



LAWRENCEVILLE

GEORGIA

BOARD OF APPEALS AGENDA

Monday, September 19, 2022
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Approval of Agenda

Approval of Prior Meeting Minutes

- [1.](#) Approval of Tuesday, January 18, 2022 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.

- [2.](#) VAR2022-00076; Timothy Gibson; 101 John Way
- [3.](#) VAR2022-00077; Laura Lockhart; 751 Leila Lane
- [4.](#) VAR2022-00078; Ba Nguyen; 951 Kenyan Court

Final Adjournment



LAWRENCEVILLE

GEORGIA

BOARD OF APPEALS MINUTES

Tuesday, January 18, 2022
6:00 PM

Council Assembly Room
70 S. Clayton St, GA 30046

Call to Order

Called to Order at 6 p.m.

PRESENT

Chairperson - Rory Johnson

Vice Chairperson - Richard Hall

Board Member - Cory Acuff

Board Member - Joseph Wise

Board Member - Steven Twombly

Approval of Agenda

Motion made **to AMEND the Agenda as PRESENTED to elect a Chairperson and Vice Chairperson** by Board Member Acuff, and Seconded by Board Member Twombly.

Voting Yea: Chairperson Johnson, Vice Chairperson Hall, Board Member Acuff, Board Member Wise, Board Member Twombly

Motion made **to APPROVE the Agenda as AMENDED** by Board Member Acuff, and Seconded by Board Member Twombly.

Voting Yea: Chairperson Johnson, Vice Chairperson Hall, Board Member Acuff, Board Member Wise, Board Member Twombly

New Business

APPL2021-00005; EPICS PLUS LLC; 377 W PIKE STREET, SUITE D8

Motion made **to APPROVE APPL2021-00005** by Board Member Wise, Seconded by Board Member Twombly

Voting Yea: Chairperson Johnson, Vice Chairperson Hall, Board Member Acuff, Board Member Wise, Board Member Twombly

VAR2021-00066; PAMELA KENT MORRISION; 766 HIGHLAND COURT

Motion made **to APPROVE VAR2021-00066** by Board Member Twombly, Seconded by Board Member Acuff

Voting Yea: Chairperson Johnson, Vice Chairperson Hall, Board Member Acuff, Board Member Wise, Board Member Twombly

Final Adjournment

Motion made **to Adjourn at 6:25 p.m.** by Vice Chairperson Hall, Seconded by Board Member Acuff

Voting Yea: Chairperson Johnson, Vice Chairperson Hall, Board Member Acuff, Board Member Wise, Board Member Twombly



LAWRENCEVILLE

GEORGIA

AGENDA REPORT
MEETING: BOARD OF APPEALS
AGENDA CATEGORY: APPROVAL OF PRIOR MEETING MINUTES

Item: Approval of Tuesday, January 18, 2022 Meeting Minutes

Department: Planning and Development

Date of Meeting: Tuesday, September 6, 2022

Applicant Request: Approval

Presented By: Todd Hargrave, Director of Planning and Development Department

Summary: Approval of Tuesday, January 18, 2022 Meeting Minutes

Attachments/Exhibits:

- PC MTNG MNUT_MUNICODE_01182022



LAWRENCEVILLE

GEORGIA

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

Item: VAR2022-00076; Timothy Gibson; 101 John Way

Department: Planning and Development Department

Date of Meeting: Monday, September 19, 2022

Applicant Request: Zoning Ordinance, Article 5, Parking, Section 504 Residential Parking and Driveways, Subsection A.2.

Presented By: Todd Hargrave, Director of the Planning and Development Department

Summary: A variance to allow an increase in the maximum driveway width of twenty-four (24) feet to a maximum driveway width of thirty-two (32) feet.

Attachments/Exhibits:

- VAR2022-00076_MUNICODE_08232022
- VAR2022-00076_RPRT_08232022
- VAR2022-00076_BNDY SRVY_06102022
- VAR2022-00076_ZO ART 5_08232022
- VAR2022-00076_SD PLT_08232022
- VAR2022-00076_APP_06102022



LAWRENCEVILLE

GEORGIA

VARIANCE ZONING ORDINANCE

CASE NUMBER: VAR2022-00076

Appeal Description:	Allow an increase in the maximum driveway width of twenty-four (24) feet to a maximum driveway width of thirty-two (32) feet.
Applicant Name:	Timothy Gibson
Development Type:	RS-180 (Single-Family Residential District)
Ordinance:	Zoning Ordinance
Code Section:	Article 5, Parking, Section 504 Residential Parking and Driveways, Subsection A.2.
Subdivision:	Cramac Plantation, Unit 1, Lot 1, Block "A"
Property Address:	101 John Way
Parcel #:	R5114 300

1. Zoning Ordinance, Article 5, Parking, Section 504 Residential Parking and Driveways A.2. reads as follows:

"One access drive per unit, a minimum width of 16 feet and a maximum width of 24 feet."

The applicant request a Variance to allow an increase in the maximum driveway width of twenty-four (24) feet to a maximum driveway width of thirty-two (32) feet.

Since 2020, the Code Enforcement Unit received five (5) complaints relating to impervious surface requirements, excess of vehicles parked on the site at any given time. On May 3, 2022, the applicant was informed of violations relating to impervious surface and an excess of vehicles parked at the site. After being informed of the infraction the applicant subsequently requested a variance to the rule as written in the Zoning Ordinance, Article 5, Parking, Section 501 Vehicle Parking Area, A. Residential Parking, 4.

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In addition, according to the Zoning Ordinance, Article 5 Parking, Section 504.A.6, the maximum Impervious Surfaces allowance in a front yard area shall be limited to thirty-five (35) percent. Based on the calculations provided by the applicant, the impervious surface coverage area in the front yard area is 12,131 square feet. As constructed, the existing and expanded driveway equals 1,818 square feet or fifteen (15) percent. Therefore, the existing and expanded driveway would be considered compliant with the rule.

The applicant expanded an existing driveway without the necessary approvals from the City of Lawrenceville Planning and Development Department. An application was submitted requesting a Building Permit (BLD2022-01921) to allow the expansion of an existing driveway to an overall width of thirty-one seven-tenths (31.7) feet.

Based on the calculations provided by the applicant the overall driveway width exceeds the maximum allowance of twenty-four (24) feet. Therefore, by rule an increase in the overall width is subject to the approval of a Variance.



LAWRENCEVILLE

GEORGIA

Reading and Adoption

<i>Name</i>	<i>Title</i>	<i>Attendance</i>	<i>Vote</i>	<i>Motion To</i>
<i>Rory Johnson</i>	<i>Chairman</i>			
<i>Richard Hall</i>	<i>Vice Chairman</i>			
<i>Cory Acuff</i>	<i>Board Member</i>			
<i>Joseph Wise</i>	<i>Board Member</i>			
<i>Steven Twombly</i>	<i>Board Member</i>			

<i>Date of Action:</i>	September 19, 2022
<i>Mover:</i>	
<i>Seconder:</i>	
<i>Vote Carried:</i>	
<i>Action Taken:</i>	
<i>Action Certified By:</i>	Todd Hargrave
<i>Title:</i>	Director, Planning and Development Department
<i>Date:</i>	September 19, 2022

FIELD DATA:

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.00 FEET.

