

REZONING(S):

RZ-2021-004

**CITY OF SUWANEE
REZONING ANALYSIS**

CASE NUMBER: RZ-2021-004

REQUEST: R-100 (RESIDENTIAL SINGLE FAMILY DISTRICT) TO IRD (INFILL RESIDENTIAL DISTRICT)

LOCATION: 581 MAIN STREET

TAX ID NUMBER: 7-236-061

ACREAGE: 1.38 ACRES

PROPOSED DEVELOPMENT: SINGLE FAMILY DETACHED HOMES

APPLICANT: EDWARD M. TOWNSEND
564 SCALES ROAD
SUWANEE, GA 30024

OWNER: KEITH & BARBARA MADDOX
481 MAIN STREET
SUWANEE, GA 30024

CONTACT: EDWARD TOWNSEND
PHONE: 678-491-2825

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

PROJECT DATA:

The applicant requests a rezoning from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for the construction of 2 single family detached houses. The subject property is located at 481 Main Street in Old Town.

The subject property is developed with an approximately 1,332 square foot single story home that was built in 1900. Behind the house, there is a more recently built accessory structure. There are two existing curb cuts and parking pads at the front of the property accessed from Main Street, one in front of the house and one close to the northern property line. These are currently used to park cars.

The back half of the property, which is adjacent to the Brushy Creek Greenway is heavily wooded. There are a number of large older trees on the front of the property as well. Several of these trees are dead or damaged, but there are four significant old growth trees on the property: a large magnolia next to the existing house, a large oak tree to the right of the magnolia at the front

of the property, a large magnolia in the middle of the property, and a large oak towards the rear of the property.

The applicant proposes to demolish the existing structures and subdivide the 1.38 acre lot into two lots to construct two new single family detached houses. Each home would have a two-car garage located behind the house and a driveway off of Main Street. The existing lot is currently on septic, and the applicant plans to add a second septic system to support the new lot that would be created. The proposed lots would be approximately 75 feet wide and very deep with enough acreage to meet the minimum lot size requirements for two septic lots.

DEVELOPMENT COMMENTS:

The following comments are provided to make the applicant aware of certain pertinent issues. This list is not exhaustive of all development issues.

The project would be served by the City of Suwanee Water System. The system can handle the project, but certain improvements may be necessary to serve the project.

ANALYSIS:

The subject property is zoned R-100 (Residential Single Family District) and surrounded by other R-100 zoned property. 581 Main Street is across the street from the railroad tracks and gently slopes from Main Street back towards property belonging to the City adjacent to Brushy Creek, which contains the Brushy Creek Greenway. The parcels to the north and south contain single family homes fronting Main Street.

The applicant requests a rezoning from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for the construction of two detached single family houses. The IRD (Infill Residential District) may only be used within the Old Town Overlay District (OTOD), and the subject property is in the OTOD. The IRD (Infill Residential District) was created to provide infill opportunities in Old Town as supported by the Comprehensive Plan. Several properties nearby the subject property have been rezoned to IRD and subdivided to create new lots for new single family homes. A rezoning from R-100 to IRD would also be appropriate for the subject property.

The subject property is relatively large for the Old Town area. The lot is 150 feet wide by 395 feet deep, so it can accommodate two lots that exceed the lot requirements of the IRD zoning district. IRD allows for lots that are a minimum of 6,500 square feet. The two proposed lots are approximately 29,782 square feet and 29,586 square feet. The minimum lot width for IRD lots is 55 feet, and the proposed lots are 75 feet. This is compatible with other nearby parcels along Main Street. Ten of the 17 residential parcels that front Main Street are less than 100 feet wide, and the average width of these 10 parcels is approximately 82 feet wide. The proposed lots are consistent with the surrounding area.

The subject property is relatively flat and can accommodate the proposed development. The property has a large amount of tree cover, and redevelopment of the property should attempt to preserve large trees where feasible and practical. While it may be difficult to save all four of the identified significant trees and still accommodate the proposed development, an attempt should be made to save as many of the four trees as possible, and an arborist should be consulted to ensure that saved trees are not damaged during construction.

Additionally, a row of tall trees runs along the property line of the adjacent parcel to the north. These trees are located on the adjacent property and should not be demolished or impacted. Any development should ensure that impacts to these trees is minimized. The proposed site plan shows a driveway adjacent to the northern property line. An arborist should be consulted, and any structure or driveway should be located far enough away from the property line to ensure that the trees are not impacted.

