

**VARIANCE(S):**  
**V-2019-027**

**CITY OF SUWANEE  
VARIANCE ANALYSIS**

**CASE NUMBER:** V-2019-027

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

**APPLICABLE SECTION:** SECTION 501

**LOCATION:** 571 Jackson Street

**PARCEL:** 7-236-034

**ZONING:** R-100 (Residential Single Family District)

**APPLICANT/OWNER:** RICK STEVENS  
571 JACKSON STREET  
SUWANEE, GA 30024

**CONTACT:** RICK STEVENS  
**CONTACT PHONE:** 770-366-1658

**STAFF RECOMMENDATION:** **APPROVAL WITH CONDITIONS**

**ANALYSIS:**

The applicant seeks a variance from Section 501 of the City of Suwanee Zoning Ordinance to allow for an accessory building exceeding 800 square feet within the R-100 (Residential Single Family District) zoning district. The subject property is approximately 0.34 acres and is located on Jackson Street near the corner of Stonecypher Road in historic Old Town. The property is zoned R-100 (Residential Single Family), but is a substandard lot of record. This means that construction on the lot is legal even though the lot is smaller than current standards would allow. The lot was created prior to the adoption of zoning.

The applicant is building a single family home and a detached two-car garage on the property. Both structures are currently under construction. The applicant began finishing out the attic space of the garage to create an accessory dwelling unit over the garage during construction. This additional 570 square feet space over the 690 square foot garage increases the total square footage of the accessory structure to 1,260 square feet. Section 501 of the City of Suwanee Zoning Ordinance limits accessory structures to a maximum of 800 square feet; therefore, a variance is required for the applicant to complete finishing out the attic.

The subject property is zoned R-100 (Residential Single Family District) and surrounded by residential property (zoned R-100). The surrounding lots are developed with single family homes, and many nearby lots have existing accessory buildings as well. A free standing

accessory structure is currently under construction on the lot across the street from the subject property. In addition to accessory structures that are prevalent in the area some of the newer homes in the area have “accessory structures” that are simply attached by a breezeway (thus avoiding the size requirement for an accessory structure).

The proposed carriage house meets all other regulations of Section 501 and Section 604 of the zoning ordinance that pertain to accessory structures. It is located behind the rear façade of the home and 5 feet from both the side and rear property line as is required by the zoning ordinance. 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 approximately 3,158 square feet. The proposed carriage house would be a total of approximately 1,260 square feet. The foot print of the structure would total approximately 690 square feet. The second story would be built into the attic space of the structure, so the overall height would be lower than the main house, which is a full two stories. The garage will be accessible via a driveway off of Jackson Street, and the proposed accessory dwelling unit above would be accessed via stairs that are inside the garage.

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 feet. 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-2019-027.

## Recommended Conditions

### **V-2019-027**

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.
2. Said accessory structure may have a footprint of up to 800 square feet.
3. Said accessory structure shall include a two-car garage.
4. Said accessory structure shall be located approximately as shown in Exhibit 'A' and be consistent with architecture shown in Exhibit 'B'.

## 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: Rick Stevens  
Address: 571 Jackson Sts  
City: Suwanee  
State: Ga.  
Phone: 770 366-1658  
E-mail address: rickstevens@charter.net

OWNER INFORMATION

Name: Rick Stevens  
Address: 571 Jackson St  
City: Suwanee  
State: Ga.  
Phone: 770 366-1658

CONTACT PERSON: Rick Stevens

PHONE: 770 366-1658

ADDRESS OF PROPERTY 571 Jackson St.