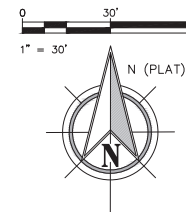
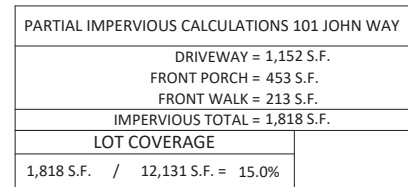
TOTAL AREA: 25,732 SQ FT, 0.591 AC

SURVEY DATA:

REFERENCE: PB 33 PG 27
PB 48 PG 180
DB 56834 PG 57

Line Table		
Line #	Length	Direction
L1	27.70	N74°50'17"W

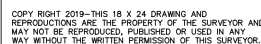
Curve Table				
Curve #	Length	Radius	Direction	Chord Length
C1	27.34	50.00	S75°42'16"E	27.00



	EOP	EDGE OF PAVEMENT (CURB)
	PWP	POWER POLE
	R/W	RIGHT OF WAY
	IPF	IRON PIN FOUND
	ISW	1/2" REBAR SET
	SWS	SIDE WALK
	BOLLARD	
	OHP	OVERHEAD POWER
	FH	FIRE HYDRANT
	CB	CATCH BASIN
	MH	MANHOLE
	WM	WATER METER
	WV	WATER VALVE
	GV	GAS VALVE
	GM	GAS METER
	LP	LIGHT POLE
		CONCRETE PAD
	TBX	TELEPHONE MARKER
	AC	AIR CONDITIONER UNIT
	MB	MAIL BOX

LAWRENCEVILLE HIGHWAY
U.S. HIGHWAY NO. 29
(100' R/W)

2022-00076, JUDY SRVY_06102022

[illegible]

BOUNDARY SURVEY FOR
TIMOTHY GIBSON
101 JOHN WAY, LAWRENCEVILLE, GEORGIA 30046

LOT 1, BLOCK A, UNIT 1, CRAMAC PLANTATION
LAND LOT 144 - 5TH DISTRICT, GWINNETT COUNTY, GEORGIA



Date:	4-26-22
Scale:	1" = 30'
Client:	TIMOTHY GIBSON
Drawn By:	
Sheet 1	

B. Commercial Parking

In all commercial or office zoning districts vehicles intended for delivery, service, or displaying advertising shall be parked within the side or rear yard area and shall be prohibited from being parked within a front yard area without moving over a 24-hour period.

502 Required Off-Street Parking and Loading

- A. All buildings, structures, and uses of land shall provide off-street parking and loading space in an amount sufficient to meet the demand caused by the building or use of land.
- B. Each use of land and each building or structure hereafter constructed or established, and each addition to a structure in excess of 300 square feet, except as herein provided, shall provide off-street parking and loading according to the standards set forth herein.
- C. When an addition is made to a building non-conforming to parking or loading requirements, a conforming amount of parking or loading spaces shall be supplied based upon the size of the addition.
- D. No addition to an existing building shall be constructed which reduces the number of spaces, area, or usability of existing parking or loading space unless such building and its addition conform with the regulations for parking and loading contained herein.

503 Paving of Surfaces

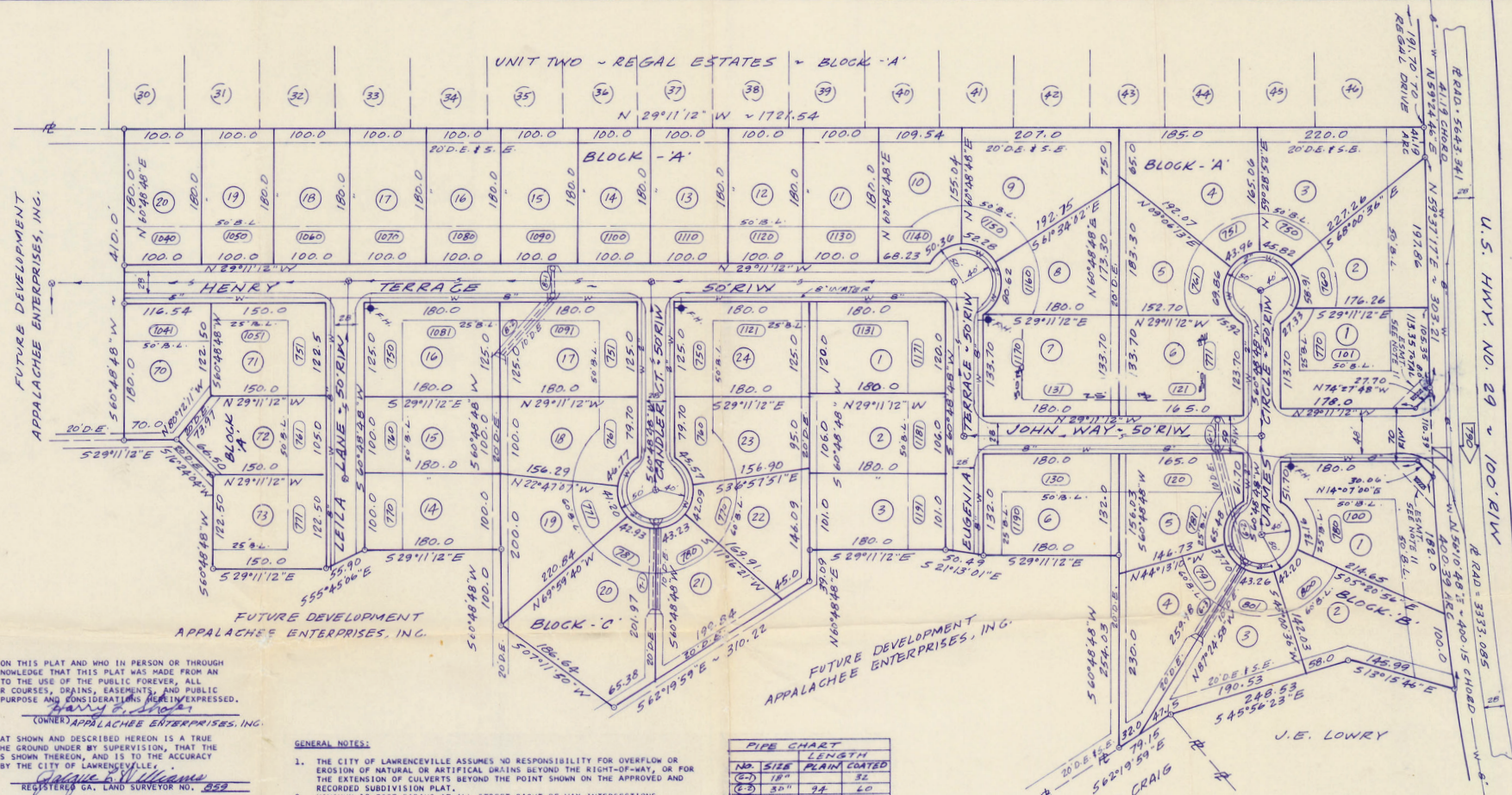
- A. In any non-residential district, the parking of any vehicle on other than an approved hard surface (or other system approved by the Director of Planning and Development) is prohibited.
- B. All off-street parking and loading spaces, access, and aisles shall be provided with an approved hard surface in all nonresidential zoning classifications.
- C. Porous asphalt or pervious concrete is encouraged to reduce surface water run-off. The use of such materials shall be approved by the Director of Planning and Development prior to installation.
- D. Parking on a graveled surface may be allowed in the LM and HM zoning classifications if authorized by a Special Use Permit approved by the City Council.

