

VARIANCE(S):

V-2019-008

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2019-008

REQUEST: ACCESSORY STRUCTURE EXCEEDING
MAXIMUM SQUARE FOOTAGE

APPLICABLE SECTION: SECTION 500

LOCATION: 150 ABBEY HILL ROAD

DISTRICT/LAND LOT: 7-276-035

ZONING: R-140 (RESIDENTIAL SINGLE FAMILY)

APPLICANT/OWNER: DAVID LUNEY
150 ABBEY HILL ROAD
SUWANEE, GA 30024

CONTACT: DAVID LUNEY
PHONE: 678-525-3908

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant seeks a variance from Section 500.A.1 of the City of Suwanee Zoning Ordinance to allow for an accessory building exceeding the maximum permitted square footage. The applicant seeks to construct an approximately 2,400 square foot accessory structure located at the rear of the property. The subject property is located at 150 Abbey Hill Road and is zoned R-140.

The subject property consists of 2.7 acres and contains a two-story primary residence of approximately 3,500 square feet not including an unfinished basement. The applicant is seeking to construct an accessory building that is approximately 2,400 square feet in size. Section 500.A.1.c of the City of Suwanee Zoning Ordinance states that an accessory building “shall not exceed 800 square feet of gross floor area.” As such, a variance would be required in order to build the accessory structure as proposed. The proposed accessory dwelling will be used as a garage for the storage of cars, a boat, and a motorhome, all of which are currently located on the property.

The site is heavily wooded with large trees that block the house from view from Abbey Hill Road. The proposed accessory structure would not be visible from Abbey Hill Road. The subject property is surrounded by large, heavily wooded, single-family lots to the north, east and west which are also zoned R-140. To the rear, directly south and adjacent, is a single-family detached and attached neighborhood called Hadley Township, in the city limits of Sugar Hill.

While lot sizes on Abbey Hill Road range from .9 acres to 2.8 acres, the average lot size in the single street neighborhood is 1.86 acres, but the homes directly adjacent to the subject parcel are 2.8 acres, like the subject property.

Accessory buildings are permitted uses in all of the City's residential zoning districts. All of the residential zoning districts have the same standard for accessory buildings in terms of maximum square footage allowed. However, a heavily wooded 2.7-acre lot is more capable of accommodating a larger accessory building without negative impacts on adjoining properties than a half-acre cleared lot in a subdivision. The City regulates the size of accessory structures to protect homeowners from the possible negative impacts of a large accessory building on adjacent properties. In this case, the closest home on Abbey Hill Road is located more than 200 feet from the proposed accessory building. Regarding the adjacent single-family attached/detached neighborhood, the new development was probably more impactful to the subject property than the proposed accessory structure would be to the new neighborhood.

Accessory structures should be clearly subordinate to the primary structure on the property and constructed of materials consistent with the primary structure. The primary structure on the property is a two-story house around 3,500 square feet. The house on the subject property would clearly be the primary structure on the property even with an accessory building of approximately 2,400 square feet. Additionally, the proposed accessory building would be located well behind the primary structure. There is an existing gravel driveway that begins at the primary residence and is located near the property line that will be used as access to the accessory structure at the rear of the property. The lot is approximately 200 feet wide and the proposed 60x40 structure will be set 50 feet from the eastern property line, approximately 90 feet from the western property line, and 40 feet from the southern property line. If these areas remain wooded, then it is unlikely that the accessory structure would have a significant negative impact.

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.

The lots along Abbey Hill Road are larger than many of the residential lots in Suwanee. These larger lots can accommodate more development than a typical residential lot without negatively impacting nearby properties, because larger lots create greater distance between structures on adjacent lots. In this case, the nearest home in the neighborhood is approximately 220 feet from where the proposed accessory dwelling would be located. The proposed accessory structure would be located approximately 345 feet away from the primary residence to the east and 220 feet away from their tennis court. To the south, the accessory dwelling would be located 40 feet from the rear property line and approximately 120 feet from the single-family homes in Sugar Hill.