LAND DISTRICT 7th Dist. LAND LOT 236 PARCEL 7236 LOT 034

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) \_\_\_\_\_

ZONING R-100

VARIANCE REQUESTED Request for accessory building square footage to exceed the required 800 feet limit. The garage will have an storage area above the garage. The unit will be uniform with home. GARAGE IS 690 sq. ft.,  
Approx. 550 sq. foot Additional, total 1240' Approx.  
NEED FOR VARIANCE \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*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.**

Exhibit 'A'

# The Stevers Residence

**GENERAL NOTES**

1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

2. THE CLIENT HAS REPRESENTED THAT ALL NECESSARY PERMITS AND APPROVALS HAVE BEEN OBTAINED.

3. THE CLIENT HAS REPRESENTED THAT ALL NECESSARY EASEMENTS AND RIGHTS OF WAY HAVE BEEN OBTAINED.

4. THE CLIENT HAS REPRESENTED THAT ALL NECESSARY UTILITIES HAVE BEEN LOCATED AND DELETED.

5. THE CLIENT HAS REPRESENTED THAT ALL NECESSARY RECORDS HAVE BEEN OBTAINED.

6. THE CLIENT HAS REPRESENTED THAT ALL NECESSARY RECORDS HAVE BEEN OBTAINED.

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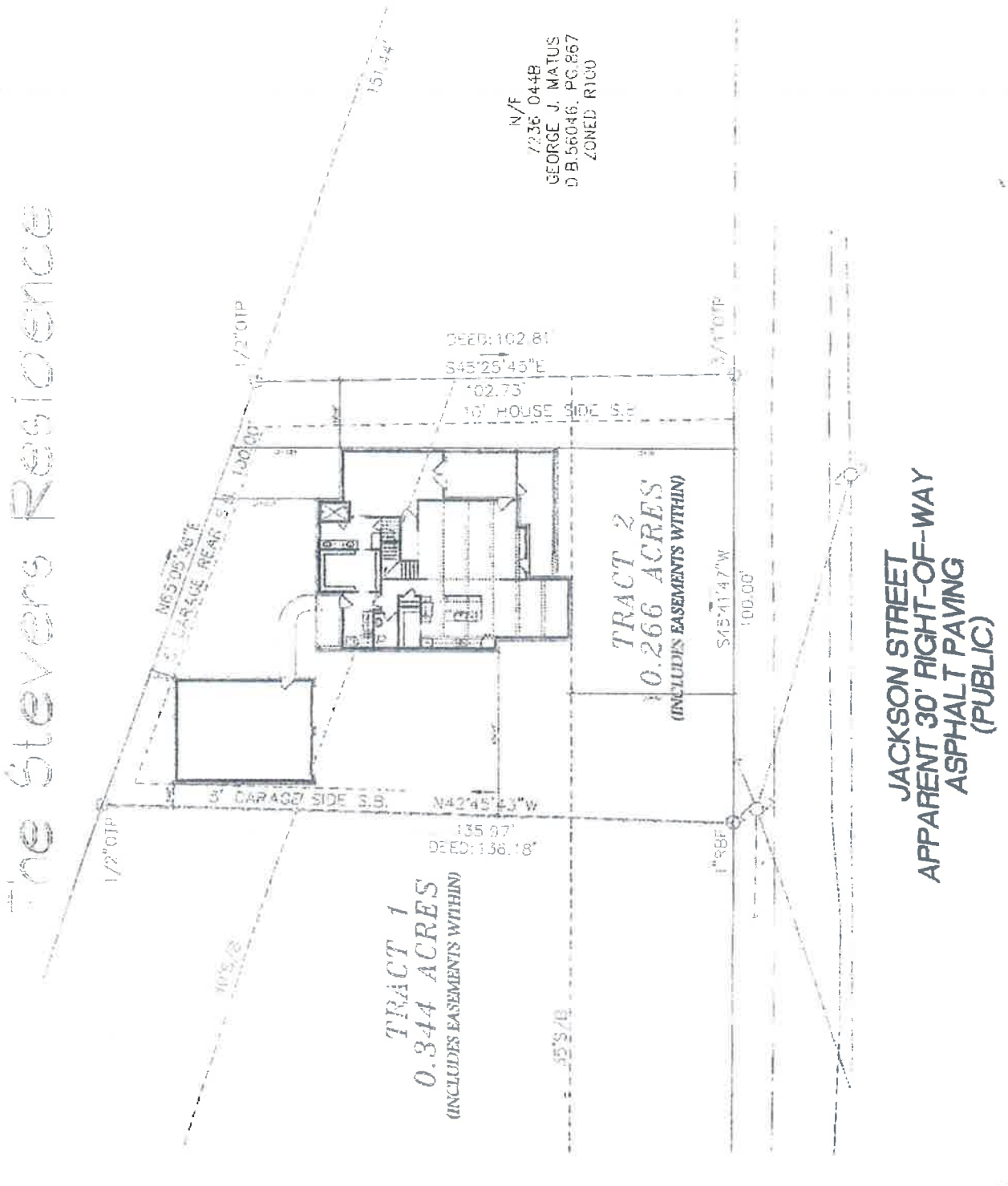
9. THE CLIENT HAS REPRESENTED THAT ALL NECESSARY RECORDS HAVE BEEN OBTAINED.