504 Residential Parking and Driveways

Access for each residential use shall be as follows:

- A. For single-family dwellings:
 - 1. Approved hard surface driveways shall be required for all residential uses.
 - 2. One access drive per unit, a minimum width of 16 feet and a maximum width of 24 feet.
 - 3. Driveways shall extend to, and provide access to, a carport or garage; or shall extend to the front plane of the principal residential structure on the lot.
 - 4. Driveways shall intersect perpendicular to the street, and may not extend along the street in a parallel fashion.
 - 5. Additional parking/vehicle turnaround pads shall be limited to one pad per lot no greater than 20 feet by 20 feet, and shall be setback at least 10 feet from the right-of-way.
 - 6. Impervious surfaces in the front yard area are limited to 35 percent. A variance shall be required for impervious surfaces exceeding 35 percent of the front yard area.

LOT AREA
NO. 34.84
1-A 25.784
2-A 24.365
3-A 27.041
4-A 24.961
5-A 18.210
6-A 21.792
7-A 24.000
8-A 19.645
9-A 21.753
10-A 18.999
11-A 18.000
12-A 18.000
13-A 18.000
14-A 18.000
15-A 18.000
16-A 18.000
17-A 18.000
18-A 18.000
19-A 18.000
20-A 18.000
21-A 22.219
22-A 22.125
23-A 22.367
24-A 23.010
25-A 21.077
26-A 23.724
27-A 21.600
28-A 19.880
29-A 18.180
30-A 18.000
31-A 22.520
32-A 22.520
33-A 22.520
34-A 22.520
35-A 22.520
36-A 22.520
37-A 22.520
38-A 22.520
39-A 22.520
40-A 22.520
41-A 22.520
42-A 22.520
43-A 22.520
44-A 22.520
45-A 22.520
46-A 22.520



OWNER'S ACKNOWLEDGEMENT
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHO IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGE THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES HEREON SHOWN FOR THE PURPOSE AND CONSIDERATIONS HEREIN EXPRESSED.

SURVEYOR'S ACKNOWLEDGEMENT
I HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, THAT THE MONUMENTS HAVE BEEN PLACED AS SHOWN THEREON, AND IS TO THE ACCURACY AND SPECIFICATIONS REQUIRED BY THE CITY OF LAWRENCEVILLE.

CERTIFICATION OF CITY
THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY AND IS APPROVED, SUBJECT TO THE INSTALLATION OF STREET, UTILITIES, AND OTHER IMPROVEMENTS IN AN ACCEPTABLE MANNER AND ACCORDING TO CITY SPECIFICATIONS. DATED THIS 11 DAY OF OCTOBER, 1985.

CERTIFICATION OF PLANNING DIRECTOR
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE MASTER PLAN, AND THE CITY OF LAWRENCEVILLE SUBDIVISION AND ZONING REGULATIONS, DATED THIS 11 DAY OF OCTOBER, 1985.

COUNTY FIRE DEPARTMENT APPROVAL
THIS PLAT HAS BEEN SUBMITTED TO AND REVIEWED BY THE WINNETT COUNTY FIRE DEPARTMENT AND IS APPROVED, SUBJECT TO INSTALLATION BEING SHOWN ON THIS PLAT. BY [Signature] DATE 9-17-85

CERTIFICATION OF PUBLIC WORKS DEPARTMENT
THIS PLAT HAS BEEN SUBMITTED TO AND REVIEWED BY THE PUBLIC WORKS DEPARTMENT OF THE CITY OF LAWRENCEVILLE AND IS APPROVED SUBJECT TO CONFORMANCE WITH CITY SPECIFICATIONS. DATED THIS 11 DAY OF OCTOBER, 1985.

- GENERAL NOTES:**
1. THE CITY OF LAWRENCEVILLE ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.
 2. MINIMUM 12 FOOT RADIUS AT ALL STREET RIGHT-OF-WAY INTERSECTIONS.
 3. THIS TRACT IS ZONED R-100.
 4. LOTS SHOWN ARE FOR SINGLE FAMILY USE ONLY.
 5. THIS TRACT CONTAINS 24.26 ACRES, AND THE TOTAL NUMBER OF LOTS IS 46.
 6. LOTS SHALL HAVE A MINIMUM OF 18,000 SQUARE FEET.
 7. ALL LOTS TO BE SERVED BY SANITARY SEWER.
 8. WATER, GAS AND POWER PROVIDED FOR BY THE CITY OF LAWRENCEVILLE.
 9. IRON PINS SET AT ALL LOT CORNERS.
 10. THIS TRACT IS NOT IN A SPECIAL FLOOD HAZARD AREA PER THE CITY OF LAWRENCEVILLE F.I.R.M. MAP NO. 130099.
 11. SUBDIVISION ENTRANCE SIGN EASEMENT, TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION.

NO.	SIZE	LENGTH
1	18"	32'
2	18"	32'
3	20"	60'
4	18"	115'
5	24"	82'
6	30"	100'

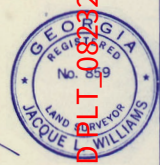
REVISION NO. 1 - JAN. 14, 1986
THE PURPOSE OF THIS REVISION IS TO REVISE LOTS 1 & 2 - BLOCK 'C'

REVISION NO. 2 - AUG. 6, 1986
RE ON LOTS 6 & 7 BLOCK 'A'

DEVELOPER:
APPALACHEE ENTERPRISES, INC.
973 BOB HANNAH CIRCLE
LAWRENCEVILLE, GEORGIA 30245
PH: 923-6984

GRAPHIC SCALE
0 50 100 200 300 400 500
PLAT RECORDED JANUARY 16, 1986 - RD. 34, PG. 66
PLAT RECORDED OCTOBER 11, 1985 - RD. 33, PG. 27

FINAL RECORD PLAT
UNIT ONE
CRAMAC PLANTATION
LAND LOT 114 ~ 5TH DISTRICT
WINNETT COUNTY, GEORGIA
CITY OF LAWRENCEVILLE
SURVEYED BY
LAND DEVELOPING CO.
1491 KINGS CROSSING
STONE MNT., GA. 30087
PH: 923-6691
SEPT. 13, 1985 ~ SCA
JAN. 14, 1986 (REVISION)





LAWRENCEVILLE

GEORGIA

VARIANCE APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Timothy Gibson</u>	NAME: <u>Timothy Gibson</u>
ADDRESS: <u>101 John Way</u>	ADDRESS: <u>101 John Way</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30046</u>
PHONE: <u>(678) 200-4505</u>	PHONE: <u>(678) 200-4505</u>
CONTACT PERSON: <u>Timothy Gibson</u> PHONE: <u>(678) 200-4505</u>	
CONTACT'S E-MAIL: <u>deenash87@yahoo.com</u>	
* If multiple property owners, each owner must file an application form or attach a list, however only one fee. Multiple projects with one owner, must file separate applications, with separate fees.	
ZONING DISTRICT(S): <u>RS-180</u> ACREAGE: _____	
PARCEL NUMBER(S): <u>511A 300</u>	
ADDRESS OF PROPERTY: <u>101 John Way Lawrenceville GA 30046</u>	
VARIANCE REQUEST: <u>driveway variance to exceed width of 24' completed driveway is 31.7'</u>	

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF OWNER

DATE

TYPED OR PRINTED NAME

TYPED OR PRINTED NAME

NOTARY PUBLIC

NOTARY PUBLIC

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R2022-00076_APP_06102022



LAWRENCEVILLE

GEORGIA

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL CITY OF LAWRENCEVILLE PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.

