CITY OF SNELLVILLE
PLANNING & DEVELOPMENT DEPARTMENT
BOARD OF APPEALS

VARIANCE CASE SUMMARY

November 10, 2026

CASE NUMBER:	#BOA 26-05
VARIANCE REQUEST:	UDO Sec. 206-8.26 (Roofed Accessory Structure) to increase the allowable square footage for roofed accessory structures from 1,803 sq ft to 3,683 sq ft.
LOCATION:	**1851 Rockdale Cir, Snellville, Georgia**
TAX PARCEL:	R5060 019
CURRENT ZONING:	RS-15 (Single-Family Residential) District
DEVELOPMENT/PROJECT:	**Social Building (2,175 sq ft), Bathroom (378 sq ft), and Pavilion (1,130 sq ft)**
PROPERTY OWNER:	Carlos Dario Britez 1851 Rockdale Cir, Snellville, Georgia
APPLICANT:	Maya Radovic Radovic Permits 1, inc 3021 Farmstead Court, Grayson, Georgia
RECOMMENDATION:	**DENIAL**

REQUEST:

The Department of Planning and Development has received a variance application from Maya Radovic (applicant) and Carlos Dario Britez (owner) requesting a variance from the Unified Development Ordinance Sec. 206-8.26 (Roofed Accessory Structures) to increase the allowable area of roofed accessory structures from 1,803 sq ft to 3,683 sq ft.

VARIANCE ANALYSIS:

The subject property is a 4.95± acre lot located on Rockdale Circle. The 3,606 square foot home was constructed in 1970.

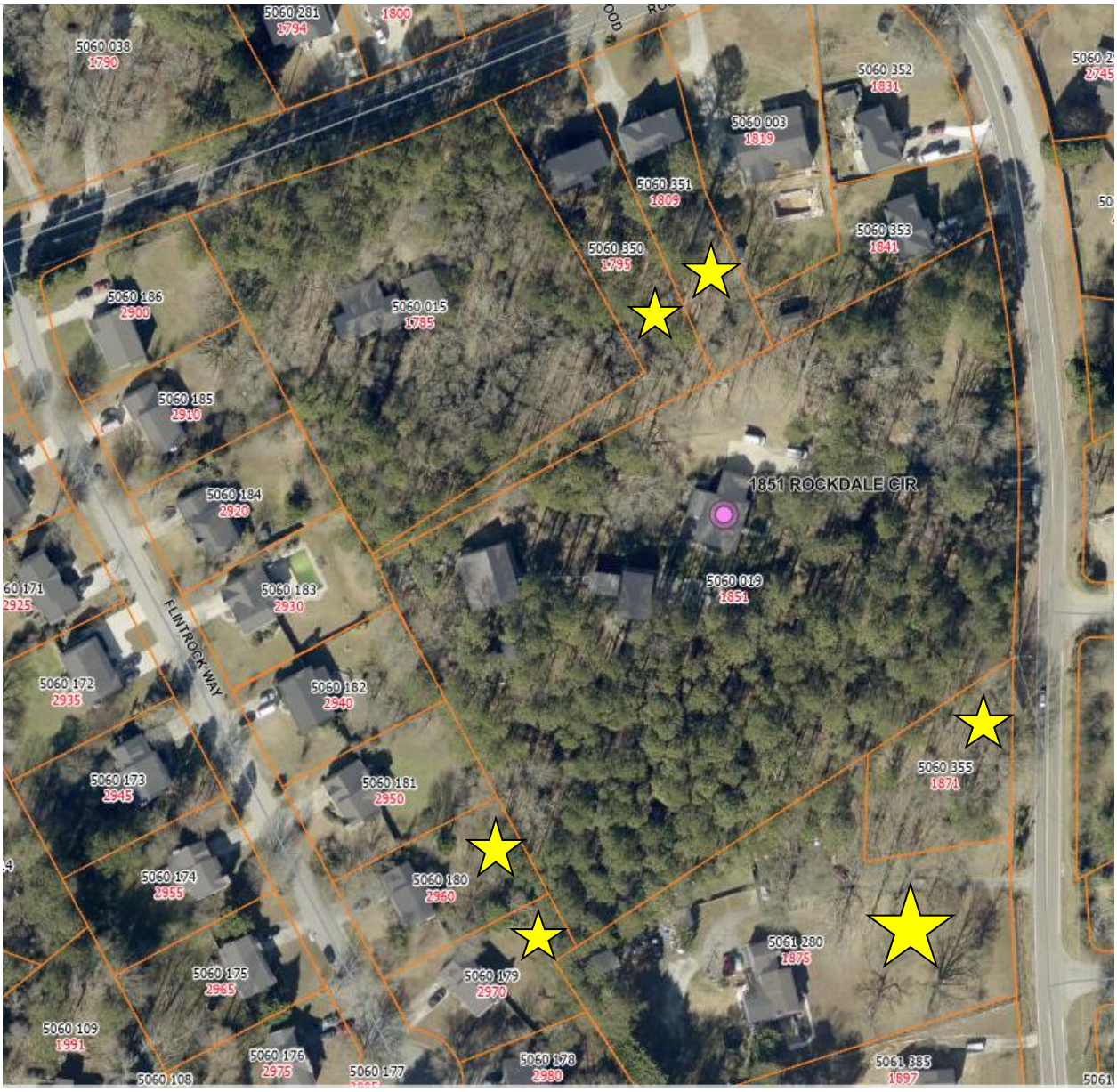
Prior to the submission of the variance application, Mr. Carlos Britez submitted a classification of use form to the Planning Department on February 12th, 2026. Using aerial imagery for research, Planning staff noticed multiple structures on the property that were not permitted. Among these include a 2,175 sq. ft. social building, a 378 sq. ft. bathroom (with an independent septic tank), and a 1,130 sq. ft. pavilion.

