

MINUTES
CITY OF SUWANEE, GEORGIA
PLANNING AND ZONING COMMISSION
June 2, 2020

PLANNING AND ZONING MEMBERS: Present: Glenn Weyant, Michelle Budd, and Muthu C. Narayanan. Staff members present: Josh Campbell, Alyssa Durden, and MaryAnn Jackson. Absent: Lila Kelley and Brad Cox.

CALL TO ORDER

Josh Campbell called the meeting to order at 6:30 p.m.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Glenn Weyant nominated Michelle Budd for Chairperson, second by Muthu C. Narayanan. Motion carried 3-0.

Josh Campbell turned the meeting over to Michelle Budd.

Muthu C. Narayanan nominated Glenn Weyant for Vice Chairperson, second by Michelle Budd. Motion carried 3-0.

ADOPTION OF THE AGENDA

Glenn Weyant moved to adopt the agenda as presented, second by Muthu C. Narayanan. Motion carried 3 - 0.

ADOPTION OF THE MINUTES: June 2, 2020

Muthu C. Narayanan moved to approve the June 2, 2020 minutes, second by Glenn Weyant. Motion carried 3-0.

OLD BUSINESS

NEW BUSINESS

SUP-2020-002 - Owner/Applicant: Babak Mostaghimi. The applicant request a special use permit to allow for livestock on a property zoned R-140 (Residential Single Family District) that is less than 4 acres. The site is located in Land Lot 276 of the 7th District at 181 Abbey Hill Road and contains approximately 2.88 acres.

Josh Campbell presented the staff report as follows: The applicant requests a Special Use Permit to allow for livestock on a property zoned R-140 (Residential Single Family District) that is approximately 2.88 acres. Livestock is allowed as a conditional use in the R-140 zoning district but requires the property to be a minimum of 4 acres. The subject property is located at 181 Abbey Hill Road.

The homeowner/applicant requests the Special Use Permit for up to 8 hens they consider to be family pets. Chickens are considered livestock by the zoning ordinance. The

applicant proposes to build a 34.5 square foot chicken coop and integrated 102 square foot (11.5 X 9 feet) outdoor pen adjacent to the chicken coop behind the owner's two story home.

The Special Use Permit process was created by the City Council in 2001 to better handle certain land uses. The SUP process allows the Council to review certain proposals in the context of their use and take into consideration the surrounding area and other relevant factors. A Special Use Permit does not change the underlying zoning of property, but grants the property an additional specified use. In this case the specified use would allow for up to 8 hens to be kept in a chicken coop and attached outdoor pen. The R-140 zoning district specifically lists livestock as a special use for lots above 2 acres. Lots under 2 acres in the R-140 district would not be allowed to apply for a Special Use Permit.

The subject property is a large lot on Abbey Hill Road zoned R-140 (Residential Single Family District) that contains a two story home. The house is located towards the front of the heavily wooded property. The coop and run would be located behind the house toward the center of the lot. The property can easily accommodate the chickens, the coop and the run.

The R-140 zoning category is characterized by large semi-rural lots. The property is surrounded by other R-140 properties, which also have homes on large lots. The exception to this is the property that backs up to the subject property, which is zoned R-100 (Residential Single Family District), and is currently occupied by a faith based institution.

The R-140 zoning category allows for livestock as a conditional use with one of the conditions being a minimum of 4 acres of property. Livestock as a special use may be granted for R-140 properties that are a minimum of 2 acres. The subject property is approximately 2.88 acres, thus the applicant/homeowner is requesting a Special Use Permit to allow a chicken coop and 11.5 by 9 foot pen for up to 8 hens to live. The hens would be family pets and the eggs they produce would be for the family's use.

The subject property is approximately 2.88 acres; therefore, it meets the minimum lot size of 2 acres to be considered for a Special Use Permit for livestock. The lot is approximately 200 feet wide and over 650 feet deep, so the lot can easily accommodate locating the chicken coop and pen a generous distance from other properties. The zoning requires that all structures or pens housing animals be located at least 100 feet from any adjoining property's principal dwelling, and be located at least 50 feet from any property line. The proposed chicken coop and pen would be located behind the home on the property, which is approximately 200 feet from the house to the west, 150 from the house to the east, and 400 feet from the faith based property behind it. The coop and pen would be approximately 68 feet from the eastern property line, 118 feet from the western property line, 200 feet to the front property line, and 400 feet to the rear property line. The final condition for a Special Use Permit for livestock in the R-140 zoning district is to provide a minimum 10 foot wide fenced buffer. The proposed pen will meet this

requirement to contain the chickens within a fenced area and provide a buffer between 60-400 feet to the sides and rear.

Due to the size of the subject property and the dense vegetation on the property, it is unlikely that the allowance of hens would adversely affect existing uses or usability of adjacent or nearby property. The subject property is heavily wooded, and the rear yard where the proposed chicken coop and pen would be located is not readily visible from any surrounding properties. Additionally, there is no expectation of substantial noise to be generated from the hens. The request is for up to 8 hens, no roosters.

The Abbey Hill Road area is part of the Established Neighborhoods Character Area in the 2040 Comprehensive Plan. The Established Neighborhoods Character Area consists of established residential areas throughout the City. These neighborhoods are characterized by low-density, single family detached homes, such as those on Abbey Hill Road. The Comprehensive Plan states that these areas should be preserved. The Abbey Hill Road area has a semi-rural character with a horse farm and Sims Lake Park nearby. The proposed additional use of hens would be consistent with the character of this area.

The requested Special Use Permit for a chicken coop and adjacent outdoor pen is appropriate at this location because the size and screening of the property allow for distance and mitigation of externalities between the hens and adjacent properties. As such, the Planning Department recommends approval with conditions of SUP-2020-001.

Glenn Weyant asked if there are other chickens in Suwanee. Josh Campbell stated that there are chickens in Suwanee but not everyone asks for permission to have them.

Michelle Budd called upon the applicant.

Babak Mostaghimi, 181 Abbey Hill Road, Suwanee, GA. Mr. Mostaghimi explained to the Planning Commission that he has had chickens for 20 years. He is planning to have them as pets.

Michelle Budd called for opposition. There was none.

Glenn Weyant moved to approve SUP-2020-001 with staff conditions, second by Muthu C. Narayanan. Motion carried 3-0.

- 1) Livestock shall be limited to up to 8 hens that are restricted to a chicken coop and adjacent 11.5 X 9 foot fenced pen.
- 2) Roosters shall not be allowed on the property.
- 3) The chicken coop and pen shall be located behind the main house in the approximate location shown in Exhibit A.
- 4) The chicken coop shall be in a style similar to the one indicated in Exhibit B.
- 5) The structure and pen housing the hens shall be located at least 50 feet from any property line.

- 6) The structure and pen housing the hens shall be located at least 100 feet from an adjoining property's principal dwelling.

OTHER BUSINESS

ANNOUNCEMENTS

Josh Campbell informed the board that Lila Kelley resigned from the Planning Commission.

ADJOURNMENT

Muthu C. Narayanan moved to adjourn the meeting at 6:44 PM.