 2019  
6:00 PM

Council Assembly Room  
70 S. Clayton St, GA 30046

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#### **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-19-05, V-19-06, V-19-07, Article X, Austin Smith
- [2.](#) V-19-08; Appeal to Alcohol Pouring Permit Denial; Jessica C. Widner

#### **Final Adjournment**



# LAWRENCEVILLE

## GEORGIA

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

**Item:** V-19-05, V-19-06, V-19-07; Article X, Signs; Austin Smith

**Department:** Planning and Development

**Date of Meeting:** Tuesday, June 25, 2019

**Fiscal Impact:** None

**Presented By:** Todd Hargrave

**Action Requested:** Consideration

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**Summary:** The applicant requests three variances for Article X for the ground signs at his property at 251 Hurricane Shoals Road. These include allowing the total existing sign height to exceed 12 feet, more than one sign at the property, and to allow the ground base sign base height ratio to be less than 1/3 of the total sign height.

**Attachments/Exhibits:**

Report  
Attachments



# LAWRENCEVILLE

## GEORGIA

### VARIANCE APPLICATION

APPLICANT: Austin Smith OWNER: C.E. Smith  
 ADDRESS: 550 Braselton Hwy ADDRESS: 955 Hi Hope Rd.  
30043 30043  
 TELEPHONE NUMBER: 678 863 1449 TELEPHONE NUMBER: 770 312 1133  
 CONTACT PERSON: Austin Smith  
 CONTACT PERSON PHONE NUMBER 678 863 1449

### PROPERTY IN QUESTION

STREET ADDRESS: 251 Hurricane Shoals Rd.  
 PROPERTY IDENTIFICATION NUMBER: (TAX PARCEL NUMBER) R7010 002A  
 PRESENT ZONING: \_\_\_\_\_

VARIANCE(S) REQUESTED: \_\_\_\_\_ Code section: 10.6  
Total sign height to exceed 12'

SIGNATURE OF APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

SIGNATURE OF OWNER \_\_\_\_\_ DATE \_\_\_\_\_

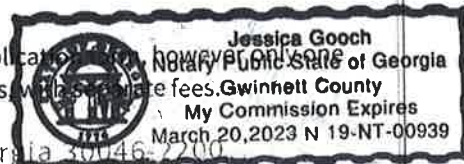
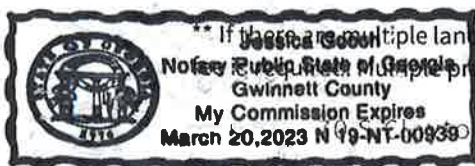
*This is a violation of my constitutional rights as a U.S. citizen.*

John 'Austin' Smith  
 TYPED OR PRINTED NAME \_\_\_\_\_ DATE \_\_\_\_\_

C.E. Smith  
 TYPED OR PRINTED NAME \_\_\_\_\_ DATE \_\_\_\_\_

Jessica Gooch 4/26/19  
 NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_

Jessica Gooch 4/26/19  
 NOTARY PUBLIC \_\_\_\_\_ DATE \_\_\_\_\_



\*\* If there are multiple land owners for one project, each owner must file an application. However, if there are multiple projects with one owner must file separate applications with separate fees.  
 Notary Public, State of Georgia, Gwinnett County, My Commission Expires March 20, 2023 N 19-NT-00939  
 St • PO Box 2200 • Lawrenceville, Georgia 30046-2200  
 770.963.2414 • www.lawrencevillega.org



# LAWRENCEVILLE

## GEORGIA

### VARIANCE APPLICATION

APPLICANT: Austin Smith OWNER: CE Smith  
ADDRESS: 550 Braselton Hwy ADDRESS: 955 Hi Hope Rd.

TELEPHONE NUMBER: 678 863 1449 TELEPHONE NUMBER: 770 312 1133

CONTACT PERSON: Austin Smith

CONTACT PERSON PHONE NUMBER 678 863 1449

### PROPERTY IN QUESTION

STREET ADDRESS: 251 Hurricane Shoals Rd.

