



BOARD OF APPEALS APPLICATION

APPLICATION FOR APPEAL, VARIANCE OR WAIVER

RECEIVED

SEP - 6 2024

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3513 www.snellville.org

DATE RECEIVED: CITY OF SNELVILLE

1850 SCENIC HWY 100 #2400341
BOA VARIANCE/APPEAL BOA 24-02
PARCEL- 5057 083
VETERINARY EMERGENCY GROUP SUITE 100

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.

Mike Hammond
Name (please print)
1238 Logan Cir NW
Address
Atlanta GA 30318
City, State, Zip Code
864.909.5558
Phone Number(s) Fax

Crown Group LLC
Name (please print)
3290 Piedmont Rd NE - Suite 1300
Address
Atlanta GA 30305
City, State, Zip Code
770.448.6400
Phone Number(s) Fax

Contact Person: Mike Hammond Phone: 864.909.5558 Fax: _____
Cell Phone: 864.909.5558 E-mail: mhammond@apollosign.com

Application for (check one):

Appeal (describe): _____

Variance or Waiver from Unified Development Ordinance (describe below):

Seeking overage of allowed square footage for an illuminated wall sign

Property Address/Location: 1850 Scenic Hwy N Snellville GA 30078 District 5 Land Lot 57 Parcel R5057 083
Subdivision or Project Name: Veterinary Emergency wall sign Lot: _____ Block: _____

Application Submittal Checklist:

- Application original bearing original and notarized signatures and any supporting documents or exhibits.
- Letter of intent/written narrative detailing the appeal or requested variance or waiver.
- Responses to items on Attachment A.
- Responses to specific use criteria (see Criteria for Approval in Applicant Information).
- Site plan.
- Verification that county and city property taxes are paid.
- Warranty deed; security deed, or quit claim deed for subject property.
- Map indicating the subject property and adjacent properties identified by tax parcel number.
- Nine (9) stapled or bound copies of the application and any supporting documents or exhibits.
- Digital copy in .PDF format of application submittal (email, flash drive, etc.).
- Payment of application fee and public notification fees.

NOV 12, 2024

Board of Appeals Public Hearing Date and Time: _____ at 7:30 p.m.

Application Fees:

\$200.00 per appeal or requested variance PLUS \$75 per Sign and \$15 per Adjoining Property Owner

ATTACHMENT "A"

APPEALS

If request is to APPEAL the decision of the Planning Director, please discuss your grievance in detail below. You may attach additional sheets and provide additional documentation as appropriate.

Check Box if NOT APPLICABLE

VARIANCES AND WAIVERS

To authorize, upon appeal in specific cases, variance or waiver from the terms of the Unified Development Ordinance ("UDO") as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the UDO would result in unnecessary hardship.

A variance may not be granted by the Board of Appeals unless and until a written application for a variance or waiver is submitted demonstrating the following (you may attach additional sheets if necessary):

1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same zoning district.

Because this business is related to medical emergencies, the tenant feels a larger sign will offer greater visibility and direction to potential customers arriving quickly to address such an emergency.

2) That literal interpretation of the provisions of the UDO would deprive the applicant or rights commonly enjoyed by other properties in the same zoning district under the terms of the UDO.

This does not apply. Our submission is regarding functionality of the sign. We are not being deprived of any rights in the event of rejection.

3) That the special conditions and circumstances do not result from the actions of the applicant.

No actions of ours have created these circumstances.

4) That granting the variance or waiver requested will not confer on the applicant any special privilege that is denied by the UDO to other lands, structures, or buildings in the same zoning district.

We don't consider a larger sign special privilege, but rather a more functional purpose for the sign.

No nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and no permitted or nonconforming use of lands, will be considered grounds for the issuance of a variance.

Owner/Landlord Authorization and Consent Form

National Vendor: North American Signs, Inc.

Regarding: Veterinary Emergency Group-
1850 SCENIC HWY N, SUIT 100,
SNELLVILLE, GA 30078

By my signature below, I hereby represent that I am the owner/landlord of the property indicated above or otherwise duly authorized by the lease to grant authorization to North American Signs, Inc. & their subcontractor to apply for permits and install new signage at the above-referenced location according to that attached drawings.

