

VARIANCE(S):

V-2019-001

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2019-001

REQUEST: REDUCE FRONT SETBACK FROM 50-FEET TO 25-FEET.

APPLICABLE SECTION: SECTION 501

LOCATION: WHITE STREET ACROSS FROM WHITE STREET PARK

PARCEL: 7-210-048

ZONING: R-100 (RESIDENTIAL SINGLE FAMILY)

APPLICANT/OWNER: JENNIFER SPENCER & TANYA SOLA
3749 BAXLEY RIDGE DRIVE
SUWANEE, GA 30024

CONTACT: JENNIFER SPENCER & TANYA SOLA
CONTACT PHONE: 404-914-1800

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant seeks a variance from Section 501 of the City of Suwanee Zoning Ordinance to allow for a reduction of the setback abutting a public street from 50 feet to 25 feet. The subject property is approximately 1.5 acres and located along White Street across from White Street Park. The property is zoned R-100 (Residential Single Family).

The subject property is undeveloped and slopes up steeply from White Street to the railroad tracks a total of 45 to 50 feet. This 45 to 50 feet of rise occurs over a distance of approximately 160 feet. The applicant plans to subdivide the parcel into three lots to build three single family dwellings on the subject property and requests a variance from the 50-foot front setback requirement in order to have the houses situated closer to Main Street. Because of the steep slope the applicant would like to move the homes closer to the front of the property.

Section 501.C of the Zoning Ordinance sets forth the district development standards for property zoned R-100. It states that the minimum yard abutting a public street is 35 feet when abutting a subdivision street and 50 feet when abutting all other streets. White Street is not considered to be a subdivision street, as such, a 50-foot yard/setback is required. The applicant is seeking to locate the proposed homes approximately 25 feet from the White Street right-of-way, as such a variance is required.

The surrounding area is surrounded by residentially zoned property. To the south of the subject property, across White Street, is White Street Park, zoned R-140. White Street Park includes the Harvest Farm community garden, Harvest Farm barn, and the Orchard. To the north of the subject parcel, across the railroad tracks, is the Old Suwanee neighborhood, zoned RM-6. The property to the east is occupied by a vacant church and is zoned R-100, like the subject parcel. To west of the subject property is land that is currently under development, zoned PMUD. The project is called Harvest Park. Harvest Park is a large 32-acre residential development. The portion of the Harvest Park directly adjacent to the subject property will be developed with single family homes with 5-foot front setbacks.

The City of Suwanee's Zoning Ordinance grants the Zoning Board of Appeals the authority to grant variances. According to Section 2006 of the Ordinance, the Board is authorized to grant variances when literal enforcement of the Ordinance will result in unnecessary hardship to a property owner. A variance may be granted if the conditions are unique to the property and/or are unlikely to cause substantial detriment to the public good or if the variance will not undermine the intent of the zoning ordinance. In addition, a variance may be granted when such conditions are not the result of any actions of the property owner.

It does appear that the property is greatly impacted by extremely steep slopes which could impact the ability to use the property. In addition, other homes located along White Street have front setbacks that range from approximately 15 feet to 45 feet. The adjacent PMUD, Harvest Park, has a 5-foot front setback for homes along White Street. As such they are likely to be much closer to the road. A 25-foot setback would be compatible with nearby homes and the future homes expected to be constructed to the west.

The applicant's request to reduce the front setback of the lot from 50 feet to 25 feet will match surrounding properties and is not likely to impact nearby parcels. Approval would allow a development that is consistent with and compatible with current and anticipated development in the surrounding area. The property owner does appear to have a hardship as a result of unusually steep topography. It is unlikely that approval of this variance would cause substantial detriment to the public good or impair the purposes or intent of the Zoning Ordinance. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of V-2019-001.

Recommended Conditions

V-2019-001

The Planning Department recommends approval of a variance to allow for a reduction in the front setback subject to the following condition(s):

1. Minimum yard abutting a public street shall be 25 feet.

Standards for Consideration

Pursuant to Section 2009A of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

A. Will approval of the variances unreasonably increase the congestion in public streets?

Approval of the variance would not increase the congestion in public streets.