10. THE CLIENT HAS REPRESENTED THAT ALL NECESSARY RECORDS HAVE BEEN OBTAINED.

One Zero Nine Designs, LLC  
 contact: Jarek Miller 678-575-2099  
 jarek@onezeronine.com

Mick Stevens  
 577 Jackson St. NE  
 Suwanee, GA

The Stevers Residence  
 616 Plan/lot F.iment  
 sheet no. 51

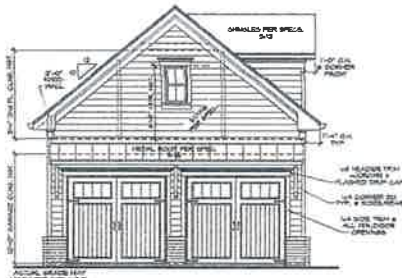


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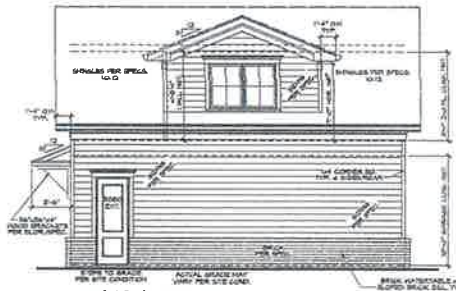


# Exhibit 'B'

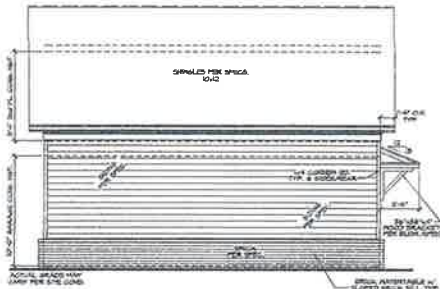
## GARAGE



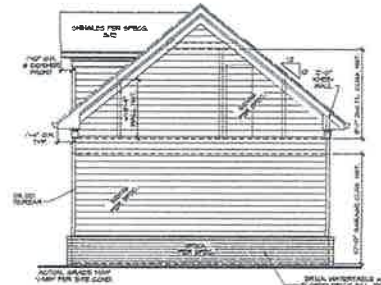
**GARAGE FRONT ELEVATION**  
SCALE: 1/4" = 1'-0" (8 24x36 SHEET SIZE)