The applicant has requested a variance from two sections of the UDO; Sec. 206-8.26.B.1.c (Accessory structures may contain an amount of floor area equal to 50% of the floor area of the principal structure, up to a maximum of 2,000 square feet, excluding any accessory dwelling unit.) and Sec. 206-8.26.B.4.d (The height of any accessory structure may not exceed 20 feet in a residential district). However, the latter of the two variances has since been amended by Mayor & Council. Effective July 13, 2026, roofed accessory structures are no longer limited to a height of 20 feet, presently roofed accessory structures may not be taller than the height of the principal dwelling.

Lot Size (sq. ft./acres)	Max. No. Roofed Accessory Structures	Total Sq. Ft. of All Roofed Accessory Structures [4]
Less than 6,500	1	120
6,501 to 10,500	2	350
10,501 to 0.99 acres	3	750
Over 1.0 acre	4	50% of the conditioned/heated floor area of principal structure up to 2,000 sq. ft. max., excluding any ADU.

According to Gwinnett County's Assessors the principal dwelling is 3,606 sq ft; this would allow a total of 1,803 sq ft for all roofed accessory structures on the property. At this time the total area of all accessory structures sits at 3,683 sq ft, over double what the UDO allows.

At the time of writing the applicant has submited a variance consent form from owners of six adjoining properties, stating they have no objecion to the granting of the variance. The properties who have submitted consent forms can be seen on the following page marked with yellow stars.



STANDARDS FOR CONSIDERATION:

Pursuant to Sec. 103-7.2.B of Chapter 100 of the UDO, the City of Snellville Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

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;

   Applicant Response: *There are no special conditions peculiar to this structure which are not applicable to other structures.*

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

   Applicant Response: *The literal interpretation of the UDO does not deprive the applicant of rights enjoyed by other properties in the same zoning district.*

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

   Applicant Response: *A special condition for which the application is requesting a variance, is due to the as-built structure built by the applicant.*

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

   Applicant Response: *The granting of the variance would alleviate the applicant of having to tear down or modify an already existing structure. It would not give the applicant any special privilege as the structure and its use follow the general spirit of the UDO and the structure does not cause any adverse impacts to the neighboring properties and zoning district.*

   Staff Response: While the Planning staff do not consider constructing structures without a permit as a hardship, this case contains outliers that are not typical of other residential properties in the City. The size of the lot and sufficient tree coverage mitigates many issues brought up in similar cases. The scale used for determining the allowable area for all accessory structures is capped at over 1 acre. Due to this, the property owners would be limited to the same amount of allowable area as a lot a quarter of their size. Ultimately, the applicant chose to construct the roofed accessory structures without a permit and used the property for unpermitted commercial home business uses. Thus, the applicant brought these consequences upon themselves, and the Planning Department cannot support the variance request. However, if the Board of Appeals finds that the approval of the variance would have little to no adverse effects to the adjoining property owners we recommend the following conditions.

STAFF RECOMMENDATION:

The Department of Planning and Development recommends: **DENIAL** of variance from UDO Sec. 206-8.26 (Roofed Accessory Structure) to increase the allowable square footage for roofed accessory structures from 1,803 sq ft to 3,683 sq ft.

In the event the Board of Appeals approves BOA 26-05, the Department of Planning and Development recommend the attachment of the following recommended **Conditions.**

1. Within 60-days of variance approval, Property Owner/Applicant shall obtain a Building Permit for all unpermitted structures submitted in this application and obtain a Certificate of Completion for each structure upon passage of a final building inspection by the Building Official.

2. Pursuant to UDO Sec. 206-8.26.B, *in all residential districts, accessory buildings shall not be used for any commercial business operation whether permanent or part-time or used for any type of human habitation except as part of an approved accessory dwelling unit, as provided in this UDO.* If any accessory structure is used in the aforementioned manners, the variances would become void.