



LAWRENCEVILLE

Planning & Development

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, 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: Danielle Sheridan

EMAIL: Dsheridan@interplanllc.com

PHONE: 407.645.5008

STREET ADDRESS: 220 E Central Parkway

SUITE: 4000

CITY: Altamonte Springs

STATE: FL

ZIP CODE: 32701

Danielle Sheridan

Digitally signed by Danielle Sheridan
Date: 2023.11.09 15:29:38 -05'00'

11/09/2023

SIGNATURE OF APPLICANT:

DATE:

PROPERTY OWNER INFORMATION (as applicable)

PROPERTY OWNER NAME: Chick-fil-A, Inc.

EMAIL: rex.powell@cfacorp.com

PHONE: 404.822.2568

STREET ADDRESS: 5200 Buffington Road

SUITE:

CITY: Atlanta

STATE: GA

ZIP CODE: 30349

SIGNATURE OF PROPERTY OWNER:

DATE:

SITE INFORMATION

VARIANCE DESCRIPTION: Requesting a reduction of the fifty foot (50') front setback on the western property line to three feet (3').

STREET ADDRESS: 680 Duluth Highway

SUITE/UNIT #:

CITY: Lawrenceville

STATE: GA

ZIP CODE: 30046

PIN: R7009 023

LOT NO.: 9

BLOCK NO.:



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: General Business (BG)	ZONING CASE:
PRINCIPAL USE: Drive-thru only restaurant	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 request for this variance is due to the 1993 Right-of-Way take along Professional Drive by Gwinnett County, which was not updated in the title work or on the survey until recently due to it being misfiled upon recording. This is unique to the land and structures involved and solely outside of Chick-fil-A's or the design team's control.

- 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 request is necessary due to the size of the existing site in combination with the ROW take as well as being double-fronted, requiring two 50' front setbacks on both Duluth Highway and Professional Drive.

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

A ROW take is not a common occurrence, especially on a double-fronted site subject to large front setbacks in combination with existing site constraints.

- 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 hardship has not been created by Chick-fil-A or any person having interest in the property. The condition is primarily due to the 1993 ROW take by the County along with existing site constraints.

- 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.*

Relief, if granted, would not result in any detriment to the public or impair the purposes or intent of the City of Lawrenceville's Zoning Ordinance. The intent of the improvements is solely to aid in the day-to-day operations of Chick-fil-A, specifically, to increase on-site stacking, thus decreasing stacking on adjacent public roadways during peak hours.

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

Every effort has been made by Chick-fil-A's design team to reduce variations from code requirements. Chick-fil-A has made the decision to re-develop this location into a drive-thru-only facility with no dining room seating in an effort to utilize the property's size to its optimal capacity. The new restaurant reduces the building footprint and number of required parks, therefore better accommodating the demand for drive-thru traffic. With the drive-thru generating all of the business, the dual lanes and canopies over the ordering points and meal delivery window will be critical in expediting the flow of traffic on and off of this site. Unfortunately, the right-of-way take only increases the site constraints.

- 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?*

The primary building structure is located within both of the required front setbacks. Because it is just the open-air canopy which encroaches into the setback of the secondary frontage, we feel the variance desired does meet the intent of the code.