PARCEL I.D. NUMBER: 51 - 14 - 300
(Map Reference Number) District Land Lot Parcel

[Signature]
Signature of Applicant

6/7/22
Date

Timothy Gibson, owner
Type or Print Name and Title

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONER'S OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.

TAX COMMISSIONER'S USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Danielle Evans
NAME

Code Enforcement
TITLE

06/09/2022
DATE

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R2022-00076_APP_06102022



LAWRENCEVILLE

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DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? No

Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor of the City of Lawrenceville, a member of the City Council, or to a member of the Planning Commission of the City of Lawrenceville? No

Y/N

If the answer is yes, please complete the following section:

NAME OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions/gifts.

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R2022-00076_APP_06102022



LAWRENCEVILLE

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

Item: VAR2022-00077; Laura Lockhart; 751 Leila Lane

Department: Planning and Development Department

Date of Meeting: Monday, September 19, 2022

Applicant Request: Zoning Ordinance, Article 5, Parking, Section 501 Vehicle Parking Area, Subsection A.4.

Presented By: Todd Hargrave, Director of the Planning and Development Department

Summary: A variance to allow an increase in the total number of vehicles or vessels parked on a residential zoned parcel of land.

Attachments/Exhibits:

- VAR2022-00077_MUNICODE_08232022
- VAR2022-00077_RPRT_08232022
- VAR2022-00077_WVR_06172022
- VAR2022-00077_ZO ART 5_08232022
- VAR2022-00077_SD PLT_08232022
- VAR2022-00077_APP_06102022



LAWRENCEVILLE

GEORGIA

VARIANCE

CASE NUMBER: VAR2022-00077

Appeal Description:	Allow an increase in the total number of vehicles or vessels parked on a residential zoned parcel of land.
Applicant Name:	Harris Wilford, Laura Lockhart
Development Type:	RS-180 (Single-Family Residential District)
Ordinance:	Article 5, Parking
Code Section:	Section 501 Vehicle Parking Area, Subsection A.4.
Subdivision:	Cramac Plantation, Unit 1, Lot 71, Block "A"
Property Address:	751 Leila Lane
Parcel #:	R5114 279

1. Zoning Ordinance, Article 5, Parking, Section 501 Vehicle Parking Area, A. Residential Parking, 4. reads as follows:

"No more than four vehicles or vessels total, including those that may or may not be parked in a carport or garage, shall be parked, stopped, standing or stored on any parcel of land. Additional vehicles shall require the approval of variance."

The applicant request a Variance to allow an increase in the number of vehicles parked, stopped, standing or stored on a residential zoned parcel of land from four (4) vehicles to six (6) vehicles.

In 2018, the applicant obtained a *Code Enforcement Waiver Form* (see attached) from the City of Lawrenceville Planning and Development Department allowing six (6) vehicles be parked, stopped, standing or stored on a residential zoned parcel of land. Since 2018, the Code Enforcement Unit received eleven (11) complaints relating to definition of family, outdoor storage, overcrowding, property

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LAWRENCEVILLE

GEORGIA

maintenance and an excess of vehicles parked on the site at any given time, with one exception.

On May 24, 2020, the City Council adopted the *City of Lawrenceville Zoning Ordinance 2020* essentially nullifying administrative approval of variance request to increase the number of vehicle or vessel parked on a residential zoned parcel of land, which subsequently delegated responsibility of such request to the Board of Appeals.

On June 8, 2022, the Code Enforcement Unit received a complaint (CEU2022-05427) indicating the applicant allowed the parking of a commercial vehicle (bus) on the subject property. The initial investigation confirmed the validity of the complaint and the applicant was issued a Notice of Violation (NOV) with a compliance date of one week to remove the commercial vehicle. The applicant agreed to comply and removed the commercial vehicle in a timely manner.

On June 14, 2022, the Code Enforcement Unit received two (2) complaint (CEU2022-05448) claiming the site was in violation of the *Code of the City of Lawrenceville, Chapter 10, Article IV, Residential Occupancy Limitations*. The investigation lacked evidence supporting the claim, and the case was closed. However, the applicant was in violation of the terms of the 2018 *Code Enforcement Waiver Form*, which requires the applicant to notify the Planning and Development Department in the event “*any change in vehicles or valid drivers shall require the resubmission of a new Waiver Form.*” Therefore, the applicant’s oversight to abide by the terms of the waiver resulted with the Planning and Development Department voiding the *Code Enforcement Waiver Form* issued during the month of November of 2018.



LAWRENCEVILLE

GEORGIA

Reading and Adoption

Name	Title	Attendance	Vote	Motion To
Rory Johnson	Chairman			
Richard Hall	Vice Chairman			
Cory Acuff	Board Member			
Joseph Wise	Board Member			
Steven Twombly	Board Member			

Date of Action:	September 19, 2022
Mover:	
Seconder:	
Vote Carried:	
Action Taken:	
Action Certified By:	Todd Hargrave
Title:	Director, Planning and Development Department
Date:	September 19, 2022

