



# LAWRENCEVILLE

*Planning & Development*

## **VARIANCE APPLICATION**



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Planning & Development

PLANNING AND DEVELOPMENT  
VAR2024-00116  
RECEIVED 1.3.2024

### 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, and The Code of City of Lawrenceville 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: United Rentals

EMAIL: dstratton@ur.com

PHONE: 864-705-7749

STREET ADDRESS: 255 Equipment Ct.

SUITE:

CITY: Lawrenceville

STATE: GA

ZIP CODE: 30046

David Stratton

Digitally signed by David Stratton  
Date: 2024.01.02 11:35:04 -05'00'

1/2/2024

SIGNATURE OF APPLICANT:

DATE:

### PROPERTY OWNER INFORMATION (as applicable)

PROPERTY OWNER NAME: LAMBERT FARMS, LLC

EMAIL: ms.crawler@hotmail.com

PHONE: 470-734-0370

STREET ADDRESS: 5466 Will Wheeler Rd.

SUITE:

CITY: Murrayville

STATE: GA

ZIP CODE: 30564

*Ms. Crawler, attorney for Lambert Farms, LLC*  
SIGNATURE OF PROPERTY OWNER:

DATE:

1/2/2024

### SITE INFORMATION

VARIANCE DESCRIPTION: Remove requirement for installation of under-story trees along GA-Hwy 316 Right of Way.

STREET ADDRESS: 255 Equipment Ct.

SUITE/UNIT #:

CITY: Lawrenceville

STATE: GA

ZIP CODE: 30046

PIN: R7012 116

LOT NO.: 5

BLOCK NO.: A



### 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: Light Manufacturing

ZONING CASE:

PRINCIPAL USE: Vehicle/Equipment Rental/Sales

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.*

The under-story trees could have a negative impact on the tenant's business. The visibility from GA-316 is one of the features that makes the property attractive to the tenant and is an important factor in support of the property's value. We understand the need to screen storage areas, but it is unreasonable to screen from view an area that is basically the tenant's storefront.

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.*

The items that will be located on the property within view of the right of way will be for sale or lease in the ordinary course of the tenant's business. The installation of trees would obstruct the view.

c. *The condition requiring the requested relief not ordinarily found in properties of the same zoning classification as the subject property.*

The reasons stated in the Ordinance for requiring a vegetation buffer are non-existent, as our property does not abut properties with dissimilar uses or dissimilar zoning designations.

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.*

The reasons stated in the Ordinance for requiring a vegetation buffer are non-existent, as our property does not abut properties with dissimilar uses or dissimilar zoning designations.

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.*

The reasons stated in the Ordinance for requiring a vegetation buffer are non-existent, as our property does not abut properties with dissimilar uses or dissimilar zoning designations. Granting the variance will not have a negative effect on any of the items referenced in section e. above.

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

The requested variance allows for the reasonable use of the building, land and structures and will allow for visibility from Hwy 316, without obstruction of trees. The chain link fence, ground cover and shrubbery should satisfy the intent of the ordinance and regulations.

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?*

Yes, the intent of the Ordinance and Regulations are met with the planting of ground cover and shrubs.