PROPERTY IDENTIFICATION NUMBER: (TAX PARCEL NUMBER) R7010 002A  
1/1/1

PRESENT ZONING: BG

VARIANCE(S) REQUESTED: \_\_\_\_\_ Code section: 10.6  
Number of signs greater than one (1)

[Signature]  
SIGNATURE OF APPLICANT DATE

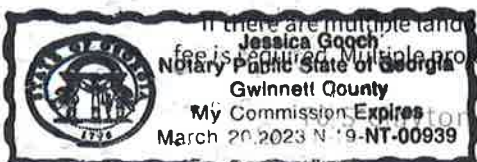
This is a violation of my constitutional rights as a U.S. Citizen.  
John A Smith  
TYPED OR PRINTED NAME DATE

[Signature]  
SIGNATURE OF OWNER DATE

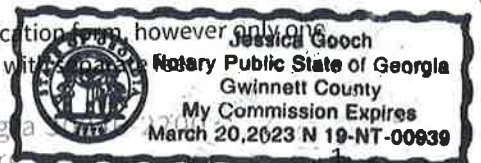
CE Smith  
TYPED OR PRINTED NAME DATE

Jessica Gooch 4/26/19  
NOTARY PUBLIC DATE

Jessica Gooch 4/26/19  
NOTARY PUBLIC DATE



If there are multiple land owners 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.  
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770.963.2414 • www.lawrencevillega.org





# LAWRENCEVILLE

## GEORGIA

### VARIANCE APPLICATION

APPLICANT: Austin Smith OWNER: C E Smith  
ADDRESS: 550 Braselton Hwy ADDRESS: 955 Hi-Hope Rd.  
30043 30043  
TELEPHONE NUMBER: 678 863 1449 TELEPHONE NUMBER: 770 312 1133  
CONTACT PERSON: Austin Smith  
CONTACT PERSON PHONE NUMBER 678 863 1449

### PROPERTY IN QUESTION

STREET ADDRESS: 251 Hurricane Shoals Rd. R7010 002A  
PROPERTY IDENTIFICATION NUMBER: (TAX PARCEL NUMBER) 1/1/1  
PRESENT ZONING: \_\_\_\_\_

VARIANCE(S) REQUESTED: \_\_\_\_\_ Code section: 10.6  
Sign base height ratio to be less than 1/3 of total sign height.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

This is a violation of my constitutional rights as a U.S. citizen.  
John Austin Smith

TYPED OR PRINTED NAME

DATE

C E Smith

TYPED OR PRINTED NAME

DATE

NOTARY PUBLIC

DATE

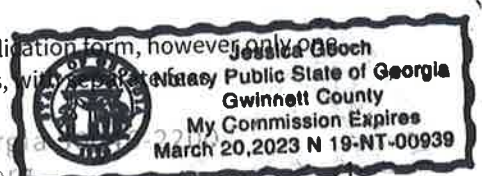
NOTARY PUBLIC

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.

Jessica Gooch  
Notary Public State of Georgia  
Gwinnett County  
My Commission Expires  
March 20, 2023 N 19-NT-00939

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# LAWRENCEVILLE

GEORGIA

## 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:

This request is so that we can update the  
existing sign that has been on the property since  
1987

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

There needs to be enough room to fit the  
signs, so that the businesses may advertise  
their place of business

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

Nothing is being change about the sign that  
was originally there with the building for  
32 yrs. We are trying to restore & update