Owner/Landlord Approval

Company: Crown Group, LLC by Lavista Associates, Inc. as agent

Address: 3490 Piedmont Rd., NE, Suite 1300, Atlanta, GA 30305

Phone: 770-448-6400

Owner Signature: *Dean Weaver*

Print Name: Dean Weaver

Title: Vice President

Date: 2/23/2024

Email address: dweaver@lavista.com

33756
00175

BK 33756 PG 0175

FILED AND RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA

03 JUL 23 PM 2:00

TOM LAWLER, CLERK

**GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 278.00
TOM LAWLER CLERK OF
SUPERIOR COURT**

Return to:
Kirtan Patel, Esq.
Stites & Harbison
3350 Riverwood Parkway, Suite 1700
Atlanta, Georgia 30339
Our File No. MA278-0MA16

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS INDENTURE is made this 25th day of June, 2003, by and between MOSTAFA KAZEMIAN AND SEYED M. SARVESTANI, as party or parties of the first part, hereinafter collectively referred to as "Grantor", and CROWN GROUP LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and plural.

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, Grantor has granted, bargained, sold, conveyed, and confirmed and by these presents does hereby grant, bargain, sell, convey, and confirm unto Grantee, and the successors and assigns of Grantee,

All that tract or parcel of land lying and being in Land Lot 57, 5th District, Gwinnett County, Georgia, being Lot 1, Block B, Unit One, Town Estates, as more completely shown on that plat recorded at Plat Book W, Page 201, Gwinnett County, Georgia Records.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee, and the successors and assigns of Grantee, forever IN FEE SIMPLE subject only to permitted exceptions ("Permitted Exceptions") as listed on Exhibit "A" attached hereto.

GRANTOR HEREBY WARRANTS and will forever defend all right, title and interest in and to the above-described property unto Grantee and the successors and assigns of Grantee against the lawful claims of all persons claiming by, through or under Grantor subject only to permitted exceptions ("Permitted Exceptions") as listed on Exhibit "A" attached hereto.

MA278-0MA16
Document # 51558

157415 *21*

14

BK 33756 PG 0176

IN WITNESS WHEREOF, Grantor has executed this document under seal on the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:

Mostafa Kazemian (SEAL)
Mostafa Kazemian

[Signature]
Unofficial Witness

Notary Public
My Commission Expires:

[Notarial Seal]



Seyed M. Sarvestani (SEAL)
Seyed M. Sarvestani

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires:

[Notarial Seal]



33756
00177

8K33756PG0177

EXHIBIT "A"

1. Taxes and assessments for the year 2003 and subsequent years not yet due and payable.
2. Construction and Maintenance Easement from James R. Gresham and Mary Ann Gresham to Department of Transportation, dated January 27, 1993, recorded at Deed Book 8370, Page 93, Gwinnett County, Georgia Records.
3. The recorded plat of survey discloses:
 - (a) a 10-foot side building line (25 feet total);
 - (b) minimum lot and house size requirements; and
 - (c) Protective Covenants, as may be amended.

33756
00178

BK 33756 PG 0178

FILED IN RECORDS
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA

03 JUL 23 PM 2:00

TOM LAWLER, CLERK

GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 250.00
TOM LAWLER CLERK OF
SUPERIOR COURT

Return to:
Kirtan Patel, Esq.
Stites & Harbison
3350 Riverwood Parkway, Suite 1700
Atlanta, Georgia 30339
Our File No. MA278-0MA16

STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS INDENTURE is made this 25th day of June, 2003, by and between WESLEY E. HAMILTON, as party or parties of the first part, hereinafter collectively referred to as "Grantor", and CROWN GROUP LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and plural.

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, Grantor has granted, bargained, sold, conveyed, and confirmed and by these presents does hereby grant, bargain, sell, convey, and confirm unto Grantee, and the successors and assigns of Grantee,

All that tract or parcel of land lying and being in Land Lot 57 of the 5th District of Gwinnett County, Georgia, and being Lot 2, Block B, Unit One, of Town Estates Subdivision as shown on that certain Plat of Survey recorded in Plat Book W, page 201, Gwinnett County, Georgia Plat Records and being known as 1850 Scenic Highway North, Snellville, Georgia, according to the present system of numbering houses in Gwinnett County, Georgia.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee, and the successors and assigns of Grantee, forever IN FEE SIMPLE subject only to the permitted exceptions ("Permitted Exceptions") listed in Exhibit "A" attached hereto.

GRANTOR HEREBY WARRANTS and will forever defend all right, title and interest in and to the above-described property unto Grantee and the successors and assigns of Grantee against the lawful claims of all persons claiming by, through or under Grantor subject only to the permitted exceptions ("Permitted Exceptions") listed in Exhibit "A" attached hereto.

