



GWINNETT COUNTY
Department of Planning & Development
One Justice Square
446 W. Crogan Street, Lawrenceville, Georgia 30046
Phone: 678.518.6000 / Fax: 678.518.6240
www.co.gwinnett.ga.us

Variance Application Requirements for Construction and Life Safety Codes (Board of Construction Adjustments & Appeals)

The owner of a building, structure, or service system or the owner's agent may appeal the interpretation or administration of the construction and life safety codes by applying for a variance. The Board of Construction Adjustments & Appeals (BCAA) is responsible for determining acceptance or denial of each variance during a formal public hearing. Variance applications must be submitted to the Department of Planning & Development to verify the accuracy and validity of the variance application and to include the variance request on the agenda for formal hearing by the BCAA.

Required Conditions for Variance Request

A. Application for variance from construction and life safety codes may be submitted for a specific case which exhibits ALL of the following conditions:

- Dept. of Planning & Development and/or Dept. of Fire and Emergency Services rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system for this specific case.
- The construction or life safety codes may not be applicable to this specific case.
- An equivalent or more desirable form of installation may be employed in this specific case.
- The true intent or meaning of the construction or life safety codes or any of the regulations founded on the codes may have been misconstrued or incorrectly interpreted.

B. The Board of Construction Adjustments & Appeals may vary the application of any provision of the construction or life safety codes for a specific case upon finding ALL of the following conditions:

- That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.
- That the special conditions and/or circumstances are not the result of action or inaction by the applicant.
- That granting the variance will not confer upon the applicant any special privilege that is denied by the codes to other buildings, structures or service systems.
- That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
- That the grant of the variance will be consistent with the general intent and purpose of the codes and will not be detrimental to the public health, safety and general welfare.

(Refer to page 2 for instructions on submitting a variance application)

Instructions for Submitting a Variance Application

The following are instructions for submitting a variance application:

1. **Variance Application form**
Complete all sections of the Variance Application form. Obtain notarized signature for both applicant and property owner.
2. **Application Fee**
The non-refundable variance application fee is \$300.00. Checks shall be made payable to **Gwinnett County**.
3. **Letter of Intent**
Attach to the completed application form a Letter of Intent to clearly explain in detail the requested variance and to substantiate that acceptance of the variance will not be detrimental to the safeguard of life, health, property, and public welfare.
4. **Applicable Code Sections**
Attach to the completed application form a reproduced copy of the sections of the construction and life safety codes which are applicable to the requested variance.
5. **Plans & Specifications.**
Attach to the completed application form all supplemental documents necessary to clearly illustrate and explain in detail the requested variance. Supplemental documents include but are not limited to construction plans (*site, building, electrical, mechanical, plumbing*), specifications, calculations, and reports. Specific areas on documents which pertain directly to the requested variance shall either be "highlighted" or "clouded" for clarity purposes. Plans, drawings, and details shall be full size (*no reduction*).
6. **Assemble Required Items Into Application Package**
Assemble items # 1, 3, 4, and 5 to complete the application package and make an additional thirteen (13) copies of the application package. Copies of supplemental documents may be either reduced to no less than legible size or folded to a maximum size of 9 x 12 inches.
7. **Submit Variance Application**
Submit to Department of Planning & Development the original application package (*with original signatures on form*) and thirteen (13) copies of the complete application package (*including signed application form and all attached supplemental documents*) with the required fee payment **no later than** three (3) weeks prior to the scheduled meeting date of the Board of Construction Adjustments and Appeals. **Incomplete applications will not be processed and will be returned to the applicant.**
8. **Schedule of Filing Deadlines & Board Meeting Dates**
Refer to the Filing Deadline & Meeting Schedule for specific dates regarding variance submittal deadlines and Board meetings. The Board of Construction Adjustments & Appeals typically meets on the second Wednesday of each month at 3 p.m. in the auditorium of the Gwinnett Justice & Administration Center, 75 Langley Drive, Lawrenceville, Georgia 30046-6900.
9. **Further Assistance**
For further assistance in submitting a variance application, contact the Building Plan Review Section at 678.518.6040.



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**Variance Application Form
 For Construction and Life Safety Codes
 (Board of Construction Adjustments & Appeals)**

Variance Case No. **BCA** _____

Refer to **Variance Application Requirements for Construction and Life Safety Codes** for instructions to submit this variance application. **TYPE** or **PRINT** using **BLUE** or **BLACK** ink to complete this application form and submit it with all required attachments. A variance cannot be processed unless all information required by the application is provided.

<u>Applicant Information</u>	<u>Property Owner Information</u>
Name _____	Name _____
Address _____ _____	Address _____ _____
City _____	City _____
State _____ Zip _____	State _____ Zip _____
Phone _____	Phone _____
Email address _____	
Contact Person's Name _____ Phone _____	
Applicant is: (<input checked="" type="checkbox"/> <i>Applicable Box</i>)	
<input type="checkbox"/> Property Owner	<input type="checkbox"/> Developer's/Owner's Agent
	<input type="checkbox"/> Developer

Project Name: _____

Project Address: _____

Occupancy Classification: IBC _____ NFPA _____

Type of Construction: IBC _____ NFPA _____ Sprinklered: _____
(YES or NO)

Use of Building: _____
(Apartment, Church, Hotel, Office, Restaurant, Retail, School, Warehouse, etc.)

Number of Stories: _____ Bldg Area per floor (sq. ft.): _____ Total Bldg. Area (sq. ft.): _____

Brief Description of Requested Variance: _____

I hereby request a variance from the requirements of one or more of the following code(s): (*Applicable Box*)

- | | |
|---|--|
| <input type="checkbox"/> International Building Code | <input type="checkbox"/> Gwinnett County Construction Code |
| <input type="checkbox"/> International Energy Conservation Code | <input type="checkbox"/> Georgia Accessibility Code |
| <input type="checkbox"/> International Fuel Gas Code | <input type="checkbox"/> International Fire Code |
| <input type="checkbox"/> International Mechanical Code | <input type="checkbox"/> NFPA National Electrical Code |
| <input type="checkbox"/> International Plumbing Code | <input type="checkbox"/> NFPA Life Safety Code |
| <input type="checkbox"/> International Residential Code | <input type="checkbox"/> Gwinnett County Fire Protection & Life Safety Ordinance |

List Applicable Code Section(s): _____

Describe Proposed Alternatives: _____

ADDITIONAL INFORMATION REQUIRED (attach to this application):

- Attach to this application a **LETTER OF INTENT** to clearly explain in detail the requested variance and substantiate that acceptance of the variance will not be detrimental to the safeguard of life, health, property, and public welfare.
- Attach to this application a reproduced copy of the **APPLICABLE CODE SECTIONS**.
- Attach to this application **CONSTRUCTION DOCUMENTS OR OTHER PERTINENT INFORMATION** to clearly illustrate the conditions of the requested variance.

APPLICANT CERTIFICATION

_____	_____
<i>Signature of Applicant</i>	<i>Date</i>

Notary Seal

_____	_____
<i>Typed or Printed Name</i>	<i>Title</i>

_____	_____
<i>Signature of Notary Public</i>	<i>Date</i>

PROPERTY OWNER CERTIFICATION

_____	_____
<i>Signature of Property Owner</i>	<i>Date</i>

Notary Seal

_____	_____
<i>Typed or Printed Name</i>	<i>Title</i>

_____	_____
<i>Signature of Notary Public</i>	<i>Date</i>

Gwinnett County Government Use Below Only

Date Received _____ Received By _____ Hearing Date _____

Variance Case # **BCA** _____ District–Land Lot–Parcel (MRN) _____