

**MINUTES
CITY OF SUWANEE, GEORGIA
ZONING APPEALS BOARD MEETING
October 16, 2018**

PLANNING AND ZONING APPEALS BOARD MEMBERS: Present: Ray Brown, James Thigpen, David Sullivan and Paul Altnauer. Staff members present: Alyssa Durden, Kylie Adams, and MaryAnn Jackson.

CALL TO ORDER

James Thigpen called the meeting to order at 6:35 p.m.

ADOPTION OF THE AGENDA

David Sullivan moved to approve the agenda as presented, second by Ray Brown. Motion carried 4-0.

APPROVAL OF MINUTES

David Sullivan moved to approve the September 18, 2018 minutes, second by Ray Brown. Motion carried 4-0.

OLD BUSINESS

NEW BUSINESS

V-2018-014- Owner: John Bonanno. Applicant: Mike Maddox. The applicant requests a variance from the Erosion and Sedimentation Control Ordinance and the Stream Buffer Protection Ordinance in order to reduce buffers along an unnamed tributary. The site contains approximately 32.2 acres in Land Lots 209 and 210 of the 7th District and is located at 862 White Street.

Kylie Adams presented the staff report as follows: The applicant requests a variance from Section 4.1 of the City of Suwanee Stream Buffer Protection Ordinance to allow for grading within a required 50-foot undisturbed stream buffer.

The subject property is zoned PMUD (Planned Mixed-Use District) and is located at the northwest intersection of McGinnis Ferry Road and Buford Highway. The applicant is proposing to develop a neighborhood with a mixture of single family detached, single family detached cottages, and single family attached townhomes, totaling 208 dwellings.

The property totals 32.2 acres and is currently under development. The property includes an unnamed tributary that feeds into Suwanee Creek along the southwestern portion of the property, at the intersection of McGinnis Ferry Road and Buford Highway. Significant grading is required in order to develop the site in a manner consistent with the approved concept plan.

This request is for a variance from the stream buffer requirements to allow grading within the required buffer on one side of the stream. There would be no impervious surface located in the stream buffer and the applicant is not proposing any work within the 25-foot state buffer; therefore, the applicant is not required to apply for a variance from the State EPD.

The standard for issuing variances from the Stream Buffer Protection Ordinance (SBPO) is different than the standard for granting variances from the Zoning Ordinance. While the Zoning Ordinance requires the applicant to demonstrate a hardship, the SBPO does not.

The subject property is impacted by its topography and the existence of the stream on a large portion of the southwester portion of the property. The location of the subject stream makes developing the property per the vision of the Downtown Suwanee Master Plan difficult. If approved, the proposed buffer reduction would not eliminate the stream and it would not allow for impervious surface to be constructed within the buffer. The grading of the buffer area is minor and should not cause substantial impacts to the stream. The applicant is proposing to preserve approximately 3 acres of land on the opposite side of the creek. Staff recommends approval with conditions of V-2018-014.

James Thigpen called upon the applicant.

John Bonanno, 2635 Century Parkway, Atlanta, GA. Mr. Bonanno stated that the sewer run from the creek. David Sullivan asked about the slope of the topography. Mr. Bonanno explained that the topography slopes downward. Discussion ensued about the topography.

James Thigpen called for opposition. There was none.

David Sullivan moved to approve V-2018-014 with staff conditions, second by Paul Altnauer. Motion carried 4-0.

1. The buffer reduction shall only be applicable to the area shown in "Exhibit A". No grading shall occur outside of the identified area.
2. All land between the unnamed tributary and McGinnis Ferry road shall be permanently preserved. Only recreational uses with minimal land disturbance and/or impervious surfaces are allowed in this area.

V-2018-015- Owner: Cecelia Ann Smith. Applicant: Zoe Kim. The applicant requests a variance from section 604 of the City of Suwanee Zoning Ordinance to allow for an accessory structure to be set back less than 50 feet from a property line abutting a public street. The site contains approximately .22 acres in Land Lot 236 of the 7th District and is located at 557 Main Street.

V-2018-016- Owner: Cecelia Ann Smith. Applicant: Zoe Kim. The applicant requests a variance from section 604 of the City of Suwanee Zoning Ordinance to allow for an accessory structure to be set back less than 50 feet from a property line abutting a public street. The site contains approximately .22 acres in Land Lot 236 of the 7th District and is located at 557 Main Street.

Kylie Adams presented the staff report as follows: The applicant seeks variances from Section 604 of the City of Suwanee Zoning Ordinance to allow for two accessory structures to be located within 50 feet of a property line abutting a public street. The subject property is located at 557 Main Street and is zoned R-100 (Residential Single-Family District).

The subject property is approximately 0.22 acres with road frontage along Main Street and Jackson Street and is currently developed with a single-family home that faces Main Street. The

applicant is proposing to tear down the existing house and to build a new one. The aesthetic of the new home is intended to match the existing homes along Main Street. Along with the construction of the single-family dwelling, the applicant is requesting to build a 490 square foot accessory structure and a 465 square foot detached garage.

The proposed accessory structure and garage would not be out of context with the surrounding development nor are they likely to negatively impact or cause detriment to surrounding properties. The lot is unique in that it was created prior to the adoption of zoning in Suwanee, it is smaller than most R-100 lots, and it has double frontage. Approval of the requested variances would not authorize construction that is out of character for the area.

The subject property's small size, double frontage, and location, cause it to have a situation which rises to the level of hardship. The accessory structure and garage will aesthetically match the proposed home that will be constructed on the property and the structures are not likely to impact the surrounding properties. As such, it is unlikely that approval of these variances would cause substantial detriment to the public good or compromise the general purposes or intent of the Zoning Ordinance. Staff recommends approval with conditions for V-2018-015 and V-2018-016.

James Thigpen called upon the applicant.

Zoe Kim, 557 Main Street, Suwanee, GA. Ms. Kim did not make a statement.

Ray Brown moved to approve V-2018-015 with staff conditions, second by David Sullivan. Motion carried 4-0.

1. Said accessory structure shall be no larger than 500 square feet
2. Said accessory structure must be developed substantially consistent with the site plan labeled as "Exhibit A".
3. Said accessory structure shall be located no closer than 20 feet from edge of asphalt for Jackson Street as measured at the time of construction.

Ray Brown moved to approve V-2018-016 with staff conditions, second by David Sullivan. Motion carried 4-0.

1. Said accessory structure shall be no larger than 500 square feet
2. Said accessory structure must be developed substantially consistent with the site plan labeled as "Exhibit A".
3. Said accessory structure shall be located no closer than 20 feet from the edge of asphalt for Jackson Street as measured at the time of construction.

OTHER BUSINESS

ANNOUNCEMENT

The 2040 Comprehensive Plan will be presented to the Planning Commission on October 2, 2018.

ADJOURNMENT

James Thigpen adjourned the meeting at 6:46 pm.