



# ADMINSTRATIVE VARIANCE APPLICATION

APPLICATION TO APPLY FOR AN ADMINSTRATIVE VARIANCE, SNELLVILLE GEORGIA

**City of Snellville**  
**Planning & Development Department**  
2342 Oak Road, 2<sup>nd</sup> Floor  
Snellville, GA 30078  
Phone 770.985.3514 Fax 770.985.3551 [www.snellville.org](http://www.snellville.org)

DATE RECEIVED: \_\_\_\_\_

**CASE # AV** \_\_\_\_\_

**Applicant** is: (check one)  
 Owner's Agent  
 Contract Purchaser  
 Property Owner

**Owner** (if not the applicant):  check here if there are additional property owners and attach additional sheets.

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number(s)

\_\_\_\_\_  
Fax

\_\_\_\_\_  
Phone Number(s)

\_\_\_\_\_  
Fax

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Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
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Property Address/Location: \_\_\_\_\_ Zoning District: \_\_\_\_\_ Tax Parcel No. : \_\_\_\_\_

Subdivision or Project Name: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Proposed Development: \_\_\_\_\_ Building Permit Number: \_\_\_\_\_

Per Sec. 103-8.1.A Administrative Variances, the Director of Planning and Development may modify the following standards during development review (check all that apply):

- Front yard or street side yard setback 5 feet maximum
- Rear yard setback 4 feet maximum
- Interior side yard setback 2 feet maximum
- Building Height 5 feet maximum (provided the maximum number of stories allowed may not be increased)
- Sidewalk setback 0 foot setback
- Side or rear yard. A variance for a zero foot setback may be granted when part of a commercial or mixed-use development and planned as a unit with similar architectural composition and not a miscellaneous assemblage of stores, provided however, that before any issuance of the variance, the applicant shall obtain written/notarized approval from the affected side and/or rear yard property owner(s).

B. The Director may also modify other standards as specifically provided in the UDO:

- Sign setback [207-6.6.C] 5 feet maximum
- Sign Area [207-6.6.C] 125% of base regulation size
- Temporary Use Permit (Waiver of 90-day "waiting period" between renewals) [206-9.5].
- General Architectural Standards (all zoning districts, except TCO, TC-MU, TC-R, MU and NR) [201-3].
- Enhanced Architectural Standards in the TCO, TC-MU, TC-R, MU and NR Districts [201-4-1.D].
- Towne Center Overlay Requirements [205-1.3].
- Parking Location Restrictions [205-1.11].
- Fence and Wall Locations [205-1.12].
- Fences in Front or Side (Street) Yards [207-2.3]
- Internet Auto Sales Broker [206-5.13.F].

B. The Director may also modify other standards as specifically provided in the UDO (continued):

- Roofed Accessory Structures Greater than 120 sq. ft. [206-8.26].
- Large Parking Facility Requirements [207-1.7.H].
- Screening of Off-Street Vehicle Loading Area [207-1.9].
- Driveways and Parking Surfacing [207-1.11].
- Minimum Buffer Strip Width Requirement [207-2].
- Screening of Roof-Mounted Equipment [207-2.2].
- Structures in Required Landscape Strips [207-3.2.D].
- Block Perimeter Requirements [403-3.2].
- Stub-out Street Requirement (TCO, TC-MU, TC-R, MU, and NR Districts) [401-3.4.C].
- Inter-parcel/Cross-access Requirement [401-3.4.H].
- Streetscape Requirements [401-4.1].
- Streetscape Design Standards [401-4.3].
- Stream Buffer and Setback Requirements for single-family lots of record platted before 5-23-2005 [403-1.4].
- Big Haynes Creek Stream Buffer and Setback Requirements [403-1.5].
  
- Other (describe): \_\_\_\_\_

C. Any other modification beyond those contained in item A or B above must be considered by the Board of Appeals as a variance or waiver.

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**Application Fee: \$100.00 per Variance Application**

### **103-8.2. Criteria for Approval**

The applicant must demonstrate, and the Director must find, that all of the following criteria are present when approving a request for an administrative variance:

- A. There are clear and compelling reasons that are not purely financial demonstrating that the required standard cannot be met;
- B. The variance is the minimum amount necessary to meet the objectives identified above; and
- C. The requested adjustment will not contravene the public interests or negatively impact adjoining properties.