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

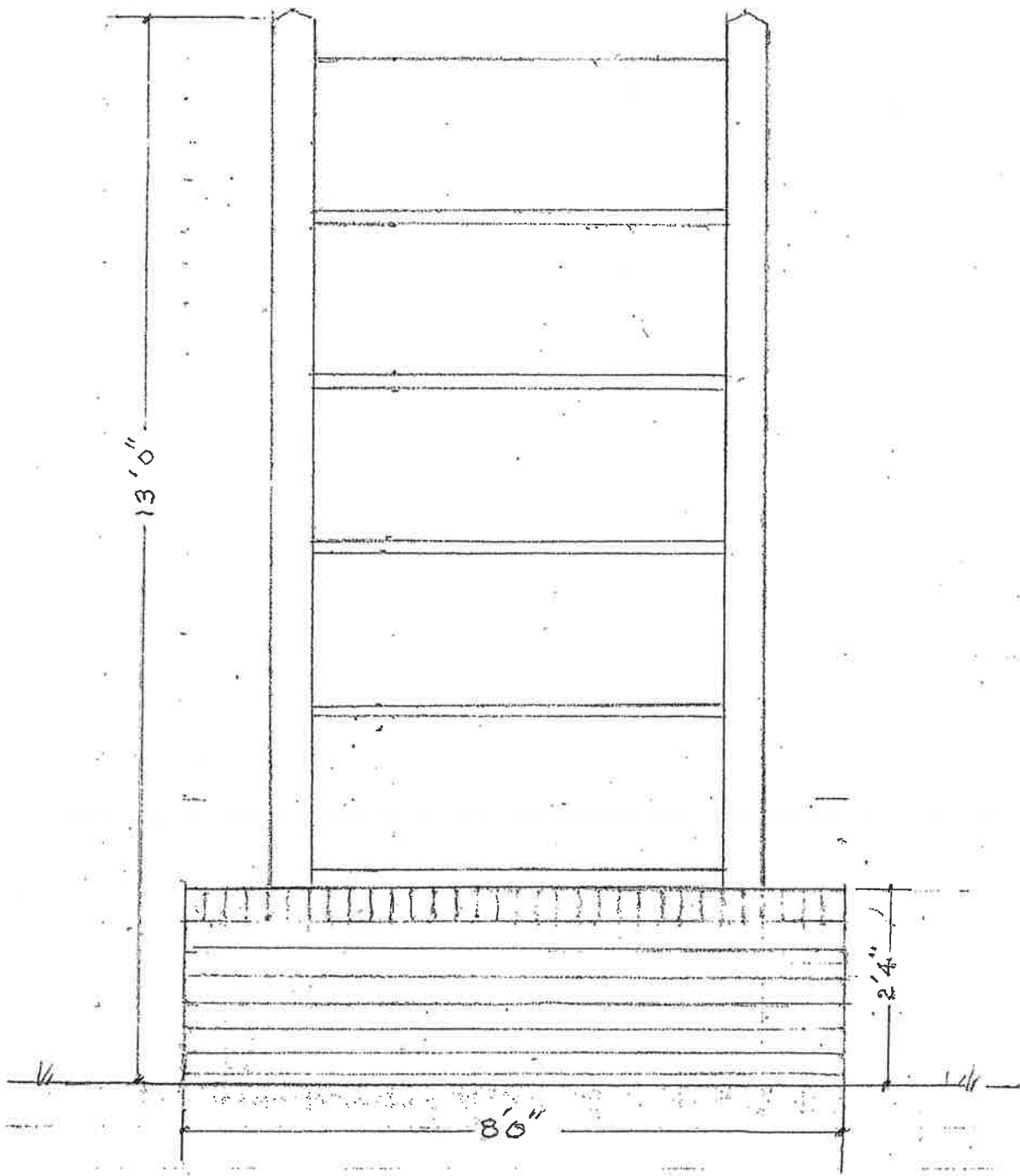
The extra foot of space will allow for  
the space needed to display the businesses  
signs.