Parking and Loading

500 Purpose

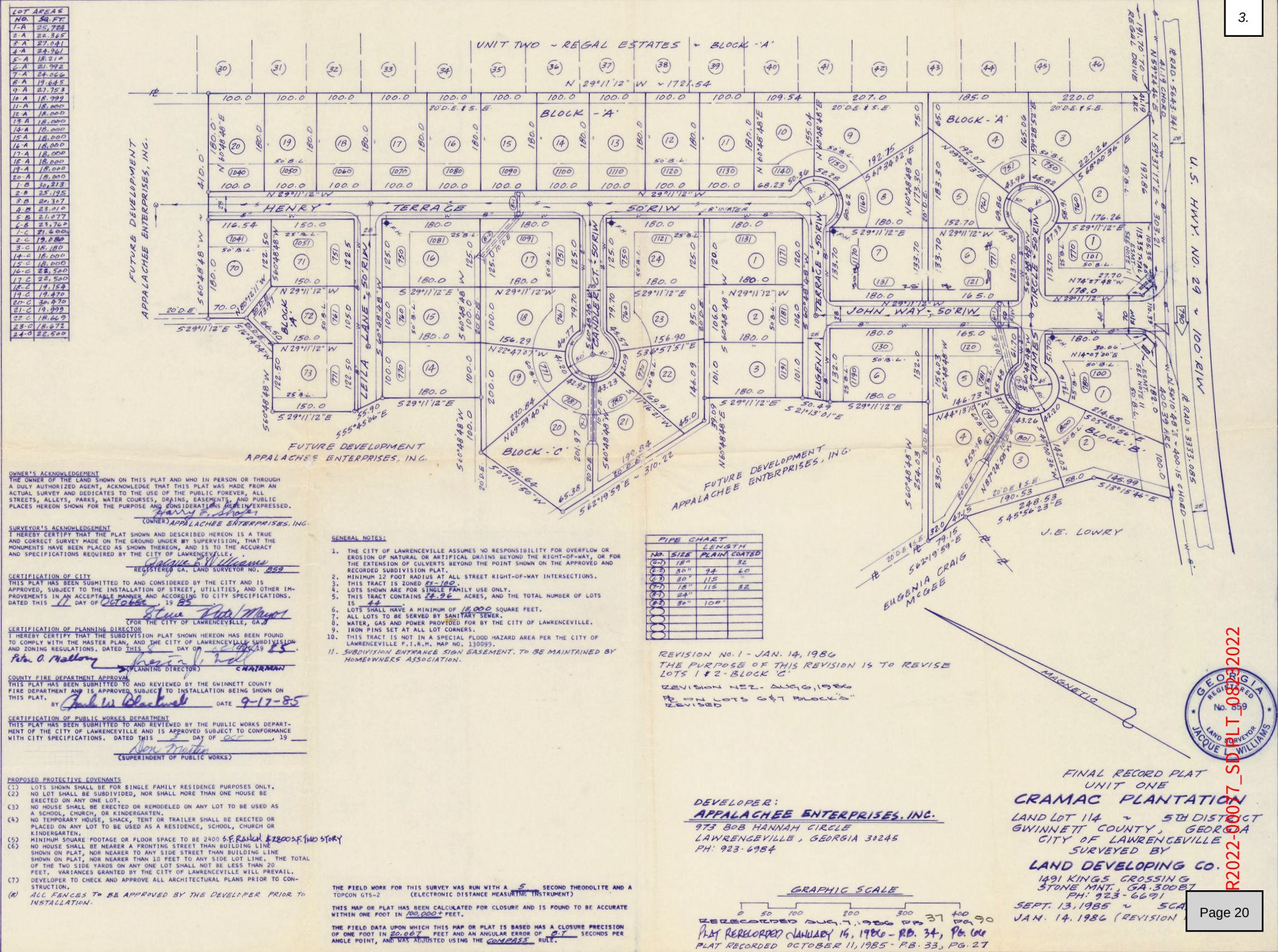
The purpose of this Article is to prevent or alleviate the congestion of the public street; to minimize any detrimental effects of off-street parking areas on adjacent properties; to enhance off-street parking areas with landscape elements for improved traffic circulation and visual amenities, and to promote the safety and welfare of the public.

501 Vehicle Parking Area

A. Residential Parking

In all residential zoning districts, the parking of the following vehicles are permitted:

1. Vehicle, Business; or Vehicle, Passenger Car, SUV, Truck, or Van; used to provide daily transportation to and from work;
2. Vehicle, Fully Autonomous Vehicle; Vehicle, Golf Car/Cart; Vehicle, Recreational; Vehicle Recreational Off-Highway Vehicle;
3. A Vehicle that is parked temporarily in conjunction with a commercial service, sale, or delivery; which may include, but not limited to any Vehicle, Bus; Vehicle Commercial; Vehicle, Former Military Motor Vehicle; Vehicle Limousine; Vehicle, Pole Trailer; Vehicle, Semitrailer; Vehicle, Special Mobile Equipment; Vehicle Taxicab; Vehicle, Tractor; Vehicle, Trailer; Vehicle, Truck, Vehicle Truck Tractor, Vehicle, Wrecker;
4. No more than four vehicles or vessels total, including those that may or may not be parked in a carport or garage, shall be parked, stopped, standing or stored on any parcel of land. Additional vehicles shall require the approval of variance.
5. In a residential district, the parking of any motor vehicle except on a hard-surfaced driveway or in carport or garage is prohibited.
6. Any recreational vehicle or non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard on an approved hard surface.
7. Any recreational vehicle or non-motor vehicle parked in the rear yard, not in a carport or an enclosed structure, must be parked on an approved hard surface at least 15 feet from the property line.
8. In all residential zoning districts, the parking of the following Vehicles shall be prohibited: Any vehicle for hire including but not limited to Vehicle, Bus; Vehicle Commercial; Vehicle, Former Military Motor Vehicle; Vehicle Limousine; Vehicle, Pole Trailer; Vehicle, Semitrailer; Vehicle, Special Mobile Equipment; Vehicle Taxicab; Vehicle, Tractor; Vehicle, Trailer; Vehicle, Truck; Vehicle, Truck Tractor, Vehicle, Wrecker;
9. In all residential zoning districts, the parking of any Vehicle over 20 feet in length; 7 feet in height; or 7 feet in width shall be prohibited; excluding Vehicle, Fully Autonomous Vehicle; Vehicle, Golf Car/Cart; Vehicle, Recreational; Vehicle Recreational Off-Highway Vehicle;
10. Vehicles used for agricultural purposes on residential property with 5-acres or more are permitted if parked outside the required front yard setback. Vehicles or equipment used for agricultural purposes on residential property with 5 or more acres are exempt from hard surface requirements if parked outside the required front setback.





LAWRENCEVILLE

Planning & Development

VARIANCE APPLICATION

☐

ADMINISTRATIVE

☐

BOARD OF APPEALS

☐

CITY COUNCIL

GENERAL INFORMATION

Unless otherwise provided for in the City of Lawrenceville Zoning Ordinance and Development Regulations, the Board of Appeals (BOA) and City Council has the authority to grant variances from the requirements of the Zoning Ordinance and Development Regulations, in accordance with the standards and procedures as set forth in the Zoning Ordinance, Article 9 Administration and Enforcement, and the Development Regulations, Article III Amendment to Drainage Regulations of 1989, Article VIII Floodplain Management Ordinance, Article XVIII Model Floodplain Management/Flood Damage Prevention Ordinance and Article XIX Model Stream Buffer Protection Ordinance.

The Director of the Planning and Development Department shall have the power to grant a variance (except for density and use) from the development standards of the Zoning Ordinance where, in their opinion, the intent of the Zoning Ordinance can be achieved and equal performance obtained by granting a variance. The authority to grant such a variance shall be limited from the following requirements: 1. Front Yard or Yard adjacent to a public street - variance not to exceed ten (10) feet; 2. Side Yard - variance not to exceed five (5) feet; 3. Rear Yard - variance not to exceed ten (10) feet.

