

SPECIAL USE PERMIT(S):
SUP-2010-004

**CITY OF SUWANEE
SPECIAL USE PERMIT ANALYSIS**

CASE NUMBER: SUP-2010-004
REQUEST: LIVESTOCK (2 HORSES)
ZONING: R-100 (SINGLE-FAMILY RESIDENTIAL DISTRICT)
LOCATION: 3656 MARTIN FARM ROAD
TAX ID NUMBER: 7-211-076
ACREAGE: 2.29 ACRES
PROPOSED REQUEST: TWO HORSES

APPLICANT: SUSAN E. HYZER
3656 MARTIN FARM ROAD
SUWANEE, GA 30024

OWNER: SUSAN E. HYZER
3656 MARTIN FARM ROAD
SUWANEE, GA 30024

CONTACT: SUSAN OR WALT HYZER
CONTACT PHONE: 678-926-3030

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT DATA:

The applicant requests a Special Use Permit on an approximately two-acre tract to allow for two horses. The site is located at 3656 Martin Farm Road adjacent to Suwanee Creek. The subject property is an R-100 zoned tract. The zoning ordinance considers horses to be livestock. In the R-100 zoning district, keeping livestock requires a special use permit. The applicant proposes to keep the two horses on the property for personal use by the property owners.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the Council to review certain proposals in the context of their use and take into consideration the surrounding area and other relevant factors. A Special Use Permit does not change the underlying zoning of property, but grants the property an additional specified use. In this case the specified use would allow for two horses.

DEVELOPMENT COMMENTS:

The following comments are provided to make the applicant aware of certain pertinent issues. This list is not exhaustive of all development issues.

The Georgia Department of Agriculture regulates animal manure handlers through the Department's Animal Industry Division. Persons who handle less than five tons or 5,000 gallons of animal manure per year are exempt. However, this document provides useful guidance on how to avoid potential water contamination. Specifically, the regulations require at least 100 feet

of non-vegetated distance or 35 feet of perennial vegetated buffer from any down-gradient surface water, including but not limited to, streams, ponds springs, sinkholes or wetlands.

ANALYSIS:

The subject property is a 2.29 acre site located at 3656 Martin Farm Road along Suwanee Creek between Buford Highway and Satellite Boulevard. The site includes a single-family home and an accessory shed. The site also includes a fence around the perimeter of the property and proposed pasture area. The site can adequately support the proposed use.

The subject property is located in an established single-family residential neighborhood adjacent to Martin Farm Park and Suwanee Creek. To the south and east of the subject property is Suwanee Creek, the Suwanee Creek Greenway and Martin Farm Park, zoned R-75. To the north, across Martin Farm Road, are single-family residential properties zoned R-140. To the west is a vacant parcel zoned R-100. It should be noted that the parcel does not directly abut any properties currently developed with single family residences.

The City's zoning ordinance lists livestock as a special use in the R-100 zoning district, provided that the lot is at least 2 acres in size. The zoning ordinance also requires that all structures housing animals must be located at least 50 feet from any property line and at least 100 feet from an adjoining property's principal dwelling. A fence, not to exceed 8 feet in height, must be provided with a buffer of at least 10 feet along all property lines. The maximum number of horses permitted is no more than 2 per acre. The applicant will be required to meet these requirements if the Special Use Permit is approved. Currently, the fencing and existing barn do not meet these requirements and will have to be relocated and/or reconstructed in order to meet these requirements.

The horses will be kept behind and to the east of the house in and around an existing shed located on the property. The property is already appropriately fenced with a large shed that, according to the applicant, is currently served by water and electric utilities. The applicant's letter of intent explains that this shed will be used as the horse barn and for hay storage for a limited amount of hay not to exceed twenty bales. The City's Future Land Use Plan recommends single-family residential uses for this site. The proposed use is an accessory use to an existing single-family residence does not conflict with this designation.

In conclusion, the requested Special Use Permit for livestock would be appropriate at this location. The subject property is located on a lot greater than two acres in size within an existing residential area. With the appropriate conditions, there should be no adverse impacts resulting from the approval of a special use permit for the site. The Planning Department recommends **APPROVAL WITH CONDITIONS** of the request.

Planning Department's Recommended Conditions

SUP-2010-004

Approval of a Special Use Permit for livestock subject to the following conditions:

- 1) No more than two horses shall be kept on the lot.
- 2) All structures, pens or corrals housing the animals shall be located at least 50 feet from any property line and at least 100 feet from any adjoining property's principal dwelling.
- 3) A fence shall be provided outside of the yard abutting a public street (the front 50 feet) not to exceed 8 feet in height. Said fence shall also be provided and located to allow for a buffer of at least 10 feet along all side property lines and a 35 foot buffer off Suwanee Creek.

Standards Governing Exercise of Zoning Power

Pursuant to Section 2006 of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the unrestricted use of property and shall govern the exercise of the zoning power therewith.

- A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The subject property does not abut any lots with existing single family residences. The storage of livestock would be suitable at this location.

