

VARIANCE(S):

V-2019-002

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2019-002

REQUEST: ACCESSORY BUILDING EXCEEDING 800
SQUARE FEET OF GROSS FLOOR AREA

APPLICABLE SECTION: SECTION 512.2.A.1.c

LOCATION: 634 SCALES ROAD

PARCEL: 7-237-402

ZONING: IRD (INFILL RESIDENTIAL DISTRICT)

APPLICANT/OWNER: CLINT GOOCH
211 ST. MARTIN DRIVE
SUWANEE, GA 30024

CONTACT: CLINT GOOCH
CONTACT PHONE: 404-434-1196

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant seeks a variance from Section 512 of the City of Suwanee Zoning Ordinance to allow for an accessory building exceeding 800 square feet within the IRD (Infill Residential District) zoning district. The subject property is approximately 0.3 acres located at the corner of Scales Road and Scales Street in historic Old Town. The property is zoned IRD (Infill Residential District).

The applicant plans to build a single family home on the property and also wants to build a detached two car garage/accessory dwelling unit (both of which are permitted by the current zoning). However, the applicant would like to build the accessory dwelling unit over the garage in the form of a carriage house, which would result in a structure that is greater than 800 square feet.

The proposed accessory structure would be two stories including a garage on the ground level and an accessory dwelling unit over the garage. The proposed structure would have an exterior finish consistent with the primary house and be subordinate to the primary residence as required. The primary home is proposed to be approximately 5,000 square feet. The proposed carriage house would be a total of approximately 1,728 square feet. The foot print of the structure would total approximately 756 square feet. The garage would be located on the first floor and the accessory dwelling would be located on the second floor with some additional living space built

into the roof. In short, the applicant is using the topography of the site to minimize the appearance of the accessory structure. The IRD (Infill Residential District) zoning limits accessory buildings to 800 square feet, so the applicant would need a variance from this regulation in order build the accessory dwelling unit over a garage.

The topography of the site slopes away from Scales Road toward the back of the property. The proposed accessory structure would be located near the rear corner of the property on the lower portion of the site. The property owner is proposing to use a retaining wall that would level out the slope at the front of the property creating a flatter yard to the side of the main house along Scales Road. As a result, only the upper story of the structure (the accessory dwelling portion) would be visible from Scales Road. The applicant proposes a driveway off of Scales Road and Scales Street. The driveway off Scales Street would access directly into the garage portion of the structure and the driveway off Scales Road would lead to a parking pad adjacent to the accessory structure.

The subject property is surrounded by residentially zoned property. Most of the surrounding lots are developed with single family homes, and many of the surrounding lots have existing accessory buildings as well. The lot directly adjacent to the east of the subject property (zoned IRD) is currently under construction for a new single family home that will have a similar sized garage attached to the main house by a breezeway. This garage does not require a variance because it is attached to the main home. The lot directly adjacent to the south (zoned IRD) contains a single family home and a detached garage. To the north of the subject property, across Scales Road, is a church, a single family home, and the Suwanee water tower, on lots zoned R-100. To the southwest across Scales Street is another faith based building and single family homes on lots zones R-100.

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 "relief, if granted, would not cause substantial detriment to the public good nor impair the purpose or intent of the Zoning Ordinance."

The proposed development would be consistent with the surrounding area and the vision for the Old Town Character Area as expressed in the 2040 Comprehensive Plan.

"The growth strategy for Old Town should be carefully-crafted, creative infill responding to and enhancing the historic scale and unique small town character of Old Town... Multiple residential structures on one lot should be permitted and encouraged. Adding accessory dwelling units can create housing opportunities in Old Town without compromising, and if done well, even enhancing the character" (2040 Comprehensive Plan, p. 17).

The historic homes in Old Town do not have attached garages. Most homes in Old Town have either detached garages at the rear of the lot or no garage at all, so the construction of a detached garage contributes to the creation of a new main house that is more consistent with historic houses in the area.

The historic Old Town area is interspersed with accessory structures some of which are smaller than 800 square feet and some of which are larger than 800 square. Some of these accessory structures have been in place since before the City adopted zoning. Others have been more recently constructed and were done so with the approval of a variance.