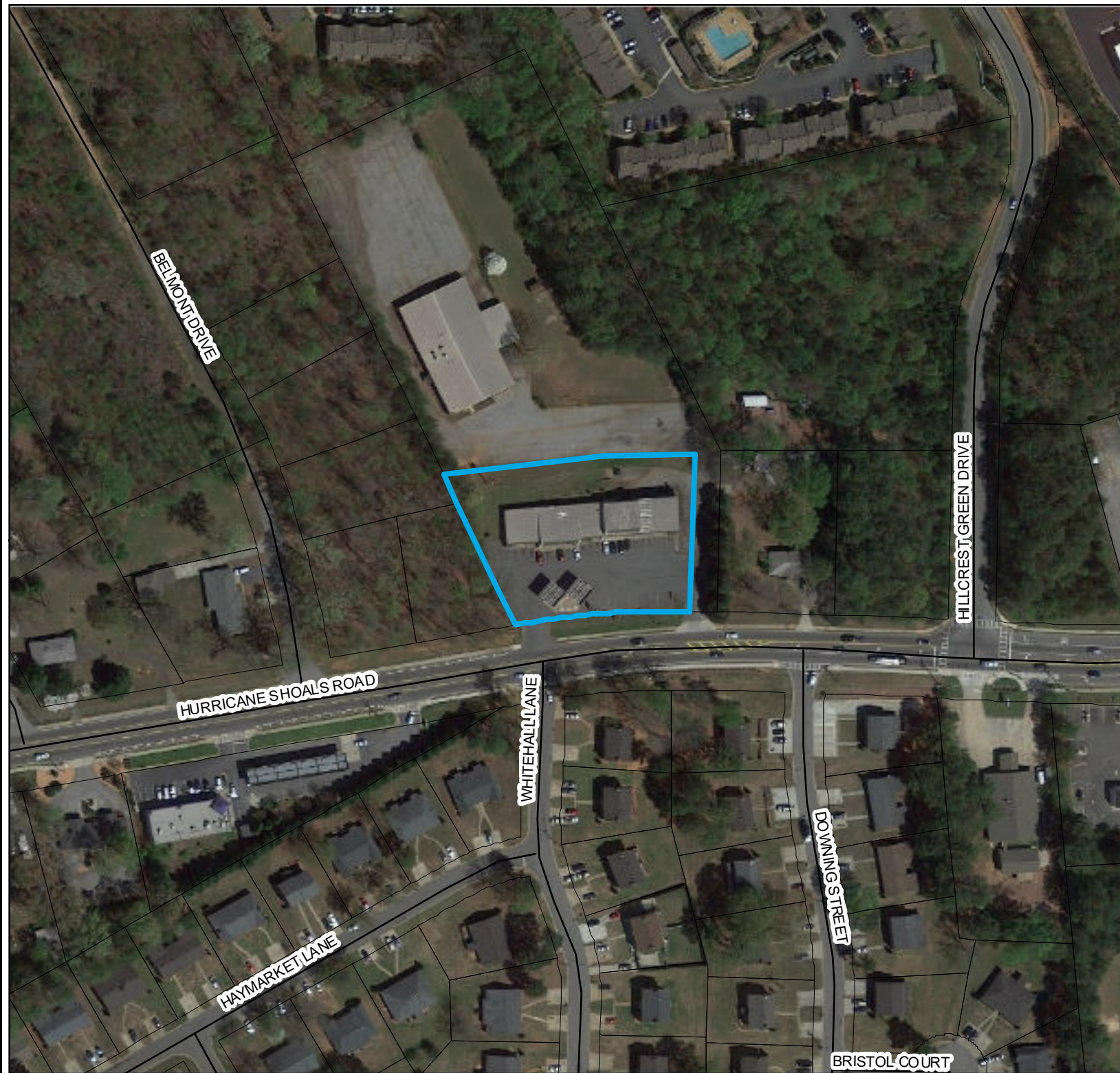
Demonstrate that the request is in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

It is to help the businesses in the neighborhood.  
The sign has existed without problems for 32 yrs.

All that tract or parcel of land laying and being in Land Lot 145 of the 5<sup>th</sup> District and Land Lot 10 of the 7<sup>th</sup> District of Gwinnett County, Georgia, containing 1.2226 acres according to a plat of survey for Gene Smith and Homer Ward prepared by Jick A. Page, Jr., Georgia Registered Land Surveyor No. 1894, dated December 29, 1986, revised December 30, 1986, being more particularly described according to said plat as follows:

Begin at an iron pin located on the northerly right of way of Hurricane Shoals Road (100 foot right of way) located a distance of 247.1 feet along said right of way in an easterly direction from its intersection with the 60 foot right of way of Belmont Drive: run thence along said right of way and following the curvature thereof an arc distance of 223.32 feet to a point (said arc being subtended by a chord of north 83°48'32" east a distance of 223.00 feet) ; thence leave said right of way north 00°16'07" east a distance of 195.22 feet to a point; thence south 87°40'20" west a distance of 116.50 feet to a point; thence south 82°15'03" west a distance of 203.42 feet to a point; thence south 27°01'00" east a distance of 210.0 feet to an iron pin located on the northerly right of way of Hurricane Shoals Road and the POINT OF BEGINNING.