In conclusion, while there does not appear to be a hardship, the lot is larger than a typical residential lot in Suwanee; therefore, exceeding the maximum permitted accessory square

footage is unlikely to negatively impact neighboring properties. Therefore, approval of this variance would not be a substantial detriment to the public good and will not undermine the intent of the Zoning Ordinance, which is to limit the number and size of accessory buildings on smaller lots in more densely populated neighborhoods. As such, staff recommends **APPROVAL WITH CONDITIONS** of V-2019-008.

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Planning Department Recommendation:

Staff recommends approval of the request for an accessory structure in excess of 800 square feet, subject to the following conditions:

1. The accessory building shall be a maximum of 2,400 square feet in size.
2. The accessory building shall be located approximately as shown on Exhibit "A".
3. The architecture of the accessory building shall be consistent with the architecture presented in Exhibit 'B'.
4. Maintain a 40-foot wide undisturbed buffer to the east, west, and south of the accessory dwelling, with the exception of the existing gravel driveway.

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 variance unreasonably increase the congestion in public streets?

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

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

Approval of this 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 this variance, with the appropriate conditions would not impair the public health, safety, comfort, morals, or welfare.

**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: David Luney
Address: 150 Abbey Hill Road
City: Suwanee
State: GA 30024
Phone: 678-525-3908
E-mail address: miatastuff@bellsouth.net

OWNER INFORMATION

Name Same
Address _____
City: _____
State _____
Phone: _____

CONTACT PERSON: David Luney

PHONE: 678-525-3908

ADDRESS OF PROPERTY 150 Abbey Hill Road Suwanee GA 30024

LAND DISTRICT 1 - - LAND LOT 276 PARCEL 035 LOT _____

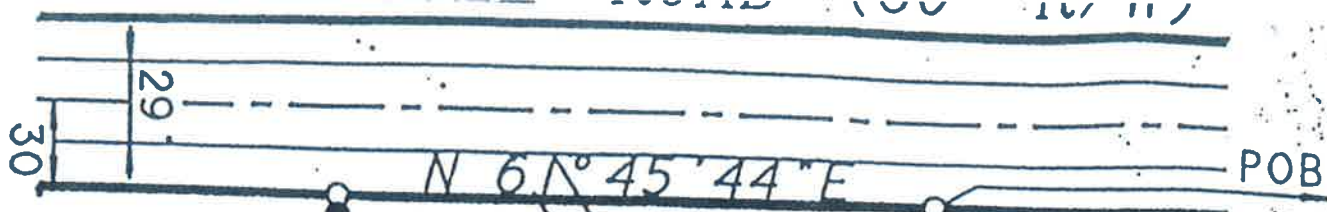
SUBDIVISION OR PROJECT NAME (IF APPLICABLE) Abbey Hill subdivision

ZONING R-140

VARIANCE REQUESTED Detached garage at rear of 2.88 acre property at
150 Abbey Hill Rd. Suwanee GA 30024

NEED FOR VARIANCE Detached garage over 800sf. 60X40 garage for storage of cars, boat and motorhome.

***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.**

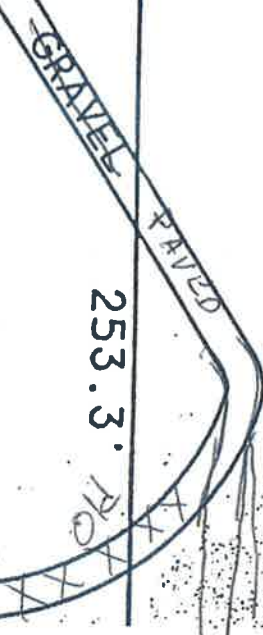


1/2" RBF
6.55' SE

199.93'

1/2" RBF
7.07' SE

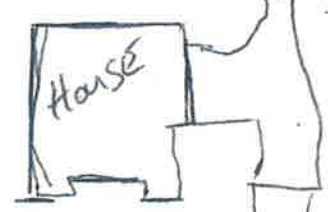
FENCE
0.33' SW



253.3' NO

150 Abbey Hill Rd.

80.2
593.41'
N 28° 19' 10" W



S 28° 21' 00" E
1593.86'