157416

14

MA278-0MA16
Document # 51558
MA278.000MA:66299:ATLANTA

33756
00179

BK 33756PG0179

IN WITNESS WHEREOF, Grantor has executed this document under seal on the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:

Andrea Phillips
Unofficial Witness

Wesley E. Hamilton (SEAL)
Wesley E. Hamilton

Notary Public
My Commission Expires:



[Notarial Seal]

BK 33756 PG 0180

EXHIBIT "A"
PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2003 and subsequent years not yet due and payable.
2. Construction and Maintenance Easement from Wesley E. Hamilton to Department of Transportation, dated January 8, 1993, recorded at Deed Book 8338, Page 233, Gwinnett County, Georgia Records.
3. The recorded plat of survey discloses:
 - (a) a 10-foot side building line (25 feet total);
 - (b) minimum lot and house size requirements; and
 - (c) Protective Covenants, as may be amended.



Property Tax [View Pay Your Ta...](#)

View/Pay Your Taxes

View Bill

[Back to Account](#)

Tax Account

Parcel ID :
R5057 083

Property Type :
Real Property

Site Address :
1850 SCENIC HWY STE 100
SNELLVILLE 30078

Mailing Address :
CROWN GROUP LLC
3490 PIEDMONT RD NE STE
ATLANTA GA 30305-4811

[Change Mailing Address](#)

Legal :
GA HWY 124

District :
SNELLVILLE

Last Update :
08/22/2024 08:13 PM

Tax Values

Description	Market Value	Assessed Value
Land	\$1,317,300.00	\$526,920.00
Improvement	\$2,382,700.00	\$953,080.00
Total	\$3,700,000.00	\$1,480,000.00



Class Codes :

344 - Strip Shopping Center

Assessments

	Net Tax	Savings
+ School Taxes	\$30,562.00	\$0.00

+ [County Incorporated No Police](#)

\$16,946.00 \$0.00

Total \$47,508.00 \$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Fee	Penalty	Interest	Total Due
INST 1	25246184	10/15/2023	2023	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Date Paid
2023	25246184	B23.68154	\$47,508.00	09/25/2023



Understanding Your Property Tax Bill
Gwinnett Tax Commissioner

02:40

Understanding Your Property Tax Bill



How to Pay Your Property Taxes Online
Gwinnett Tax Commissioner

03:41

How to Pay Your Property Taxes Online

Translate our website:
[Select Language](#) ▼





R5057 083

CROWN GROUP LLC

← Parcel detail

Gwinnett County GIS



Parcel search

Tax history

Pay	Tax Year	Type	Statement	Bill Number	Installment	Amount	Due	Last Paid Date
∨	2023	Special Tax	Print	023629	Total	\$1,017.79	\$0.00	11/10/2023
∨	2023	Tax	Print	006586	Total	\$5,920.00	\$0.00	11/10/2023
∨	2022	Special Tax	Print	017861	Total	\$1,017.79	\$0.00	12/7/2022
∨	2022	Tax	Print	006425	Total	\$5,316.24	\$0.00	12/7/2022
∨	2022	Tax	Print	010428	Total	\$603.76	\$0.00	1/23/2023
∨	2021	Special Tax	Print	005949	Total	\$935.21	\$0.00	11/24/2021
∨	2021	Tax	Print	006245	Total	\$6,606.72	\$0.00	11/24/2021



Tax Assessor's Office

I Want To... Tax Assessor



Property Detail

[Go Back](#)

[Neighborhood Sales](#)

[Property Report](#)

GIS Map



General Info		
CROWN GROUP LLC 3490 PIEDMONT RD NE STE 1300 ATLANTA GA 30305-4811	Property ID	R5057 083
	Alternate ID	390305
	Address	1850 SCENIC HWY STE 100
	Property Class	Strip Shopping Center
	Neighborhood	9310
	Deed Acres	1.8900

Value History					
Year	2024	2023	2022	2021	2020
Reason	Notice of Current Assessment	Notice of Current Assessment	Appeal Current Year Plus Two	Notice of Current Assessment	Notice of Current Assessment
Land Val	\$1,317,300	\$1,317,300	\$1,317,300	\$1,317,300	\$1,317,300
Imp Val	\$2,382,700	\$2,382,700	\$2,382,700	\$2,282,700	\$2,282,700
Total Appr	\$3,700,000	\$3,700,000	\$3,700,000	\$3,600,000	\$3,600,000
Land Assd	\$526,920	\$526,920	\$526,920	\$526,920	\$526,920
Land Use	\$0	\$0	\$0	\$0	\$0
Imp Assd	\$953,080	\$953,080	\$953,080	\$913,080	\$913,080
Total Assd	\$1,480,000	\$1,480,000	\$1,480,000	\$1,440,000	\$1,440,000

