

**MINUTES  
CITY OF SUWANEE, GEORGIA  
ZONING APPEALS BOARD MEETING  
April 9, 2019**

**PLANNING AND ZONING APPEALS BOARD MEMBERS:** Present: James Thigpen, Ray Brown, Pete Charpentier, David Sullivan and Paul Altnauer. Staff members present: Alyssa Durden, Kylie Adams, and Robyn O'Donnell.

**CALL TO ORDER**

Alyssa Durden called the meeting to order at 6:30 p.m.

**ADOPTION OF THE AGENDA**

*Ray Brown moved to approve the agenda as presented, second by Paul Altnauer. Motion carried 5-0.*

**APPROVAL OF MINUTES**

*David Sullivan moved to approve the February 19, 2019 minutes, second by Paul Altnauer. Motion carried 5-0.*

**OLD BUSINESS**

**NEW BUSINESS**

V-2019-002 - Owner/Applicant: Clint Gooch. The applicant requests a variance from Section 512 of the City of Suwanee Zoning Ordinance to allow an accessory dwelling exceeding 800 square feet. The site contains approximately 0.33 acres in Land Lot 237 of the 7<sup>th</sup> District and is located at 634 Scales Road.

Alyssa Durden presented the staff report as follows: 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 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 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 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.

James Thigpen called upon the applicant.

Clint Gooch, 211 St. Martin Drive, Suwanee, Georgia.

James Thigpen called for opposition. There was none.

***Paul Altnauer moved to approve V-2019-002 with staff conditions, second by Pete Charpentier. Motion carried 5-0.***

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.

V-2019-003 – Owner: Inland Sims Development, LLC. Applicant: Development Planning & Engineering. The applicant requests a variance from Section 509 of the City of Suwanee Zoning Ordinance to reduce the required 50 foot buffer abutting a residential zoning district. The site contains approximately 2.94 acres in Land Lot 171 of the 7<sup>th</sup> district and is located at 550 Satellite Boulevard.

Alyssa Durden presented the staff report as follows: The applicant seeks a variance to eliminate a required 50 foot wide buffer. The subject property is commercially zoned with residentially zoned property to the north. Section 506 of the Zoning Ordinance requires a 50 foot wide buffer where commercially zoned property abuts single family residential property.

The property owner plans to build an approximately 20,000 square foot office/warehouse and requests a variance from the requirement for a 50-foot wide undisturbed buffer abutting a residential Zoning District. They propose to replace it with a 50-foot wide graded and replanted buffer. This buffer is intended to shield less intensive uses, generally residential, from more intensive uses, such as industrial or commercial uses. Access is proposed via a single right in/right out driveway off Satellite Boulevard.

There is conflicting information regarding the location of an access easement in and around the buffer in question. However, it is clear that there is currently a driveway and powerlines located within the buffer area. As a result of these 2 features, the buffer area is mostly devoid of vegetation. The applicant indicates that they are planning to relocate the powerlines located in the buffer area. If this is done, then disturbing the buffer area and allowing the area to be heavily landscaped may result in a more desirable vegetative screen. A review of historic aerial photos gives the appearance that the driveway has been in continuous use. This information combined with a copy of recorded plat showing a "dirt private road" in the same location in 1972 make staff reluctant to recommend allowing disturbance of this driveway.

There does not appear to be an actual hardship that would require the elimination of the buffer, but the lack of any significant vegetation with the buffer area combined with the applicants offer to replant the area lends support for the approval of a variance on the basis that it should not undermine the intent of the ordinance. However, the long term, continual existence of the driveway that serves the neighboring property should not be impaired as a result of a variance approval. As such, staff recommends approval with conditions of V-2019-003.

James Thigpen called upon the applicant.

Benny Sims, 3152 Tanyard Branch Road, Gainesville, GA.

James Thigpen called for opposition. There was none.

***Pete Charpentier moved to approve V-2019-003 with staff conditions, second by David Sullivan. Motion carried 5-0.***

1. Prior to approval of a development permit which shall accomplish and satisfy one of the following:
  - a. Provide verification, to the satisfaction of the City Attorney, that the neighboring property owner authorizes the driveway to be abandoned, or
  - b. Leave the existing driveway as shown in the attached aerial photo undisturbed and provide an access easement for the driveway, or
  - c. Reconstruct the driveway to the satisfaction of the neighboring property owner and provide an access easement for the new driveway.
2. Any development plans for the site shall reflect one of the three options outlined in condition 1.
3. Land disturbance activities within the required buffer area, except as noted in condition 1, are authorized.
4. Prior to issuance of development permit, provide a landscape plan that shows the 50-foot buffer area replanted with a mix of evergreen and hardwood trees and shrubs with a variety of anticipated sizes and heights. Said plan is subject to the approval of the Planning Director.

5. Prior to issuance of a development permit, a surety shall be provided to the City in an amount sufficient to ensure that the buffer is replanted. In the event that land disturbance activities are started within the buffer area, but the site work for the property is not completed, the City shall be authorized to use the surety provide, enter the property, and replant the disturbed buffer area per the approved landscape plan.
6. Prior to issuance of a certificate of occupancy for any building, the approved landscape plan shall be executed to the satisfaction of the Planning Director.

### **OTHER BUSINESS**

#### **ANNOUNCEMENT**

Training workshop will be May 4, 2019.

#### **ADJOURNMENT**

Meeting adjourned the meeting at 6:52 pm.