GRAVEL

26

25

24

FENCE
0.48' SW



1/2" RBF
0.05' NW

LL 276

200.25'

40ft 61

LLL

exhibit "A"

S 53° 24' W

BAR FOUND

V.2019.008

150 Abbey Hill Road - Requested

- Suwanee standard: *“any accessory building exceeding 200 square feet shall have an exterior finish consistent with the primary residence.”*
- Proposed: Morton Garage including 6/12 roof pitch and wainscot. Example style and color below
- Proposed: Hi Rib siding with contrasting wainscot to match house siding with contrasting trim.
- Proposed: Brick ledge on foundation (front) to match house brick ledge.

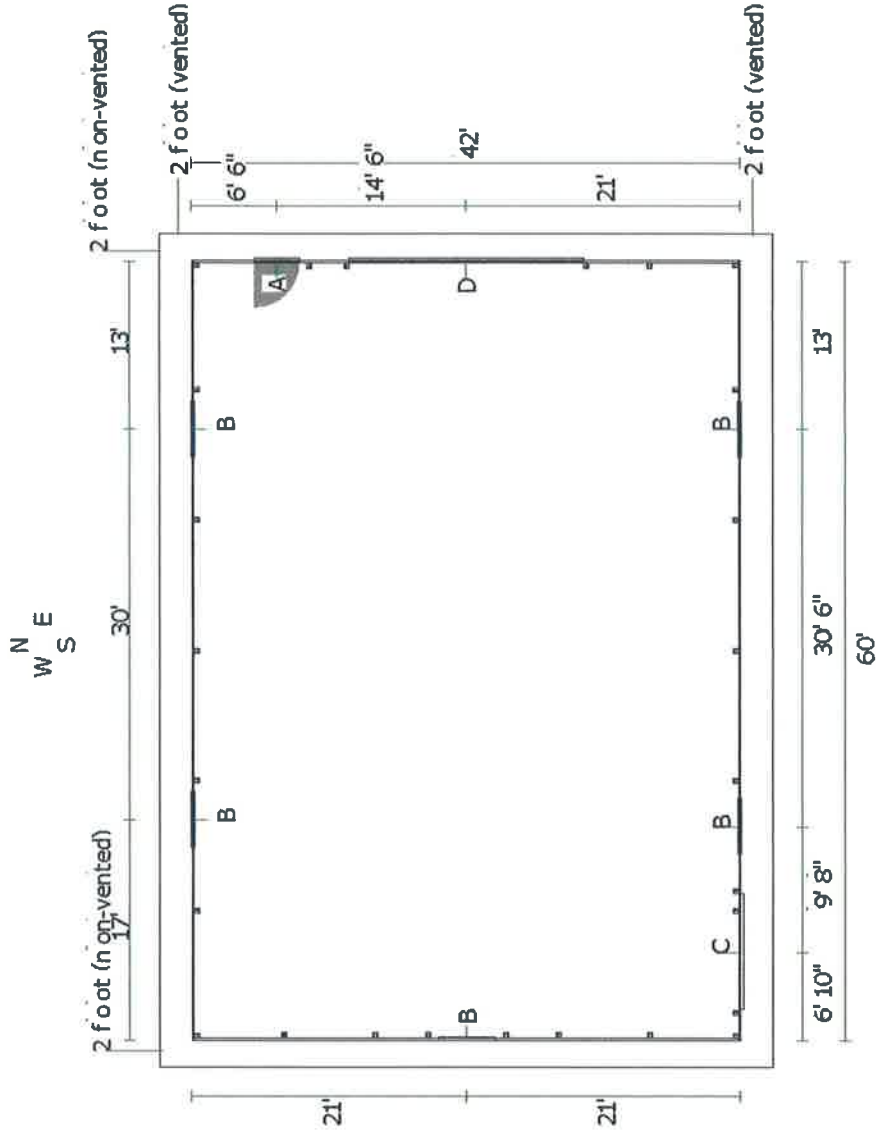


150 Abbey Hill Road



exhibit "B" page 2

306 42'x12'x60' (#1) Column Plan



V.2019.008



Zoning Map V-2019-008

Legend

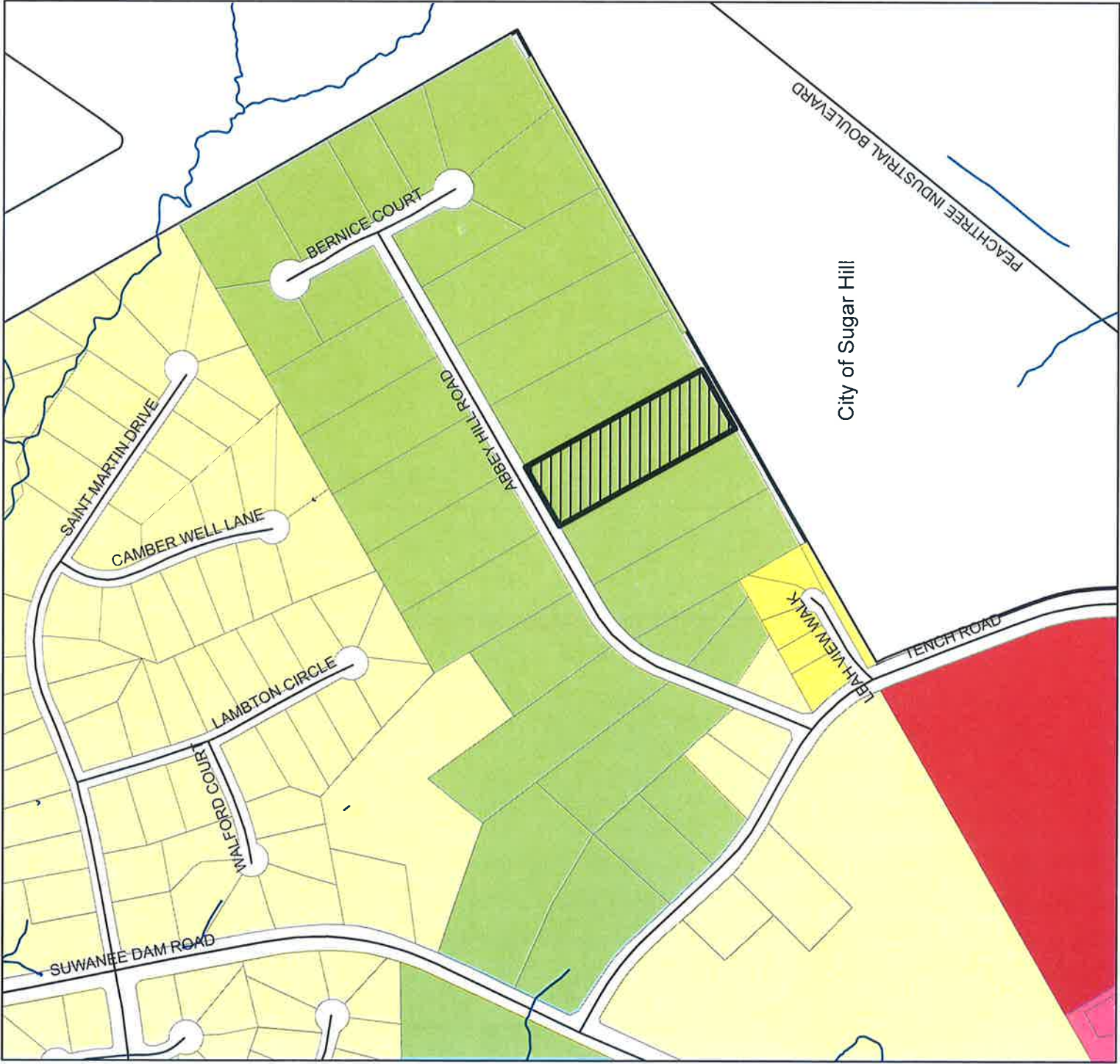
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ZONING