Transfer History								
Book	Page	Date	Grantor	Grantee	Deed	Type	Vacant Land	Sale Price
33756	00181	6/25/2003	SINGADIA NANJI KHIMJI	CROWN GROUP LLC	QC	NN	Yes	\$0
33756	181	6/25/2003	SINGADIA NANJI KHIMJI	CROWN GROUP LLC	QC	NO	Yes	\$0
31759	00241	3/18/2003	JONES WILLIAM E ETAL	SINGADIA NANJI KHIMJI	WD	QY	Yes	\$260,000
31759	241	3/18/2003	JONES WILLIAM E ETAL	SINGADIA NANJI KHIMJI	WD	QY	Yes	\$260,000
		3/15/1995		LAUDERDALE LEE A JR	JS	QQ	Yes	\$112,500
11153	00135	3/15/1995	LAUDERDALE LEE A JR	JONES WILLIAM E ETAL	JS	QY	Yes	\$112,500
11153	135	3/15/1995	LAUDERDALE LEE A JR	JONES WILLIAM E ETAL	JS	QY	Yes	\$112,500

C02

[Attributes](#)

[Floor Areas](#)

[Exterior Features](#)

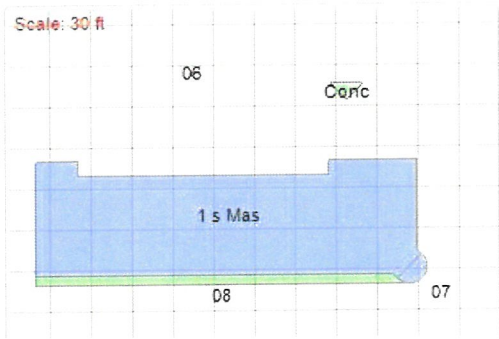
Story Use

Attribute

Code Detail

Class 85 Asphalt

Property Detail



Roofing Cover	1	Built-up
Stories	1	
1 GENRET Exterior Wall	726	Concrete Block, Textured Face

Address	1850 SCENIC HWY STE 100
Grade	B+
Year Built	2004

Improvements

Code	Description	Year	Building	Length	Width	Units	Unit Type
COMCNPYG	Commercial Canopy - Good	2004	C02	0	0	261	SF
COMCNPYG	Commercial Canopy - Good	2004	C02	0	0	1,811	SF
PAVING	Paving	2004	C02	0	0	40,000	SF

Land Details

Primary Use	Land Type	Acres	Eff. Frontage	Eff. Depth
	C4 - Major Strip	1.89	0	0

Legal Description

Line	Description
1	GA HWY 124

APPLICATION CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both certifications below must be completed. If the property owner is filing the application, both certifications must be completed.

APPLICANT CERTIFICATION

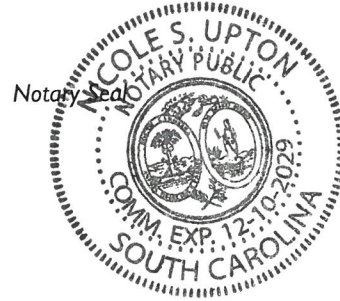
The undersigned below, is authorized to make this application and swears and affirms under penalty of perjury under the laws of the State of Georgia that the information provided herein is true and correct to the best of his/her knowledge and belief. The undersigned is aware that, in granting any variance or waiver, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. Violation of such conditions and safeguards when made a part of the terms under which the variance or waiver is granted, shall be deemed a violation of the Unified Development Ordinance and punishable under Article 3 of the UDO. If the application for variance or waiver is denied by the Board of Appeals, a re-application for such variance or waiver may not be made earlier than 12-months from the date of the original application. The undersigned is aware that any person aggrieved by a decision or order of the Board of Appeals may appeal by certiorari to the Superior Court of Gwinnett County. Such appeal must be filed within 30-days from the date of the decision of the Board of Appeals. Upon failure to file the appeal within 30-days from the date of decision, the decision of the Board of Appeals will be final.