- B. Whether the zoning proposal will adversely affect the existing uses or usability of adjacent or nearby property;

Due to the limited number of horses, the use would not be expected to negatively impact existing uses or usability of adjacent and nearby uses.

- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The subject property has a reasonable economic use as currently zoned without a Special Use Permit.

- D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools;

Approval of the request likely would not result in an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

- E. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan;

The Future Land Use Plan recommends single family residential uses for this site. The proposed livestock use, with a Special Use Permit, is an appropriate accessory residential use.

- F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

There are no extraordinary or changing conditions which give additional support for approval of the request.

SPECIAL USE PERMIT APPLICATION

APPLICANT INFORMATION*

OWNER INFORMATION*

NAME: Susan E. Hyzer
 ADDRESS: 3656 Martin Farm Rd
Suwanee, GA 30021

NAME: Sano
 ADDRESS: _____

PHONE: 678 926 3030

PHONE: _____

CONTACT PERSON: Susan Or Walt Hyzer

PHONE: _____

E-Mail Address: WHYZER@GMAIL.COM

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): R-100 REQUESTED ZONING DISTRICT R-100

PROPOSED DEVELOPMENT: Keep 2 Pleasure Houses on Property

TAX PARCEL NUMBER(S): 7-211-076

ADDRESS OF PROPERTY: 3656 Martin Farm Rd, Suwanee GA 30021

TOTAL ACREAGE: 2.29 PUBLIC ROADWAY ACCESS: Yes

FOR RESIDENTIAL DEVELOPMENT:

FOR NON-RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLING UNITS: 1

NO. OF BUILDINGS/UNITS: _____

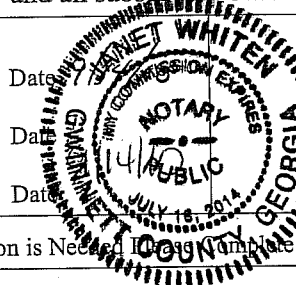
DWELLING UNIT SIZE (SQ. FT.): 2101

TOTAL GROSS SQUARE FEET: _____

CERTIFICATIONS

I hereby certify that the above and attached information is true and correct. I am also aware that no reapplication on the same land which has been denied by the City Council shall be acted upon within 12 months from the date of last action unless said time period is waived by the Council. In no case shall a reapplication be acted upon in less than 6 months from the date of last action by the Council. I am also aware that any and all conditions which may be attached to the property shall be binding on the property and all subsequent owners.

Susan E Hyzer
 Signature of Applicant*
Susan E Hyzer
 Print Name*
Janet Whiten
 Signature of Notary



Susan E Hyzer
 Signature of Owner*
Susan E Hyzer
 Print Name*
Janet Whiten
 Signature of Notary
9/14/10
 Date

* If Additional Applicant or Owner Information is Needed, Complete Additional Application Form(s)

CITY OF SUWANEE USE ONLY

Date Received: 9/15/10 Case No.: SUP-2010-004 Accepted By: [Signature]

SPECIAL USE PERMIT APPLICANT'S RESPONSE

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to the 1998 Zoning Ordinance, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:
We would like to keep two pleasure horses on our property which is 2.29 acres. This is in keeping w/R-100 zoning permitted special uses.

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
No, it will not.

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
It's only economic use is as a residence and this will not change

(D) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools:
No

(E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
Yes it is suitable for R-100 permitted special uses

(F) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:
The keeping of horses is permitted as a special use under R-100 zoning. The property is already appropriately fenced to contain horses.

Date Received: 9/15/10 CITY OF SUWANEE USE ONLY
 Case No.: SUP.2010.001 Accepted By: [Signature]

CONFLICT OF INTEREST CERTIFICATION FOR ZONING ACTIONS

The undersigned below, making application for rezoning, has read and complied with the Official Code of Georgia Section 36-67A-1, et.seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

Susan Hyzer 9/14/10
Signature of Applicant Date

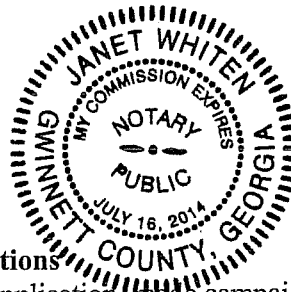
Susan E. Hyzer
Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date

Type or Print Name and Title

Janet Whiten 9/14/10
Signature of Notary Public Date

Notary seal



Disclosure of Campaign Contributions

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City Council or a member of the city of Suwanee Planning Commission?

No yes/no

Your Name

If the answer is yes, please complete the following section:

Name and Official Position of Government Official	Contributions (list all which aggregate to \$250 or more)	Date Contributions was made (within last two years)

*Attach additional sheets, if necessary to disclose or described all contributions.