APPLICANT INFORMATION

APPLICANT NAME: Hamis Wilford Laura Lockhart
 EMAIL: By: Laura Lockhart@gmail.com 404 883-9848
 STREET ADDRESS: 751 Leila Lane SUITE:
 CITY: Lawrenceville STATE: GA ZIP CODE: 30046

SIGNATURE OF APPLICANT:

DATE:

PROPERTY OWNER INFORMATION (as applicable)

PROPERTY OWNER NAME: Abraham Grey
 EMAIL: abraham@mmaat1.com PHONE: 404 290 3107
 STREET ADDRESS: 751 Leila Lane SUITE:
 CITY: Lawrenceville STATE: GA ZIP CODE: 30046

SIGNATURE OF PROPERTY OWNER:

DATE:

SITE INFORMATION

VARIANCE DESCRIPTION: This is for a renewal of a waiver given in 2018. Neighbors keep complaining about cars, but they are only cars of family members who live here.
 STREET ADDRESS: they are only cars of family members who live here. SUITE/UNIT:
 CITY: live here. STATE: ZIP CODE:

PIN: We are NOT selling cars + we are NOT a boarding house as proven to previous house check by City of Lawrenceville. BLOCK NO.:
 City of Lawrenceville • Planning and Development Department • 70 S. Clayton Street • Suite M76A • Lawrenceville, Georgia 30046
 Variance Application • Dated May 12, 2022

Also the only reason that the cars are different from the 2018 Form is because of trade-ins (its been 4 yrs) Contact me if more info is needed.

R2032-00077_APP_06172022



LAWRENCEVILLE

Planning & Development

3.

ZONING INFORMATION

The act or process of partitioning a city, town, or borough into zones reserved for different purposes (such as residence or business).

ZONING CLASSIFICATION:

ZONING CASE:

PRINCIPAL USE:

SECONDARY USE (AS APPLICABLE):

STANDARDS FOR GRANTING A VARIANCE

A variance shall not be granted unless evidence is presented supporting conclusions that the variance meet the following criteria:

- Arises from a condition that is unique and peculiar to the building, land, and structures involved.
- Is necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved would result in unnecessary hardship for the owner, lessee or occupants; as distinguished from a mere inconvenience, if the provisions of the Zoning Ordinance or Development Regulations literally enforced.
- The condition requiring the requested relief not ordinarily found in properties of the same zoning classification as the subject property.
- The condition is created by the regulations of the Zoning Ordinance or Development Regulations and not by action or actions of the property owner or the applicant.

- The granting of the variance will not 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.

We live in a home with 2 drive ways, we have 2 Adults + 5 children all of which have cars + 1 work car.

- The variance granted the minimum variance that will make possible the reasonable use of the building, land or structures.

4 cars in straight drive way
3 cars in front drive way -
We are NOT a car lot -

- Does the variance desired meet the general spirit and intent of Zoning Ordinance or Development Regulations and/or the purpose and intent of the City of Lawrenceville 2040 Comprehensive Plan?

Cars on original waiver have either been traded in for new cars, or they no longer live here (Divorce)

See back of pg



LAWRENCEVILLE

GEORGIA

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

Item: VAR2022-00078; Ba Nguyen; 951 Kenyan Court

Department: Planning and Development Department

Date of Meeting: Monday, September 19, 2022

Applicant Request: Zoning Ordinance, Article 5, Parking, Section 501 Vehicle Parking Area, Subsection A.4.

Presented By: Todd Hargrave, Director of the Planning and Development Department

Summary: A variance to allow an increase in the total number of vehicles or vessels parked on a residential zoned parcel of land.

Attachments/Exhibits:

- VAR2022-00078_MUNICODE_08232022
- VAR2022-00078_RPRT_08232022
- VAR2022-00078_STE PLN_07082022
- VAR2022-00078_LND SRVY_07082022
- VAR2022-00078_ZO ART 5_08232022
- VAR2022-00078_SD PLT_08232022
- VAR2022-00078_APP_07082022



LAWRENCEVILLE

GEORGIA

VARIANCE

CASE NUMBER: VAR2022-00078

Appeal Description:	Allow an increase in the total number of vehicles or vessels parked on a residential zoned parcel of land.
Applicant Name:	Ba Nguyen
Development Type:	RS-180 (Single-Family Residential District)
Ordinance:	Zoning Ordinance
Code Section:	Article 5, Parking, Section 501 Vehicle Parking Area, Subsection A.4.
Subdivision:	Cramac Plantation, Unit 2, Lot 64, Block "A"
Property Address:	951 Kenyan Court
Parcel #:	R5114 318

1. Zoning Ordinance, Article 5, Parking, Section 501 Vehicle Parking Area, A. Residential Parking, 4. reads as follows:

"No more than four vehicles or vessels total, including those that may or may not be parked in a carport or garage, shall be parked, stopped, standing or stored on any parcel of land. Additional vehicles shall require the approval of variance."

The applicant request a Variance to allow an increase in the number of vehicles parked, stopped, standing or stored on a residential zoned parcel of land from four (4) vehicles to six (6) vehicles.

On May 24, 2020, the City Council adopted the City of Lawrenceville Zoning Ordinance 2020 essentially nullifying administrative approval of variance request to increase the number of vehicle or vessel parked on a residential zoned parcel of land, which subsequently delegated responsibility of such request to the Board of Appeals.



LAWRENCEVILLE

GEORGIA

On April 5, 2022, the Planning and Development Department issued a Building Permit (BLD2022-01942) allowing the expansion of an existing driveway measuring sixteen (16) feet in width. According to the Zoning Ordinance, Article 5 Parking, Section 504.A.6., the maximum Impervious Surfaces allowance in a front yard area shall be limited to thirty-five (35) percent. Based on the calculations provided by the applicant, the impervious surface coverage area in the front yard area is 11,093 square feet. As constructed, the existing and expanded driveway equals 2,865 square feet or twenty-six (26) percent. Therefore, the existing and expanded driveway would be considered compliant with the rule.

On June 13, 2022, the Code Enforcement Unit received two (2) complaints (CEU2022-05442 & 05444) claiming an excessive number of vehicles were parked on the site. The initial investigation lacked evidence supporting the claim, and the cases were closed.

On June 14, 2022, the Code Enforcement Unit received a third complaint (CEU2022-05451) claiming an excessive number of vehicles were parked on the site. Further investigation validated the claim, and staff informed the applicant of their options; which are limited to compliance with the local ordinance or submit an application requesting a variance to allow more than four (4) vehicles on the site at any given time.

On July 7, 2022, the applicant submitted an application to the Planning and Development Department requesting relief from the rules and regulations of the City of Lawrenceville.