 Signature of Applicant 8/14/24
Date

MIKE HAMMOND - WORKFLOW MANAGER

 Type or Print Name and Title

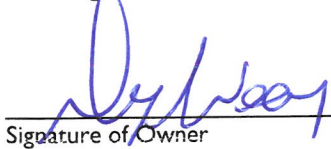




 Signature of Notary Public 8/14/2024
Date

PROPERTY OWNER CERTIFICATION

The undersigned below, is the owner of the property considered in this application as it is shown in the records of Gwinnett County, Georgia and the City of Snellville, Georgia. I authorize the person named above to act as applicant in the pursuit of obtaining a variance or waiver for this property.

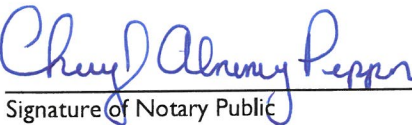


 Signature of Owner 8/7/24
Date

Dean Weaver, Property Manager

 Type or Print Name and Title





 Signature of Notary Public 8/7/2024
Date


***** FOR OFFICE USE ONLY *****			
Date Received: _____	Received By: _____	Total Fees Paid: _____	Original RCVD: <input type="checkbox"/> YES <input type="checkbox"/> NO
			9 Copies RCVD: <input type="checkbox"/> YES <input type="checkbox"/> NO
Legal Ad Requested (Date): _____	for Publication on (Date) _____	PUBLIC HEARING DATE & TIME: _____	
Public Notice Sign(s) Requested (Date): _____	for Posting by (date): _____	APO Notice Mailing (date): _____	
Comments: _____			

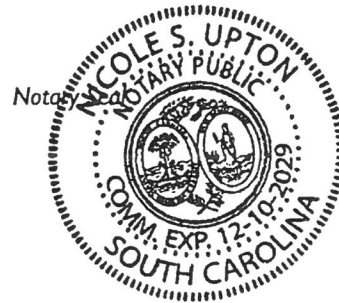
APPLICATION CERTIFICATIONS

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APPLICANT CERTIFICATION

The undersigned below, is authorized to make this application and swears and affirms under penalty of perjury under the laws of the State of Georgia that the information provided herein is true and correct to the best of his/her knowledge and belief. The undersigned is aware that, in granting any variance or waiver, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. Violation of such conditions and safeguards when made a part of the terms under which the variance or waiver is granted, shall be deemed a violation of the Unified Development Ordinance and punishable under Article 3 of the UDO. If the application for variance or waiver is denied by the Board of Appeals, a re-application for such variance or waiver may not be made earlier than 12-months from the date of the original application. The undersigned is aware that any person aggrieved by a decision or order of the Board of Appeals may appeal by certiorari to the Superior Court of Gwinnett County. Such appeal must be filed within 30-days from the date of the decision of the Board of Appeals. Upon failure to file the appeal within 30-days from the date of decision, the decision of the Board of Appeals will be final.


 8/14/24
Signature of Applicant Date
MIKE HAMMOND - WORKFLOW MANAGER
Type or Print Name and Title

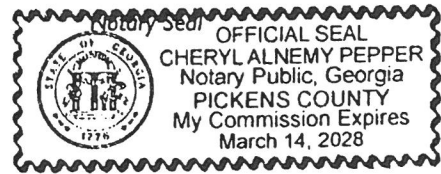


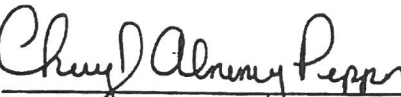
 8/14/2024
Signature of Notary Public Date

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 8/7/24
Signature of Owner Date
Deon Weaver, Property Manager
Type or Print Name and Title



 8/7/2024
Signature of Notary Public Date

***** FOR OFFICE USE ONLY *****

Date Received: _____ Received By: _____ Total Fees Paid: _____ Original RCVD: YES NO
9 Copies RCVD: YES NO

Legal Ad Requested (Date): _____ for Publication on (Date) _____ PUBLIC HEARING DATE & TIME: _____

Public Notice Sign(s) Requested (Date): _____ for Posting by (Date): _____ APO Notice Mailing (date): _____