*The City of Lawrenceville  
Planning & Development*

## Aerial Map and Surrounding Area File # V-19-06

**Applicant:**  
**Austin Smith**

### Legend

-  Subject Property
-  Roads
-  Parcels



0 50 100 200 Feet  




*The City of Lawrenceville  
Planning & Development*

## Location Map and Surrounding Zoning File # V-19-06

**Applicant:**  
Austin Smith

### Legend

 Subject Property

 Roads

 Parcels

### ZONING

 BG

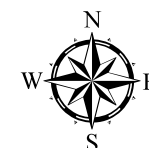
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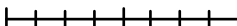
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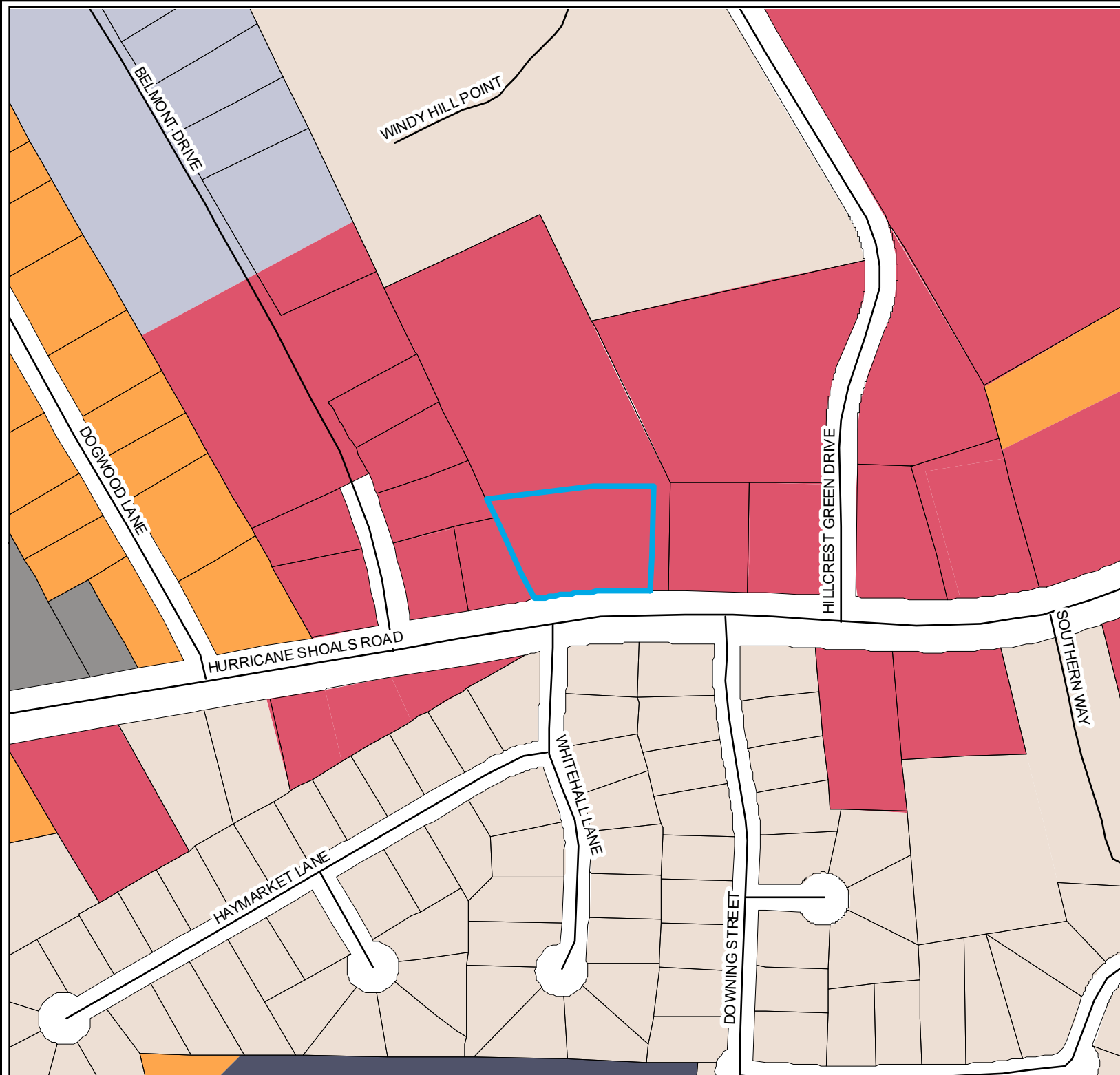
 HM

 RM-12

 RS150



0 75 150 300 Feet  




**CITY OF LAWRENCEVILLE  
PLANNING DEPARTMENT  
VARIANCE REPORT**

**VARIANCE CASE NUMBER:** V-19-05  
V-19-06  
V-19-07

**PROPERTY OWNER** C.E. SMITH

**APPLICANT NAME** AUSTIN SMITH

**PROPERTY IN QUESTION** 251 HURRICANE SHOALS ROAD

**PARCEL ID NUMBER** R7010 002A

**PRESENT ZONING** BG (GENERAL BUSINESS DISTRICT)

**ORDINANCE SECTION AFFECTED** Zoning Ordinance, Article X, Signs, Section 10.6 Sign Regulations.

**VARIANCE TO ALLOW** Relief from the maximum sign height, maximum number or signs per property, and the sign base height ratio.