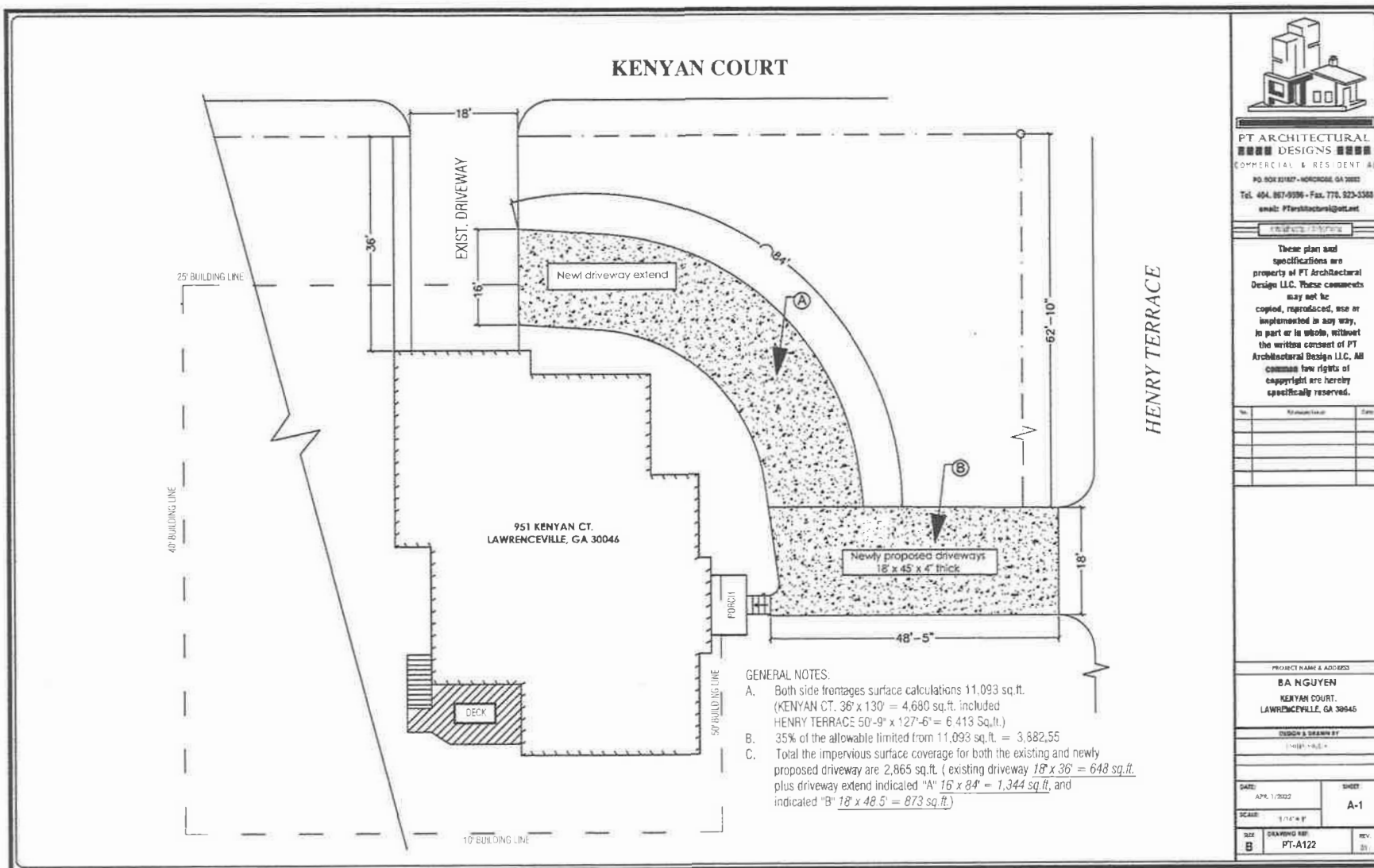
LAWRENCEVILLE

GEORGIA

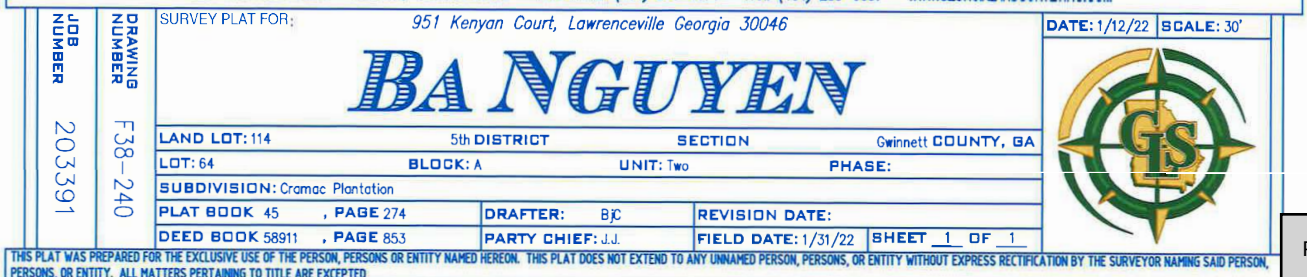
Reading and Adoption

<i>Name</i>	<i>Title</i>	<i>Attendance</i>	<i>Vote</i>	<i>Motion To</i>
<i>Rory Johnson</i>	<i>Chairman</i>			
<i>Richard Hall</i>	<i>Vice Chairman</i>			
<i>Cory Acuff</i>	<i>Board Member</i>			
<i>Joseph Wise</i>	<i>Board Member</i>			
<i>Steven Twombly</i>	<i>Board Member</i>			

<i>Date of Action:</i>	September 19, 2022
<i>Mover:</i>	
<i>Seconder:</i>	
<i>Vote Carried:</i>	
<i>Action Taken:</i>	
<i>Action Certified By:</i>	Todd Hargrave
<i>Title:</i>	Director, Planning and Development Department
<i>Date:</i>	September 19, 2022



R2022-00078_STE PLN_07082022



Parking and Loading

500 Purpose

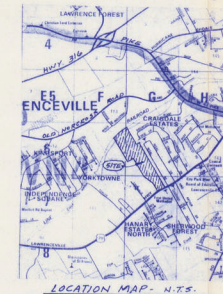
The purpose of this Article is to prevent or alleviate the congestion of the public street; to minimize any detrimental effects of off-street parking areas on adjacent properties; to enhance off-street parking areas with landscape elements for improved traffic circulation and visual amenities, and to promote the safety and welfare of the public.

501 Vehicle Parking Area

A. Residential Parking

In all residential zoning districts, the parking of the following vehicles are permitted:

1. Vehicle, Business; or Vehicle, Passenger Car, SUV, Truck, or Van; used to provide daily transportation to and from work;
2. Vehicle, Fully Autonomous Vehicle; Vehicle, Golf Car/Cart; Vehicle, Recreational; Vehicle Recreational Off-Highway Vehicle;
3. A Vehicle that is parked temporarily in conjunction with a commercial service, sale, or delivery; which may include, but not limited to any Vehicle, Bus; Vehicle Commercial; Vehicle, Former Military Motor Vehicle; Vehicle Limousine; Vehicle, Pole Trailer; Vehicle, Semitrailer; Vehicle, Special Mobile Equipment; Vehicle Taxicab; Vehicle, Tractor; Vehicle, Trailer; Vehicle, Truck, Vehicle Truck Tractor, Vehicle, Wrecker;
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9. In all residential zoning districts, the parking of any Vehicle over 20 feet in length; 7 feet in height; or 7 feet in width shall be prohibited; excluding Vehicle, Fully Autonomous Vehicle; Vehicle, Golf Car/Cart; Vehicle, Recreational; Vehicle Recreational Off-Highway Vehicle;
10. Vehicles used for agricultural purposes on residential property with 5-acres or more are permitted if parked outside the required front yard setback. Vehicles or equipment used for agricultural purposes on residential property with 5 or more acres are exempt from hard surface requirements if parked outside the required front setback.