B. Will approval increase the danger of fire or endanger public safety?

Approval of the variance would not increase the danger of fire or endanger public safety.

C. Will approval unreasonably diminish or impair established property values within the surrounding area?

Approval of the variance would not unreasonably diminish or impair property values within the surrounding area.

D. Will approval in any other aspect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City?

Approval of the variance would not impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

**APPLICATION FOR VARIANCE FROM THE
CITY OF SUWANEЕ ZONING BOARD OF APPEALS**

Please complete this application and submit with all necessary attachments as stated on the Variance Information Form (please type or print)

APPLICANT INFORMATION

Name: Jennifer Spencer/Tanya Sola
Address: 3749 Baxley Ridge Drive
City: Suwanee
State: Georgia
Phone: 404.914.1800/678.907.4031
E-mail address: belleweddings@yahoo.com

OWNER INFORMATION

Name: Jennifer Spencer/Tanya Sola
Address: 3749 Baxley Ridge Drive
City: Suwanee
State: Georgia
Phone: 404.914.1800/678.907.4031

CONTACT PERSON: Tanya Sola/Jennifer PHONE: 678.907.4031/404.914.1800

ADDRESS OF PROPERTY 0 White Street, Suwanee Georgia 30024

LAND DISTRICT 7 LAND LOT 210 PARCEL 7210048 LOT _____

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) N/A

ZONING R-100

VARIANCE REQUESTED ~~10~~ 25' ~~foot front yard variance~~ set back reduction, ~~5 feet side~~
~~5 feet rear~~

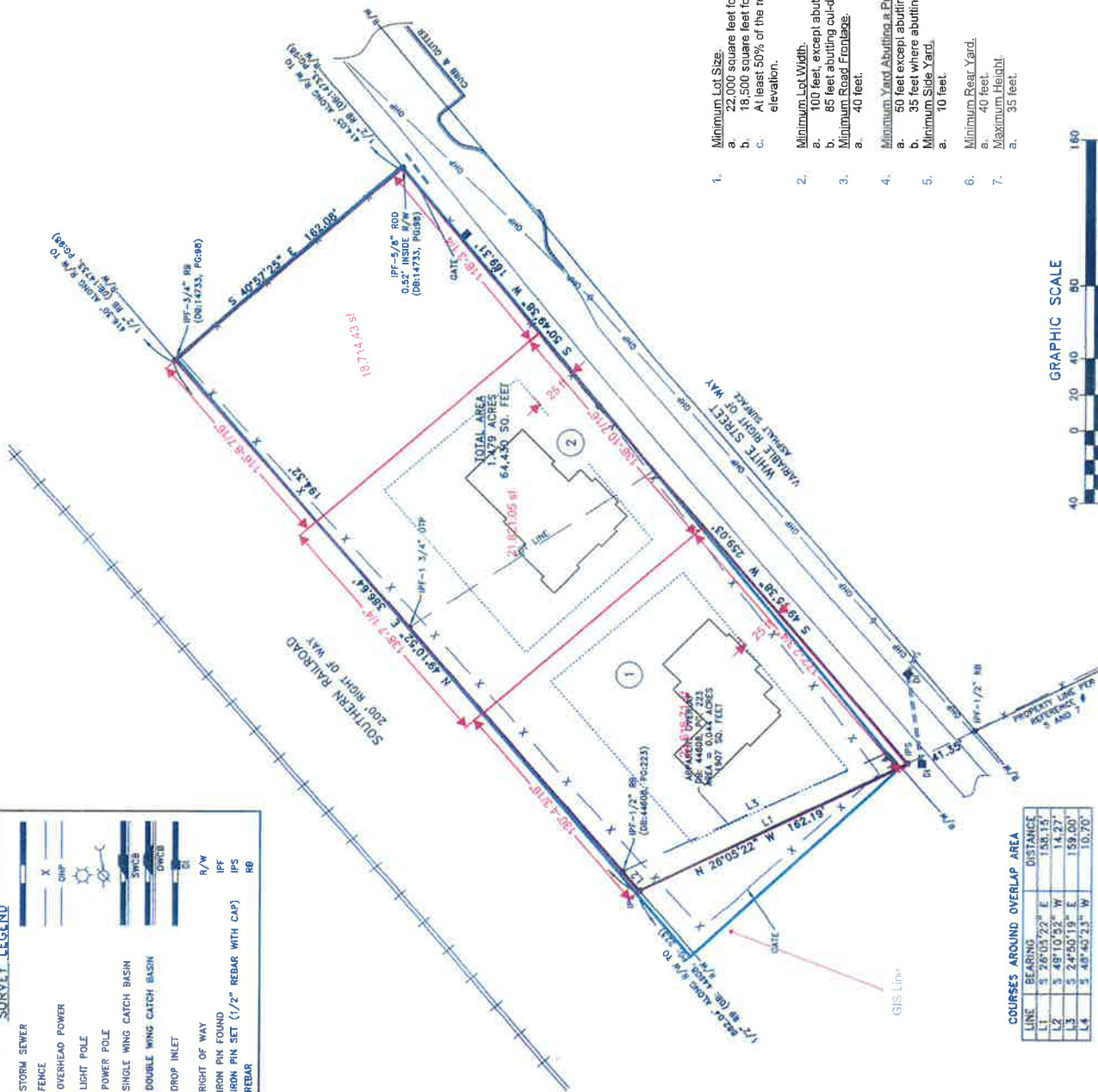
NEED FOR VARIANCE We request a variance to move homes 10 feet closer to White Street in order to be comparable to all surrounding homes on White Street.