**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? No.
2. Do the special conditions or circumstances result from the actions of the applicant? No.
3. Are there uses of neighboring land, structures or buildings non-conforming and being used as a reason to grant the request? Yes.
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? No.
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 X, Signs, Section 10.6 Sign Regulations. The subject property is located north of Hurricane Shoals Road, west of its intersection with Hillcrest Green Drive NW. The applicant intends to continue to utilize a sign that has been in use since 1987.

Article X, Section 10.6 A(a)(i)(ii) of the Zoning Ordinance allows one sign per road frontage and when two are allowed, the distance between the signs shall be a minimum of 100 feet. Section 10.6 A(c)(2) specifies the height and width per sign: The maximum height of a ground sign shall be 12 feet, and the maximum width shall be sixteen 16 feet. The supporting base shall be at least eighteen 18 inches in height and shall be at least six inches wide on each side than the sign display area, including any frame. The sign to base ratio of any sign shall not exceed three to one (3:1). The existing signs are along the southern side of the property, and they do not significantly affect the amount of developable land. The applicant is requesting relief from the maximum sign height, maximum number or signs per property, and the sign base height ratio.



# LAWRENCEVILLE

## GEORGIA

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

**Item:** V-19-08; Appeal to Alcohol Pouring Permit Denial; Jessica C. Widner

**Department:** Planning and Development

**Date of Meeting:** Tuesday, June 25, 2019

**Fiscal Impact:** None

**Presented By:** Todd Hargrave

**Action Requested:** Consideration

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**Summary:** The applicant appeals the decision to deny the Alcohol Pouring Permit

**Attachments/Exhibits:**

April 24, 2019

Re: Jes Widner

To Whom It May Concern:

It is a genuine honor and privilege to write this letter in favor of Jes Widner obtaining a pouring permit. As a grateful member of AA and Jes's sponsor, I have had the opportunity to watch her surrender completely to a new way of living and blossom into the person she was always intended to be. I met Jes about a year and a half ago and have had the honor of witnessing what we like to call a complete psychic change: I met a frightened, broken soul who was willing to do whatever it took to live a full, useful life. In completely surrendering to a different way of living, she has gone from a selfish, self-centered individual to a selfless, strong woman who is always reaching out with a helping hand. She has and continues to try to make right the wrongs she had done in active addiction. She has accepted responsibility for all her past mistakes with dignity and grace. I understand that you have rules and standards regarding permitting someone to obtain a pouring permit, but I would ask you to look at all of Jes and not just the mistakes that appear in her background. That was her behavior not who she is.

If you know anything about us alcoholics and addicts, we don't usually have the ability to care about anyone but our pain. I have watched the beautiful transition from a scared, broken girl to a beautiful, whole woman. I sometimes find it difficult to sufficiently articulate the change in someone because it's something you must witness.

I kindly ask that you consider the Jes that I know when making your final decision about whether she may be allowed to continue working a job that she loves so she can provide for her son and continue to help others who are lost. Jes not only is a strong, loving mother she is a strong, loving human being. She goes above and beyond to carry the message that WE DO RECOVER to the sick and suffering. She is always willing to lend a helping hand to anyone that asks while also maintaining balance in her life; which, as we all know is a true gift. She works and excels in her job. The remarkable thing about Jes is she makes it all seem effortless; helping others, spending time with her family, after school activities, alone time, etc. and she does it all with a smile on her face. Don't get me wrong, no one can do all that all the time with a smile, that's just not the way life works. But, when things come at her from all sides, she has the ability to remain calm in the chaos and always loving and tolerant of all involved. In case it isn't completely evident, I am a huge fan of Jes Widner, and I thank God, the Universe, whatever you want to call It, for crossing our paths.