## **SUBMITTAL REQUIREMENTS**

**PLEASE NOTE: Most Administrative Variance applications take 3 to 5 business days to process. Although not required, it helps to provide information about the distance and location of an existing structure on an adjacent lot, and whether or not it is occupied. If construction has already started and the setback error has already occurred, STOP ALL WORK IMMEDIATELY. Do not proceed with any additional construction until the error is resolved.**

Included in these guidelines are the informational requirements necessary to process an application. This documentation is important in demonstrating an “unnecessary hardship”. For example, if the hardship is due to severe topography, topographic information must be submitted. If the justification is due to the location of an easement, a survey showing the easement must be submitted. In some circumstances, photographs can be used to substantiate a hardship. The following items are necessary to process a Variance Application:

1. Application Form  
Please complete all portions of the form. The application must be signed and the signature notarized by both the applicant and the property owner. Incomplete applications cannot be processed.
2. Letter of Intent  
The Letter of Intent should explain, at a minimum, what is proposed and why you, the applicant/owner, believe the request for an Administrative Variance is justified based on an ‘unnecessary hardship’.
3. Site Plan and/or Boundary Survey (as applicable)  
Three (3) full-size plans and one (1) 8-1/2” x 11” reduction.
4. Additional Plans (as applicable)  
Submit additional plans as necessary to support the application. Please provide one (1) 8-1/2” x 11” reduction in addition to one (1) full-size plan.

5. Additional Documentation (as applicable)

Please submit any information related to the application that may be helpful for the Planning Department staff to make a decision.

6. Application Fee

Application fee is \$100.00. Please make checks payable to *City of Snellville*. The application fee is non-refundable.

**Additional Submittal Requirements for the following Administrative Variance requests:**

Zero Foot (0') Side Yard or Rear Yard Setback for Commercial Development

Provide notarized letters of agreement as follows: for side setback, provide letters from adjacent property owners; for rear setback, provide letters from property owners adjacent to the side and rear; for front setback, provide letters from property owners adjacent to each side as well as across the street.

Building Height Administrative Applications

Provide one (1) full-size and one (1) 8-1/2" x 11" reduction of each building wall elevation with height dimensions.

Buffer Width Reduction Applications

Applications requesting a buffer width reduction must also contain the following information:

- a. Adjacent zoning district boundaries;
- b. Cross-sections of the buffer and its relationship to uses on adjacent property;
- c. Cross-sections indicating improvements on adjacent residential property as may be seen through the proposed improvements on the subject site;
- d. Complete landscaping (planting) plan indicating existing vegetation and any proposed replanting. Indicate types of trees, name, caliper size, quantity and spacing. Indicate trees proposed to be retained or planting on cross-sections and on the landscaping (planting) plan;
- e. Proposed screening fence and/or berm locations, etc. and details of same;
- f. Demonstrate compliance with all other requirements of the Buffer and Screening requirements {207-2};
- g. Show location of detention facilities and the direction of drainage flow;
- h. Provide details of building and parking lot lights adjacent to the proposed reduced buffer; and
- i. Provide notarized written consent from the adjacent property owner(s).

**APPLICATION CERTIFICATIONS**

The undersigned below does hereby, swear or affirm under penalty of perjury under the laws of the State of Georgia, is authorized to make this application for Appeal, Waiver or Variance and that the statements and documents submitted as part of this application are true and accurate to the best of my knowledge or belief.

If the owner is filing the application, only the Owner's Certification must be completed.

APPLICANT'S CERTIFICATION

The undersigned below, or as attached, is authorized to make this application.

\_\_\_\_\_  
Signature of Applicant Date

\_\_\_\_\_  
Type or Print Name and Title

*Notary Seal*

\_\_\_\_\_  
Signature of Notary Public Date

PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, swear and affirm that I am (we are) the owner of property that is subject to this application, as shown in the records of Gwinnett County, Georgia which is the subject matter of the attached application. I further authorize \_\_\_\_\_ to file this application. Should the Administrative Variance application be denied by the Director of Planning and Development, I understand that I may appeal the decision by the Director to the Board of Appeals or that I may submit a variance application for consideration by the Board of Appeals in accordance with Sec. 103-7.2. of the UDO. Recourse from the decisions of the Board of Appeals shall be to the Gwinnett Superior Court as provided by law.

\_\_\_\_\_  
Signature of Owner Date

\_\_\_\_\_  
Type or Print Name and Title

*Notary Seal*

\_\_\_\_\_  
Signature of Notary Public Date

\*\*\*\*\* To Be Completed by Planning & Development Department Staff \*\*\*\*\*

Application Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Development Review Staff

Administrative Variance is:  APPROVED  DENIED  APPROVED W/FOLLOWING CONDITIONS

Comments/Conditions: \_\_\_\_\_

By: \_\_\_\_\_  
Jason Thompson, Director, Planning & Development

\_\_\_\_\_  
Date of Action