**GARAGE RIGHT SIDE ELEVATION**  
SCALE: 1/4" = 1'-0" (8 24x36 SHEET SIZE)



**GARAGE LEFT SIDE ELEVATION**  
SCALE: 1/4" = 1'-0" (8 24x36 SHEET SIZE)



**GARAGE REAR ELEVATION**  
SCALE: 1/4" = 1'-0" (8 24x36 SHEET SIZE)

**GENERAL NOTES**

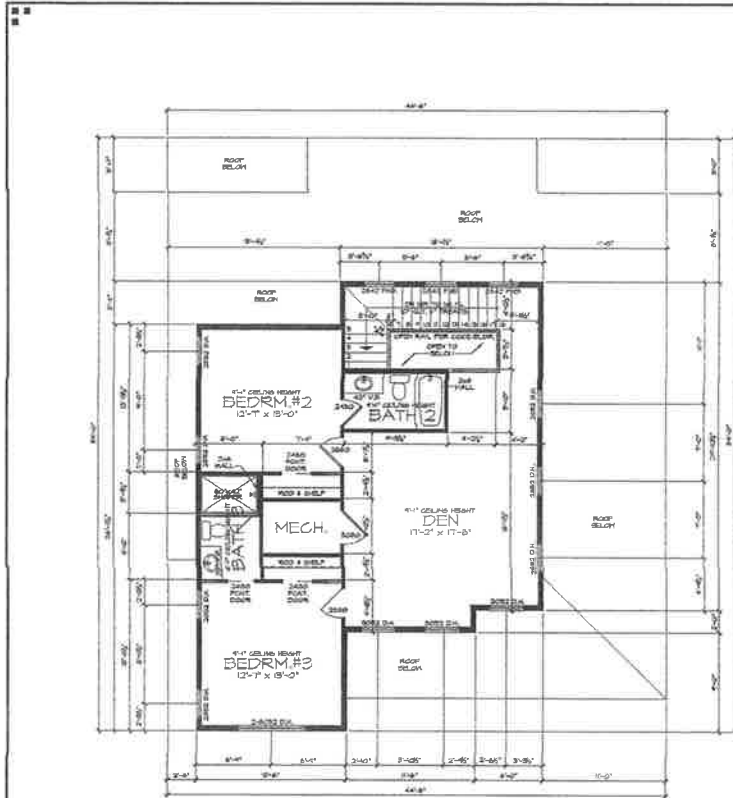
1. ALL WORK SHALL BE PERMITTED & INSPECTED WITH ALL NECESSARY PERMITS AND LOCAL CODES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LOCAL CODES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LOCAL CODES.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING STRUCTURES AND UTILITIES PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LOCAL CODES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LOCAL CODES.
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One Zero Nine Designs, LLC  
Rick Stevens  
551 Jackson St. NW  
Suwanee, GA

The Stevens Residence  
Garage Elevations

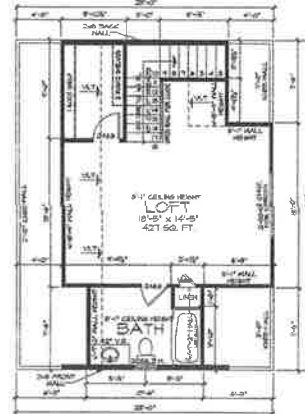
04/08/19  
Drawn by: JEW  
Plan Number: 19-001  
Sheet No.: G1

# Loft ABOVE GARAGE



**2nd FLOOR PLAN**

SCALE: 1/4" = 1'-0" (8 1/2" X 11" SHEET SIZE)



**GARAGE 2nd FL. PLAN**

SCALE: 1/4" = 1'-0" (8 1/2" X 11" SHEET SIZE)

**GENERAL NOTES**

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOKS AND ALL LOCAL ORDINANCES, RULES AND REGULATIONS.
2. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND CONDITIONS OF THE WORK BEFORE COMMENCING WORK. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOKS AND ALL LOCAL ORDINANCES, RULES AND REGULATIONS.
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The Zero Nine Designs, LLC  
 contact: James Walker 678-515-2293  
 jwalk@z9designs.com