***A VARIANCE FROM A CONDITION OF ZONING CANNOT BE ACCEPTED.
SECTION 2007, APPLICANT AND/OR A REPRESENTATIVE.
***The property owner, applicant and /or a representative thereof shall be present at all meetings of the Zoning Board of Appeals, Planning Commission and/or Mayor and Council at which official action is requested on any variance or application for amendment. The failure of the property owner, applicant and/or a representative to attend such meetings shall result in the denial of said variance or application for amendment.**



REVISIONS	DATE

DRAWING TITLE	
BOUNDARY SURVEY	
DWG FILE	
DRAWN BY	
CHECKED BY	
DATE	
SCALE	1"=40'



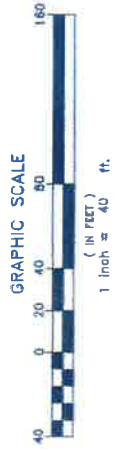
SURVEY LEGEND

STORM SEWER	X	R/W
FENCE	CHP	IPF
OVERHEAD POWER		IPB
LIGHT POLE		RB
POWER POLE		
SINGLE WING CATCH BASIN		
DOUBLE WING CATCH BASIN		
DROP INLET		
RIGHT OF WAY		
IRON PIN FOUND		
IRON PIN SET (1/2" REBAR WITH CAP)		
REBAR		