GENERAL NOTES:

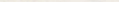
1. THE CITY OF LAWRENCEVILLE ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE RIGHT-OF-WAY, OR FOR THE EXTENSION OF CURBS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.
2. MINIMUM 12 FOOT RADII AT ALL STREET RIGHT-OF-WAY INTERSECTIONS.
3. LOT 15 IS ZONED RS-20 ACRES, AND THE TOTAL NUMBER OF LOTS IS 25.
4. LOTS SHOWN ARE FOR SINGLE FAMILY USE ONLY.
5. LOTS SHALL HAVE A MINIMUM OF 18,000 SQUARE FEET.
6. ALL LOTS TO BE SERVED BY SANITARY SEWER.
7. WATER, GAS AND POWER LINES TO BE LAYED OUT BY THE CITY OF LAWRENCEVILLE.
8. IRON PINS SET AT ALL LOT CORNERS.
9. THIS TRACT IS IN A SPECIAL FLOOD-HAZARD AREA PER THE CITY OF

SEPT. 14, 1987 ~ SCALE 1"=100
MARCH 23, 1988 (REV. NO. 1)
JULY 11, 1988 (REV. NO. 2)
MARCH 26, 1990 (REV. NO. 3)

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE
PRECISION OF ONE FOOT IN 20,067 FEET AND AN ANGLE ERROR OF 0.7
SECONDS PER ANGLE POINT. AND WAS ADJUSTED USING THE COMPASS RULE.



GRAPHIC SCALE



A horizontal line with vertical tick marks at intervals of 50 units. The numbers 0, 50, 100, 200, 300, and 400 are written below the line.



LAWRENCEVILLE

Planning & Development

4.

VARIANCE APPLICATION

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ADMINISTRATIVE

☐

BOARD OF APPEALS

☐

CITY COUNCIL

GENERAL INFORMATION

Unless otherwise provided for in the City of Lawrenceville Zoning Ordinance and Development Regulations, the Board of Appeals (BOA) and City Council has the authority to grant variances from the requirements of the Zoning Ordinance and Development Regulations, in accordance with the standards and procedures as set forth in the Zoning Ordinance, Article 9 Administration and Enforcement, and the Development Regulations, Article III Amendment to Drainage Regulations of 1989, Article VIII Floodplain Management Ordinance, Article XVIII Model Floodplain Management/Flood Damage Prevention Ordinance and Article XIX Model Stream Buffer Protection Ordinance.

The Director of the Planning and Development Department shall have the power to grant a variance (except for density and use) from the development standards of the Zoning Ordinance where, in their opinion, the intent of the Zoning Ordinance can be achieved and equal performance obtained by granting a variance. The authority to grant such a variance shall be limited from the following requirements: 1. Front Yard or Yard adjacent to a public street – variance not to exceed ten (10) feet; 2. Side Yard – variance not to exceed five (5) feet; 3. Rear Yard – variance not to exceed ten (10) feet.

APPLICANT INFORMATION

APPLICANT NAME: BA NGUYEN

EMAIL: Bhnghuyen0234@gmail.com

PHONE: 470-659-0013

STREET ADDRESS: 951 Kenyan Ct

SUITE:

CITY: Lawrenceville

STATE: GA

ZIP CODE: 30046

SIGNATURE OF APPLICANT:

DATE:

PROPERTY OWNER INFORMATION (as applicable)

PROPERTY OWNER NAME: BA NGUYEN

EMAIL: Bhnghuyen0234@gmail.com

PHONE: 470-659-0013

STREET ADDRESS: 951 Kenyan Ct

SUITE:

CITY: Lawrenceville

STATE: GA

ZIP CODE: 30046

SIGNATURE OF PROPERTY OWNER:

DATE:

SITE INFORMATION

VARIANCE DESCRIPTION: We request an increase in the maximum number of vehicles allowed on the property due to us having two driveways and needing the vehicles to go to work and use for work.

STREET ADDRESS: 951 Kenyan Ct

SUITE/UNIT #:

CITY: Lawrenceville

STATE: GA

ZIP CODE: 30046

PIN:

LOT NO.:

BLOCK NO.:

City of Lawrenceville • Planning and Development Department • 70 S. Clayton Street • Suite M76A • Lawrenceville, Georgia 30046

Variance Application • Dated May 12, 2022

R2022-00078, APP. 01002022



LAWRENCEVILLE

Planning & Development

4.

ZONING INFORMATION

The act or process of partitioning a city, town, or borough into zones reserved for different purposes (such as residence or business).

ZONING CLASSIFICATION:

ZONING CASE:

PRINCIPAL USE:

SECONDARY USE (AS APPLICABLE):

STANDARDS FOR GRANTING A VARIANCE

A variance shall not be granted unless evidence is presented supporting conclusions that the variance meet the following criteria:

- a. *Arises from a condition that is unique and peculiar to the building, land, and structures involved.*
- b. *Is necessary because the particular physical surroundings, the size, shape or topographical condition of the specific property involved would result in unnecessary hardship for the owner, lessee or occupants; as distinguished from a mere inconvenience, if the provisions of the Zoning Ordinance or Development Regulations literally enforced.*
- c. *The condition requiring the requested relief not ordinarily found in properties of the same zoning classification as the subject property.*
- d. *The condition is created by the regulations of the Zoning Ordinance or Development Regulations and not by action or actions of the property owner or the applicant.*
- e. *The granting of the variance will not 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.*
- f. *The variance granted the minimum variance that will make possible the reasonable use of the building, land or structures.*
- g. *Does the variance desired meet the general spirit and intent of Zoning Ordinance or Development Regulations and/or the purpose and intent of the City of Lawrenceville 2040 Comprehensive Plan?*



LAWRENCEVILLE

Planning & Development

4.

ADMINISTRATIVE VARIANCE CONSENT

The applicant listed below has requested an administrative variance from the Gwinnett County Unified Development Ordinance. As part of the application process, each owner of property sharing a common boundary with the subject property must consent to the granting of the variance. If adjoining property owners do not consent, the administrative variance application will not be accepted.

APPLICANT INFORMATION

PROPERTY OWNER NAME:

EMAIL:

PHONE:

STREET ADDRESS:

SUITE:

CITY:

STATE:

ZIP CODE:

DEVELOPMENT/SUBDIVISION NAME:

PIN:

LOT NO.:

BLOCK NO.:

DESCRIPTION OF REQUESTED VARIANCE:

ADJOINING PROPERTY OWNER INFORMATION

PROPERTY OWNER NAME:

EMAIL:

PHONE:

STREET ADDRESS:

SUITE:

CITY:

STATE:

ZIP CODE:

DEVELOPMENT/SUBDIVISION NAME:

PIN:

LOT NO.:

BLOCK NO.:

DO NOT OBJECT TO THE VAIANCE:

☐

OBJECT TO THE VARIANCE:

☐

COMMENTS (as applicable):

SIGNATURE OF OWNER

DATE

SWORN TO AND SUBSCRIBED BEFORE ME,

THIS

DAY OF

20

(SEAL)

NOTARY PUBLIC SIGNATURE

DATE