It should be noted that the need for a variance could be avoided by either separating the two proposed accessory uses (dwelling and garage) into separate structures or by physically connecting the garage to the primary structure. Both of these options could be done in a way that complies with the regulations, but would lead to site development that is less consistent with the style of development found in the historic Old Town area (and other historic downtown areas throughout the country).

The request to build an accessory structure exceeding 800 square feet in order to combine two accessory uses is appropriate in the Old Town Character Area. Approval of the requested variance would help to make the property more compatible with current and anticipated development in the surrounding area and is unlikely to negatively impact nearby property. Approval would not undermine the zoning ordinance. Therefore, staff recommends **APPROVAL WITH CONDITIONS** of V-2019-002.

Recommended Conditions

V-2019-002

The Planning Department recommends approval of a variance to allow for one accessory building exceeding 800 square feet subject to the following condition(s):

1. This variance approval only applies to a single accessory structure. One accessory structure may have a footprint of up to 800 square feet and a 2-story appearance, consistent with the architecture identified in Exhibit 'A' and located approximately as shown in Exhibit 'B'.
2. Said accessory building shall include a two-car garage.

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 SUWANEE 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: CLINT GOOCH
Address: 211 St. Martin Dr.
City: Suwanee, GA 30024
State: _____
Phone: 404-434-1196
E-mail address: clintgooch2@gmail.com

OWNER INFORMATION

Name: CLINT GOOCH
Address: _____
City: _____
State: _____
Phone: _____

CONTACT PERSON: CLINT GOOCH PHONE: 404-434-1196

ADDRESS OF PROPERTY 634 Seales Rd. Suwanee, GA 30024

LAND DISTRICT 7th LAND LOT 237 PARCEL 402 LOT III

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) N/A

ZONING RD

VARIANCE REQUESTED to allow for an accessory structure for 1900 sq ft to accommodate for a 2 car garage and above garage apartment

NEED FOR VARIANCE to allow for a 2 car garage.

***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.**

February 13th, 2019

Dear Board Members of the City of Suwanee,

I am writing to ask for a variance to your 800 sq ft maximum for an accessory structure. We are wanting to build a separate 2 car garage with an "above garage apartment". We are asking for you to allow us to build our accessory structure with a 1900 sq ft maximum. We will be using the space to house overnight guests (family and friends) to stay and for a mother-in-law suite in the future when needed.

We are placing the accessory structure within the setbacks and city requirements.

*Please see attached house and site plans.

Thank you.

Clint Gooch

clintgooch2@gmail.com

404-434-1196

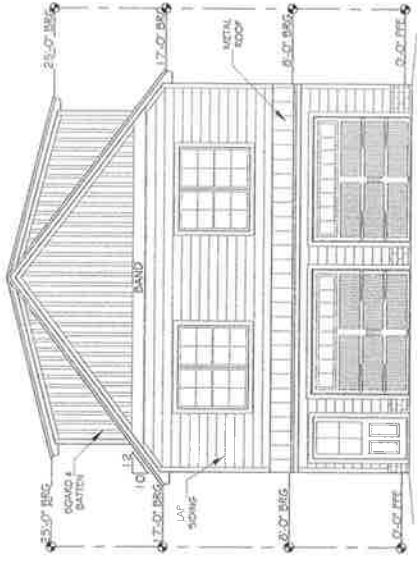
V-2019-002

THIS DRAWING CONTAINS
 ARCHITECTURAL FINISHES
 DIMENSIONS AND LOCATIONS
 ONLY. SIZE AND LOCATION
 OF MATERIALS MUST BE
 TO MEET MANUFACTURERS
 SPECIFICATIONS.
 DO NOT SCALE DRAWINGS
 ANY QUESTIONS ABOUT
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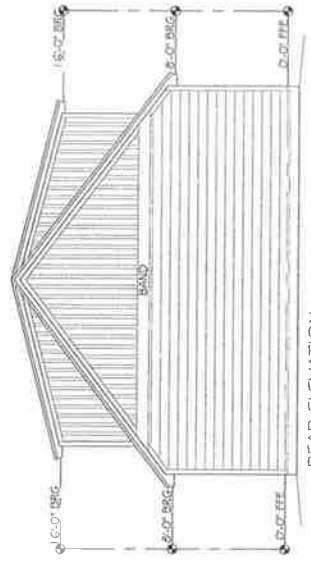
GOOCH RESIDENCE
 GARAGE HOUSE
 ELEVATIONS