COURSES AROUND OVERLAP AREA

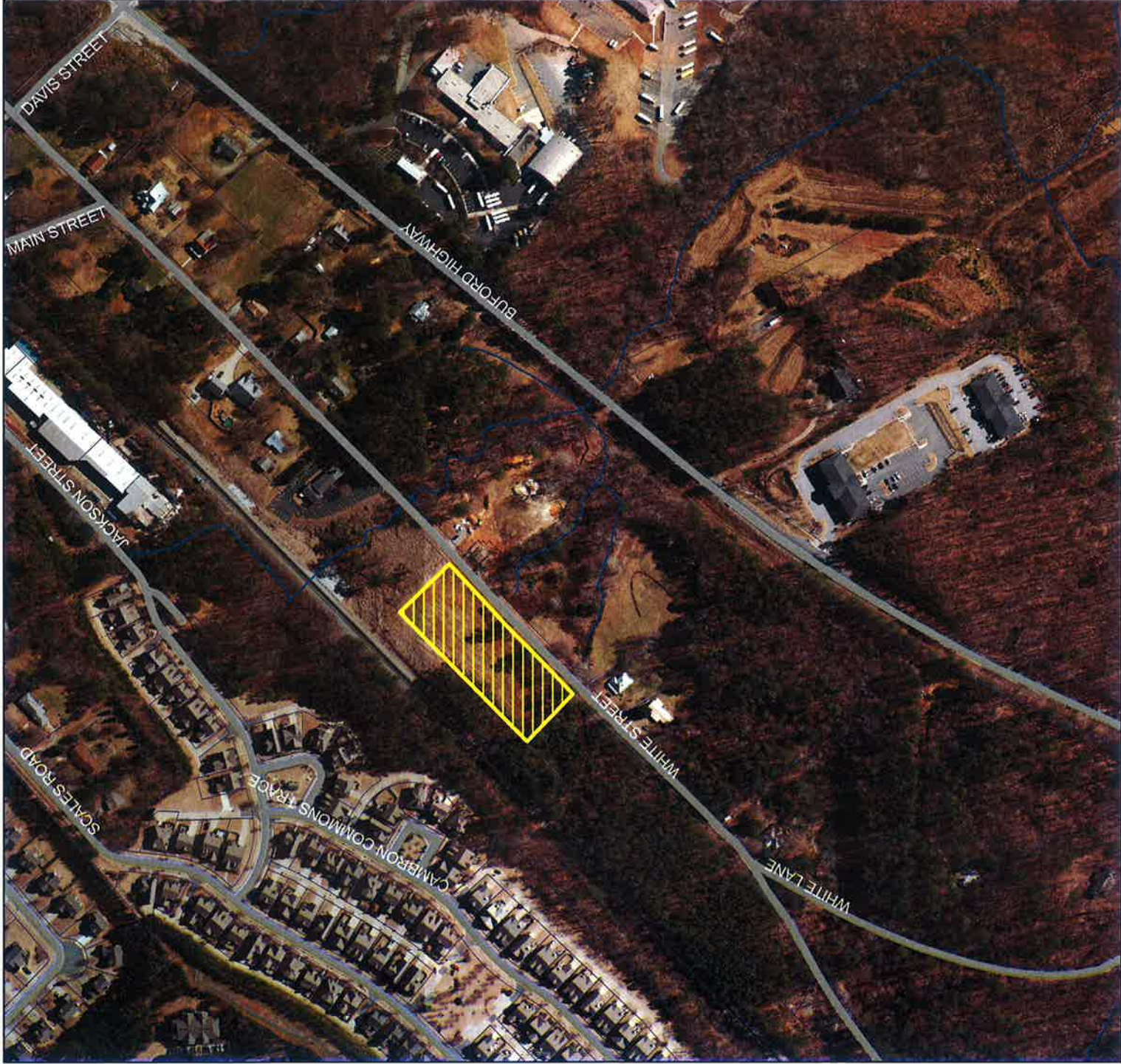
LINE	BEARING	DISTANCE
L1	S 26°15'22" E	138.15'
L2	S 48°10'52" W	14.27'
L3	S 24°50'19" E	159.00'
L4	S 48°40'23" W	10.70'

- Minimum Lot Size.
 - 22,000 square feet for a septic tank lot.
 - 18,500 square feet for a sewer lot.
 - At least 50% of the required lot area shall be above the Base Flood elevation.
- Minimum Lot Width.
 - 100 feet, except abutting a cul-de-sac or half cul-de-sac
 - 85 feet abutting cul-de-sacs or half cul-de-sacs
 - Minimum Road Frontage.
 - 40 feet.
- Minimum Yard Abutting a Public Street.
 - 50 feet except abutting upon a subdivision street
 - 35 feet where abutting upon a subdivision street
 - Minimum Side Yard.
 - 10 feet
- Minimum Rear Yard.
 - 40 feet
 - Maximum Height.
 - 35 feet.






V-2019-001

Location Map V-2019-001



Legend

-  V-2019-001
-  streams
-  roads





Zoning Map V-2019-001

Legend

V-2019-001

ZONING

- C-1
- C-2
- C-2A
- C-3
- GCA
- IRD
- M-1
- OI
- OTCD
- PMUD
- R-100
- R-140
- R-75
- R-85
- RM6
- RM8

roads

streams

0 175 350 700 Feet

1:4,000