Comments: _____

Created With Tiny Scanner

***** APPLICANT INFORMATION ONLY *****

ADMINISTRATIVE DECISION APPEALS

- A. Appeals to the Board of Appeals concerning interpretation or administration of the Unified Development Ordinance (“UDO”) may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by any decision of a staff member of the Department of Planning and Development. Appeals must be filed with the Department within **fifteen (15) days of said decision** on the form/application provided by the City, including payment of application fee and public notification fees as determined by the Department fee schedule. The Director must forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken.
- B. An appeal stays all proceedings in furtherance of the action appealed from unless the Director certifies to the Board of Appeals that, by reason of facts stated in the certificate, a stay would, in their opinion, cause imminent peril, to life or property. In such a case, proceedings may not be stayed otherwise than by the Zoning Board of Appeals or by a restraining order granted by a court of record on application, and notice to the Director for good cause shown.
- C. The person requesting the appeal must first submit to Department a written statement clearly defining the nature of the disagreement, the specific reference to the sections of the regulations at issue, and the applicant's own opinion.
- D. If the Department fails to respond within ten (10) business days from the date of transmittal of the appeal, the Department must automatically forward a copy of the appeal to the Board of Appeals for final action in their normal course of business.
- E. The Board of Appeals must hear and act upon within fifty (50) days of receipt of the appeal application and give public notice thereof in accordance with Sec. 103-7.2.B.3 (Public Notifications). At the hearing, any party may appear in person or by agent or attorney.
- F. In exercising the above-mentioned powers, the Board of Appeals may, so long as such action is in conformity with the terms of the this UDO, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end will have the powers of the Department staff member from whom the appeal is taken.

PUBLIC NOTICE REQUIREMENTS

The Planning Department must provide notice of the date, time and place of the public hearing as follows:

- 1. **LEGAL AD:** Published in the Gwinnett Daily Post which carries the legal advertisements of the City, by advertising the application and date, time, place and purpose of the public hearing not fewer than 30-days, nor more than 45- days before the date of the public hearing.
- 2. **NOTICES TO ADJOINING PROPERTY OWNERS:** Notification to the owners of adjoining properties of the property for which the variance, or waiver is sought and/or their agent by first class USPS mail to the mailing address provided by the Gwinnett County Tax Commissioner’s office. The notification must be mailed not fewer than 30-days, nor more than 45-days before the public hearing. The notification must include a description of the application and the date, time, and place of the public hearing.
- 3. **PUBLIC NOTICE SIGN:** Posting of a Public Notice Sign on the property, one sign per road frontage, per parcel, posted at least 30-days before the public hearing. The sign must include a description of the application and the date, time, and place of the public hearing.

Once advertised the public hearing must be held. Any party may appear in person, or by agent or attorney.

***** APPLICANT INFORMATION ONLY *****

RE-APPLICATION

If the application for variance or waiver is denied by the Board of Appeals, a re-application for such variance or waiver may not be made earlier than 12-months from the date of the original application.

APPEALS

Any person aggrieved by a decision or order of the Board of Appeals may appeal by certiorari to the Superior Court of Gwinnett County. Such appeal must be filed within 30-days from the date of the decision of the Board of Appeals. Upon failure to file the appeal within 30-days from the date of decision, the decision of the Board of Appeals will be final.

CRITERIA FOR APPROVAL

The Board of Appeals must further make findings that the requirements of UDO Sec. 103-7.2.B. (Attachment A) have been met by the applicant for a variance or waiver.

The Board of Appeals must further make a finding that the reasons set forth in the application justify the granting of the variance or waiver is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The Board of Appeals must further make a finding that the granting of the variance or waiver will be in harmony with the general purpose and intent of the UDO, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Specific approval criteria is also provided in the Unified Development Ordinance as follows:

- a) Sec. 205-1. (Towne Center Overlay District)
- b) Sec. 205-1.11. (Vehicle Access and Parking Locations)
- c) Sec. 205-1.12. (Fences and Walls)
- d) Sec. 206-8.26. (Roofed Accessory Structures)
- e) Sec. 207-1.7.H. (Large Parking Facility Requirements)
- f) Sec. 207-1.8.B. (Parking Location Limitations)
- g) Sec. 207-1.11 (Driveways and Parking Surfacing)
- h) Sec. 207-2.D. (Buffer Width Reduction)
- i) Sec. 207-2.3.B.4. (Fences in Front or Side Street Yards)
- j) Sec. 207-3.D. (Structures in Landscape Strips)
- k) Sec. 207-6.6. (General Requirements – Signs)
- l) Sec. 401-3.2.B. (Block Measurement)
- m) Sec. 401-3.4.C. (Stub-out Streets)
- n) Sec. 401-3.4.H. (Interparcel Access)
- o) Sec. 401-4. (Streetscapes)
- p) Sec. 401-4.3. (Streetscape Design Standards)

CONDITIONS OF APPROVAL

In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, will be deemed a violation of the Unified Development Ordinance that is punishable under its provision.