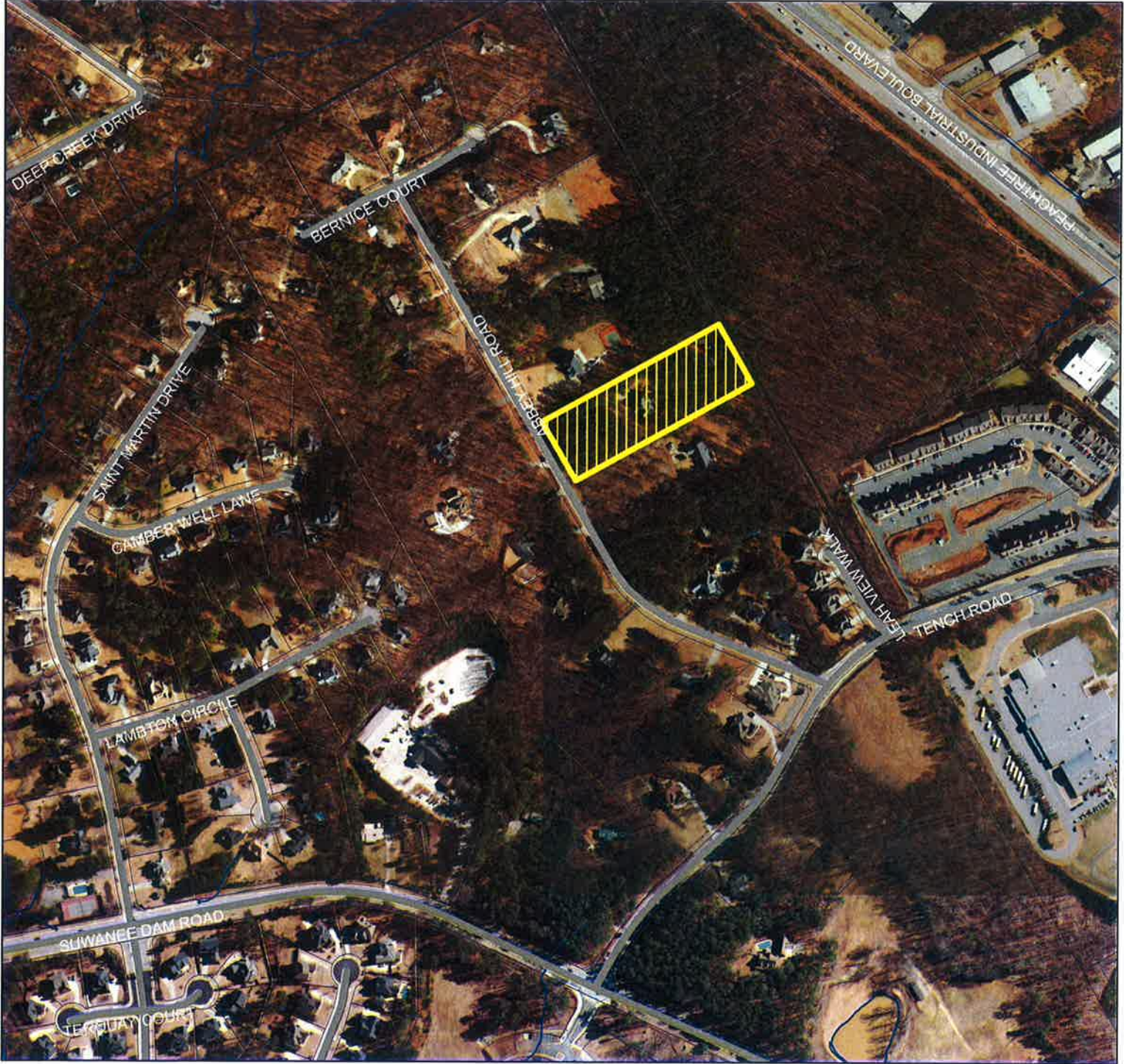
- C-1
- C-2
- C-2A
- C-3
- GCA
- IRD
- M-1
- OI
- OTCD
- PMUD
- R-100
- R-140
- R-75
- R-85
- RM6
- RM8
- roads
- streams

0 200 400 800 Feet

1:5,000



Location Map V-2019-008



Legend



V-2019-008



streams



roads



1:5,000