DESIGN INFO
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A-7



FRONT ELEVATION



REAR ELEVATION



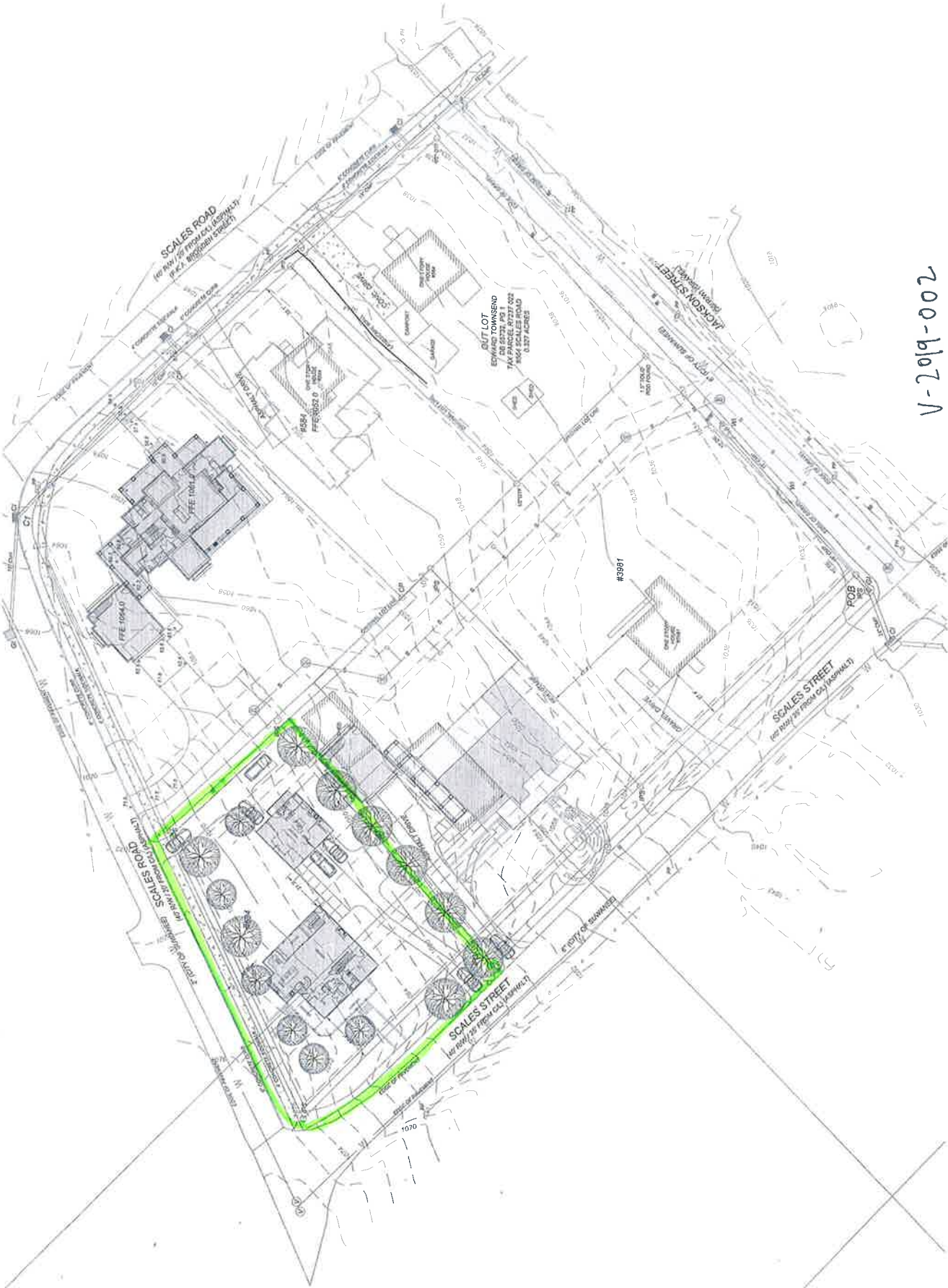
LEFT ELEVATION



RIGHT ELEVATION

V-2019-002

Exhibit A



V-2019-002

SITE PLAN - EXHIBIT B

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Location Map V-2019-002



Legend



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Zoning Map V-2019-002

Legend

V-2019-002

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 75 150 300 Feet

1:2,000