I'll close with this. If I had a daughter, I would thank God if she were half the woman Jes is. I trust this woman completely and I know all the intimate details of her past mistakes and still would not hesitate to ask her to come to my house and watch my loved ones. Her struggle and freedom from that struggle is what gives her such a unique perspective and outlook on life.

I thank you for reading this. Please do not hesitate to contact me at (404) 914-5412 if you need further information.

Sincerely,

Kathleen Barrow  
2127 Marann Dr NE  
Atlanta, GA 30345

Lawrenceville Police Dept  
License and Permits.  
300 Jackson Street  
Lawrenceville, 30045 GA

4/24/2019

Re: Jessica Widner denial of a "Alcohol Pour Permit" appeal.

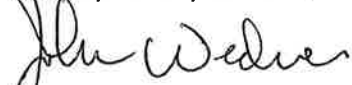
I am writing to discuss Jessica. I am fully aware of the information you gave her as to the denial of a permit. I am her father, and I lived thru every incidence listed, every search she and we all made to obtain help for her, the sleepless nights we all had during her "Dark Period". I am also fully aware of the need to have rules and boundaries.

While I saw her go thru and was along for the journey often, trying to help, that part of her life is past in my honest opinion. The circumstances of those are what they are. There is no way to condone or excuse them. I am aware of that. In the past 13-14 months, I have seen her turn the corner on her past lifestyle. She entered into the sober living and excelled, finally. She secured a job close to her living space, she excelled at serving, quickly learned and excelled at bar tending and was given the responsibility of being a "key" and alarm code holder and often with managerial duties for and to inventory control, bank deposits, shift scheduling and hiring and termination responsibilities.

During her time at that sober living, she entered into NA and AA and found a stern, NO BS, but caring sponsor who took her thru all 12 steps, made her face her demons as such and realize what she had. She herself sponsored others as part of her own steps.

From the once destitute, often homeless person with basically nothing but her name left to her, she has become what we all knew she could. A grown up with a family and the responsibilities of such. She has income, which is actually pretty good for today, her bills are paid, and she occasionally has left over money for a few things to spoil family and herself with. She is starting to rebuild her life, paying her debts to those she owes and establishing a home and life for her family. Her son is what is called a micro-preemie (born 17 weeks premature, Less than 24 weeks of viability and he is AWESOME now) and she has worked with him, dealt with schools, doctors, Social security, with dedication, determination and has been the one to ensure HE was taken care of. Her employment change was to be closer to home and her son, work hours that allowed her more time with her family, and generally live a life that most of us have. Again, I know why there are rules, but I for one hope an appeal will not go unconsidered, as the opportunities it can open for her will only enhance and enrich her life and those she is connected to. (As I understand, her presence in that environment has helped 2 others seek help for the same affliction, having seen if SHE could do it, they could to)

Thank you for your time.



John Widner  
3181 Summer Wood Cir  
Snellville Ga 30039  
404-353-5160



4/26/19.

To Whom it may concern,

Jessica Widner is a valued employee here it at McCray's Tavern in Lawrenceville. We understand the rules that may prohibit her from obtaining the pouring permit, but she has shown strength in sobriety. Her past record is a direct reflection of active addiction, which she is no longer active in that aspect. Her work ethic goes above and beyond what is expected of her. It would greatly benefit the company to continue having her on board. Please take this into consideration when reviewing her appeal to obtain her permit. If you have any further questions, please feel free to reach out to me personally. Thank you in advance.

Sincerely,

Kimberly Beuchert

KB   
127-563-6740

To Whom It May Concern:

4/30/2019

My name is Jessica Widner, and I applied for a pouring permit on April 17th. It was denied due to the fact of my record. I am currently in sobriety, having almost 13 months clean and sober. I am actively involved in Alcoholics Anonymous, I have a sponsor that I have worked all 12 steps with, and I still call her on a daily basis. There is no excusing my actions for the charges I have, but they were a direct result of my active addiction. I live today as openly and honest as I can, and I work hard to maintain my sobriety. I have excelled in all the jobs I have had since becoming sober, and I am finally getting back to be the woman I was before addiction. I provide for my family, have a relationship with my family, and am the best mother I can be to my beautiful son. The pouring permit will allow me to provide for my family and keep me busy in my recovery and life. Please take this into consideration when reviewing my appeal.

I also have letters from my father and sponsor.

Thank you,  
with regards,

Jessica Widner