

**MINUTES  
CITY OF SUWANEE, GEORGIA  
ZONING APPEALS BOARD MEETING  
July 16, 2019**

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

**CALL TO ORDER**

James Thigpen called the meeting to order at 6:30 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 May 21, 2019 minutes, second by Ray Brown. Motion carried 4-0.*

**OLD BUSINESS**

**NEW BUSINESS**

**V-2019-011** – Owner: Hank Friend. Applicant: J.S. Bear. The applicant requests a variance from Section 610 of the City of Suwanee Zoning Ordinance to allow for the installation of an 8 foot tall security fence in a yard abutting a public street. The site contains approximately 18.73 acres in Land Lot 194 of the 7<sup>th</sup> District and is located at 300 Satellite Boulevard NW.

Alyssa Durden presented the staff report as follows: The applicant seeks a variance from Section 610 of the City of Suwanee Zoning Ordinance to allow for an 8 foot tall decorative security fence along the perimeter of the site including the area within the front yard. The City of Suwanee Zoning Ordinance does not allow for fences in excess of 4 feet in height in yards abutting a public street (front yard setback area). As such, a variance is necessary to allow the fence as proposed.

There is a building on the subject property. This building contains a 297,000 square foot data center that requires heightened security; therefore, the applicant would like to enclose the site with an 8 foot tall fence around the perimeter of the property with gates controlling access. The applicant recently applied for a building permit to build the proposed fence. The applicant was informed that no building permit is required for a fence, but a variance is required in order to build a fence taller than 4 feet in a yard abutting a public street. The applicant subsequently applied for a variance. When visiting the subject property, staff discovered that the proposed fence has already been installed.

The subject property is zoned M-1 (Light Industry District). It is located on the east side of Satellite Boulevard within an industrial corridor with similar industrial uses that are also zoned M-1. The property backs up to Burnette Elementary School (zoned Gwinnett County RTZ) and

an undeveloped tract of land that is part of the Terraces at Suwanee Gateway PMUD (Planned Mixed-Use Development), which allows for M-1 uses.

The fence is an 8 foot tall decorative, black, steel picket fence that connects to existing gates and fencing that currently secure the parking lots to the side and rear of the building. Most of the new fence is not visible from Satellite Boulevard because the fence is installed approximately 5-10 feet below the grade of the sidewalk along Satellite Boulevard. Large mature trees located between the sidewalk and the new fence also screen much of the property. The new fence is visible near the two entrances to the property.

Approval of the variance should not impact nearby properties as the proposed fence is almost identical to fences on other parcels along the corridor. The property across the street from the subject property (located in unincorporated Gwinnett County) and the adjacent property north of the subject property have similar 8 foot tall security fences located in their front setbacks that run along a significant portion of Satellite Boulevard. A variance was granted in 2006 to allow the adjacent property to build their fence also for security reasons. The property across Satellite Boulevard is in unincorporated Gwinnett County.

The City of Suwanee's Zoning Ordinance grants the Zoning Board of Appeals the authority to grant variances. The proposed use has special security requirements. Due to the sensitive nature of the proposed use and the location of the facility in an industrial corridor staff recommends approval with conditions.

James Thigpen called upon the applicant.

Mr. James Bear, 3713 West Point Lane, Atlanta, GA. Mr. Bear explained an employee of QTS had a domestic situation spill over to the work place. The owners decided that a fence would help with additional security. Mr. Bear apologized for that the fence contractor installed the fence before the variance was approved.

David Sullivan asked Mr. Bear why the fence was constructed before the variance was approved. Mr. Bear explained that the fencing contractor put up the fence without permission because the business owners were very concerned about security. Discussion ensued amongst the Zoning Board of Appeals members and Mr. Bear regarding the fence being installed prior to approval.

James Thigpen called for opposition. There was none.

***Pete Charpentier moved to approve V-2019-011 with staff recommended conditions, second by David Sullivan. Motion carried 4-0.***

1. Any fencing located within the yard abutting a public street shall comply with the material requirements for a decorative fence. Said fencing shall be approved by the Planning Department.
2. The fence shall be located approximately as shown on the plan label Exhibit "A".

## **OTHER BUSINESS**

**ANNOUNCEMENT**

**ADJOURNMENT**

*Ray Brown moved to adjourn the meeting at 6:47 pm.*