CITY OF SUWANEE USE ONLY


Date Received: 9/15/10 Case No.: SUP. 2010000 Accepted By: [Signature]

Letter of Intent

9/14/10

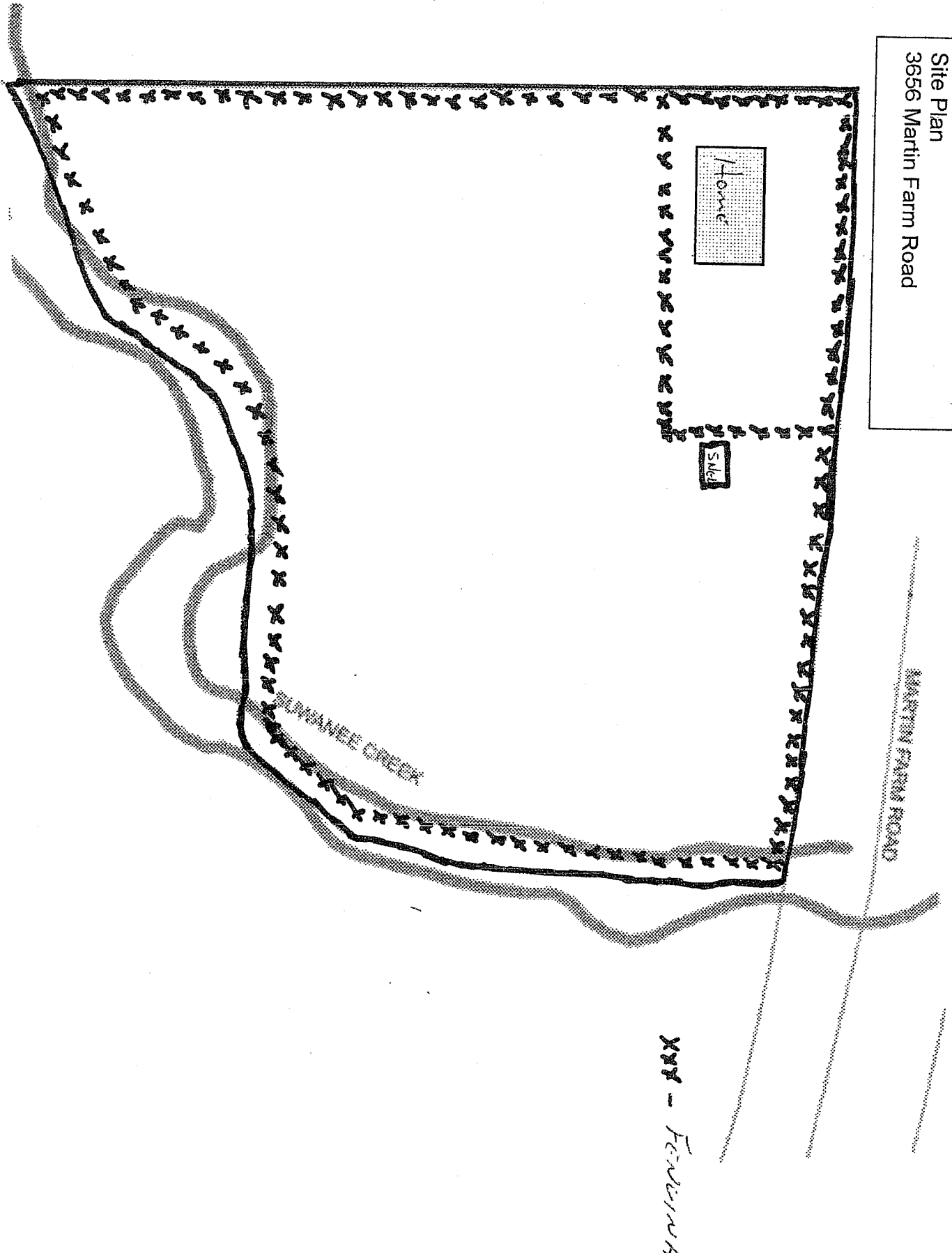
We would like to keep two horses on our property at 3656 Martin Farm Road, Suwannee, GA 30024. We have 2.29 acres which complies with the R-100 zoning requirements for keeping livestock. The horses would be for our personal pleasure use only.

The property is already appropriately fenced plus we have a large shed with water and electricity which would be used as a barn and hay storage for a limited amount of hay not to exceed 20 bales.


Susan E, Hyzer

SUP. 2010-004

Site Plan
3656 Martin Farm Road



SUP. 2010.004

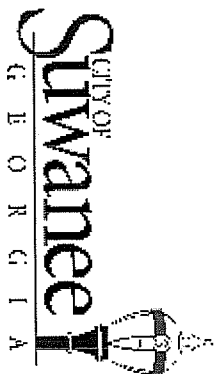






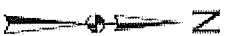
EXHIBIT A

SUP-2010-004

Location Map

Legend

-  Current cadastre
-  City Limits
-  Streets
-  SUP-2010-004



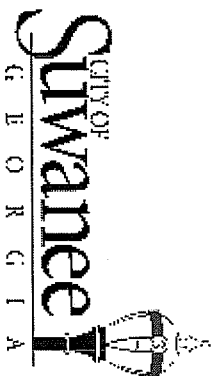






EXHIBIT B

SUP-2010-004

Aerial Map

Legend

-  Current cadastre
-  City Limits
-  Streets
-  SUP-2010-004