Rick Stevens  
 551 Jackson St. NW  
 Suwanee, GA

The Stevens Residence  
 Second Floor Plan

04/03/19  
 Drawn by:  
 JEW  
 Plan Number:  
 19-001  
 Sheet No.:  
 A2

V-2019-027







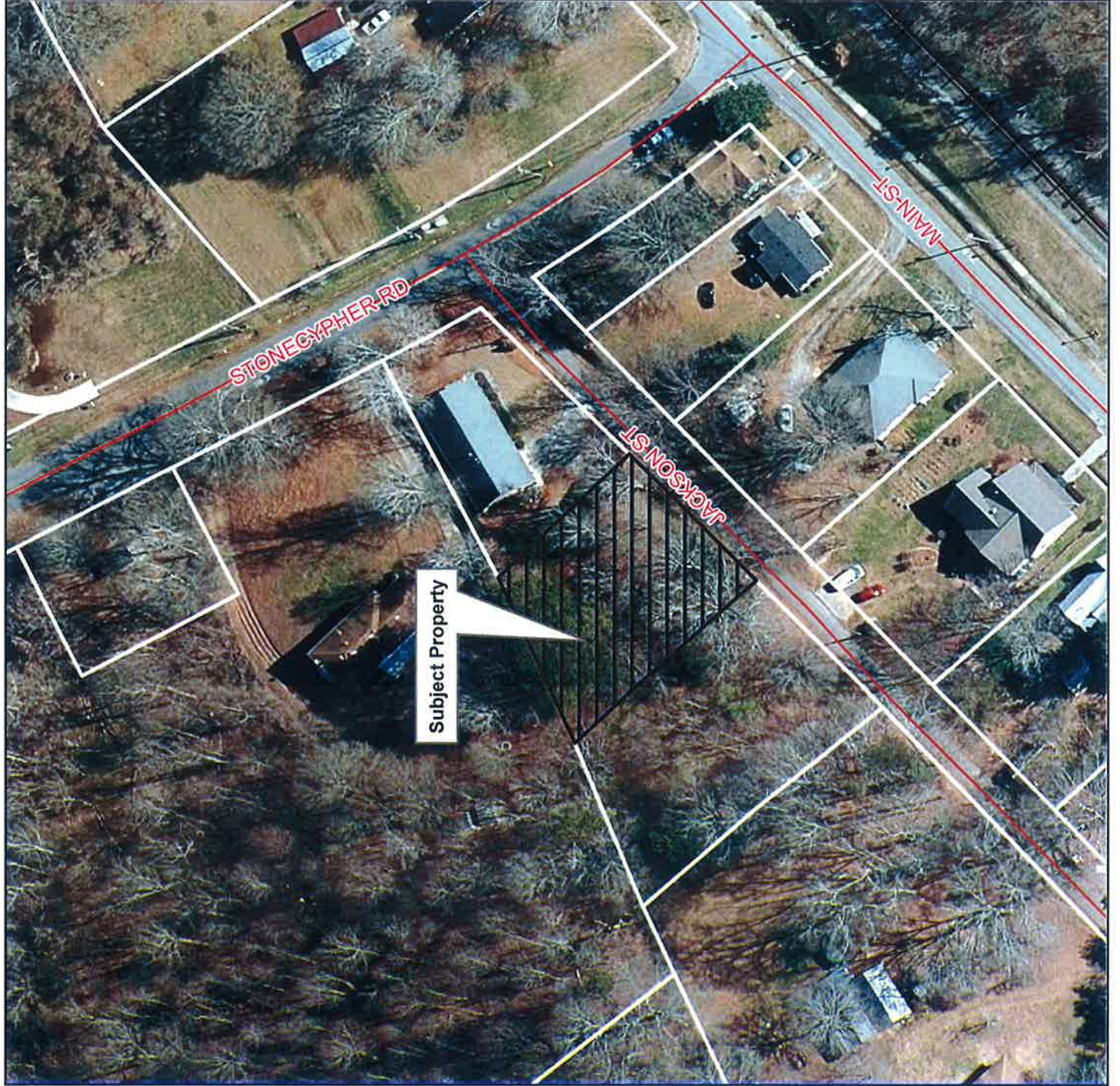






# Location Map

V-2019-027



0 75 150 Feet





# V-2019-027

Legend	ZONING
	OTCD
	C-1
	C-2
	C-2A
	C-3
	M-1
	O-I
	PMUD
	GCA
	R-140
	R-100
	R-85
	R-75
	IRD
	RM-6
	RM-8
	Roads
	V-2019-27