The applicant proposes to demolish the existing house on the property and build two new homes. The existing house was built in 1900 and is one of 34 structures that were identified as historic resources in the Old Town Master Plan in 2002. 13 of these buildings are located along Main Street. Most of these buildings on Main Street have been restored or renovated, and none have been torn down. The house on the subject property has had some modifications to the rear porch and has vinyl siding that is not original to the house. If restored or renovated, the home would be an asset to the historical character of Old Town and Main Street. However the applicant has consulted with a structural engineer who indicated that it is not feasible to renovate or restore the home.

The 2040 Comprehensive Plan supports increasing residential opportunities in Old Town through “carefully-crafted, creative infill responding to and enhancing the historic scale and unique small town character of Old Town” (2040 Comprehensive Plan, p. 17). The plan states that “historic Old Town will be characterized by a mixture of old and new quaint smaller scale development integrated into the existing traditional fabric.” (2040 Comprehensive Plan, p. 16). The proposal is consistent with the Future Land Use Plan that supports single family homes for the subject property. While preserving the existing house would better adhere to the goals of the Comprehensive Plan, infill homes that are sensitive to the context and existing character of the area could equally accomplish this.

The goals of the Historic Old Town character area in the 2040 Comprehensive Plan state that “new development should be sensitive to existing lot character, tree cover, and proportions and scale of adjacent buildings and roads” (2040 Comprehensive Plan, p. 18). As such, it is important that the design of the structures on the subject property take context into consideration to preserve and enhance the quaint character of Old Town. This includes considering the heights and roof pitches of surrounding historic structures. If the request is approved, house location plans and architecture should be reviewed and approved by the Planning and Inspections Department to ensure compatibility with the Old Town Design Guidelines established in 2002 and existing architectural styles as endorsed in the 2040 Comprehensive Plan (2040 Comprehensive Plan, p. 17).

In conclusion, the request to rezone the subject property from R-100 (Residential Single Family District) to IRD (Infill Residential District) to allow for two single family homes is consistent with the 2040 Comprehensive Plan and compatible with surrounding development. As such, the Planning Department recommends **APPROVAL WITH CONDITIONS** of **RZ-2021-004**.

RZ-2021-004

Recommended Conditions:

1. Prior to issuance on any building permits, the architecture of any proposed buildings shall be subject to the review and approval of the Planning and Inspections Department. The department will be looking for architecture that compliments the historic downtown area. Details such as sizable porches with adequate depth and porches elevated up to 3 feet above grade are important to the overall appearance of homes in the area.
2. Maximum building height shall be 35 feet.
3. Attempts shall be made to preserve at least 3 of the 4 significant old growth trees on the property. Prior to issuance of a building permit or demolition permit, the applicant shall provide an arborist report detailing measures that can be taken to minimize impacts to the 4 significant old growth trees and the trees along the adjacent property to the north. No trees shall be removed from the property without first consulting with the Planning Department.
4. Trees found on Suwanee's list of approved street trees should be installed along the road separated by approximately 25 feet on centers. Said street trees should be approximately 3" caliper. Said trees should be selected from the list of understory or ornamental trees (due to the presence of overhead power lines). Trees should be installed on each lot prior to the issuance of a certificate of occupancy for any single family home.
5. If provided, fencing facing Main Street shall be decorative and subject to the approval of the Planning and Inspections Department.
6. The height and material of any retaining any walls facing Main Street shall be subject to the approval of the Planning and Inspections Department.
7. Provide a house location plan (HLP) prior to issuance of a building permit for the property. Said plan shall detail the location of any structures, walls, or fences; the distance of any structures, walls or fences from the property lines; and the height of any fences and walls. HLP shall also include any landscaping, driveways or parking pads. Said HLP shall be subject to the review and approval of the Planning and Inspections Department. The intent of the HLP is to ensure 1) the proper location of proposed homes, accessory structures, or driveways, and 2) the proper location and height of any wall, fence, structure, or parking.

Standards Governing Exercise of Zoning Power

Pursuant to Section 2006 of the City of Suwanee Zoning Ordinance, the City finds the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the unrestricted use of property and shall govern the exercise of the zoning power therewith.

- A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed single family development is compatible with surrounding single family development.

- B. Whether the zoning proposal will adversely affect the existing uses or usability of adjacent or nearby property;

It is unlikely that the zoning proposal will adversely affect the existing uses of adjacent or nearby property.

- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The subject property has a reasonable economic use as currently zoned.

- D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools;

Approval of the request likely would not result in excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

- E. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan;

The proposed development is consistent with recommendations of the 2040 Comprehensive Plan and Future Land Use Plan, which is single family residential.

- F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

The purpose of the IRD district is to allow for the thoughtful infill of housing in the downtown area. This means that consideration should be given to the preservation of the existing character of the area.

REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF CITY OF SUWANEE, GEORGIA

<p>APPLICANT INFORMATION*</p> <p>NAME: <u>EDWARD^M TOWNSEND</u></p> <p>ADDRESS: <u>564 SCALLES RD</u> <u>SUWANEE, GA</u> <u>30024</u></p> <p>PHONE: <u>678-491-2825</u></p>	<p>OWNER INFORMATION*</p> <p>NAME: <u>KEITH & BARBARA MADDOX</u></p> <p>ADDRESS: <u>481 MAIN ST</u> <u>SUWANEE, GA</u> <u>30024</u></p> <p>PHONE: <u>678-699-4108</u></p>
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CONTACT PERSON: ASOKA CONTACT PHONE: KEITH

EMAIL ADDRESS: ETOWNSEND3 FAX NUMBER: X
@GMAIL.COM

PROPERTY INFORMATION

PRESENT ZONING DISTRICT(S): R-100 REQUESTED ZONING DISTRICT IRD

PROPOSED DEVELOPMENT: ONE LOT TO TWO LOTS

TAX PARCELNUMBER(S): R7236 061

ADDRESS OF PROPERTY: 481 MAIN ST

TOTAL ACREAGE: 1.38 PUBLIC ROADWAY ACCESS: YES - PAVED

FOR RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: 2

FOR NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/UNITS: _____

DWELLING UNIT SIZE (SQ. FT.): 1500 / 3300 TOTAL GROSS SQUARE FEET: _____

CERTIFICATIONS

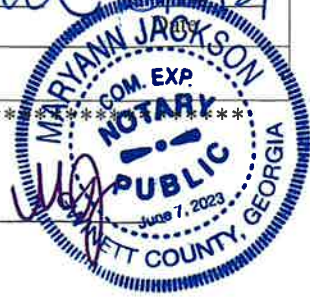
I hereby certify that the above and attached information is true and correct. I am also aware that pursuant to Section 2004 no reapplication on the same land which has been denied by the City Council shall be acted upon within 12 months from the date of last action unless said time period is waived by the Council. In no case shall a reapplication be acted upon in less than 6 months from the date of last action by the Council. I am also aware that pursuant to Section 2003 of the Zoning Ordinance any and all conditions which may be attached to the property shall be binding on the property and all subsequent owners.

<p>Signature of Applicant* <u>[Signature]</u> Date <u>3/27/21</u></p> <p>Print Name: <u>EDWARD M. TOWNSEND</u></p>	<p>Signature of Owner* <u>[Signature]</u> Date <u>3/16/2021</u></p> <p>Print Name: <u>KEITH R. MADDOX</u></p>
<p>Signature of Notary <u>[Signature]</u> Date <u>3/16/21</u></p>	<p>Signature of Notary <u>[Signature]</u> Date <u>3/16/21</u></p>

Additional Applicant or Owner Information is Needed Please Complete Additional Application Form(s)

CITY OF SUWANEE USE ONLY

Date Received: 3/4/21 Case No.: RZ-2021-004 Accepted By: [Signature]



REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 2006 of the 1998 Zoning Ordinance, the city council finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:

YES

(B) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

NO

(C) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

YES

(D) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools:

NO

(E) Whether the zoning proposal is in conformity with the policy and intent of the land use plan:

YES

(F) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:

IR7 ZONING IS CONSISTENT WITH AREA DEVELOPMENT

Date Received: 3/4/21 CITY OF SUWANEE USE ONLY Case No.: RZ-2021-004 Accepted By: AD

February 27, 2021
City of Suwanee

Letter of Intent

Application submitted to Re-Zone 481 Main Street, Suwanee, GA 30024 from R-100 to IRD zoning. Lot to be divided into two 75 ft lots as per attached legal description and plat. Current 1908 home to be torn down and two new homes to be constructed with garages at rear. Both homes to have septic systems installed. Soil testing in process.

Edward M. Townsend

RZ-2021-004

Paul E. Borders
1995



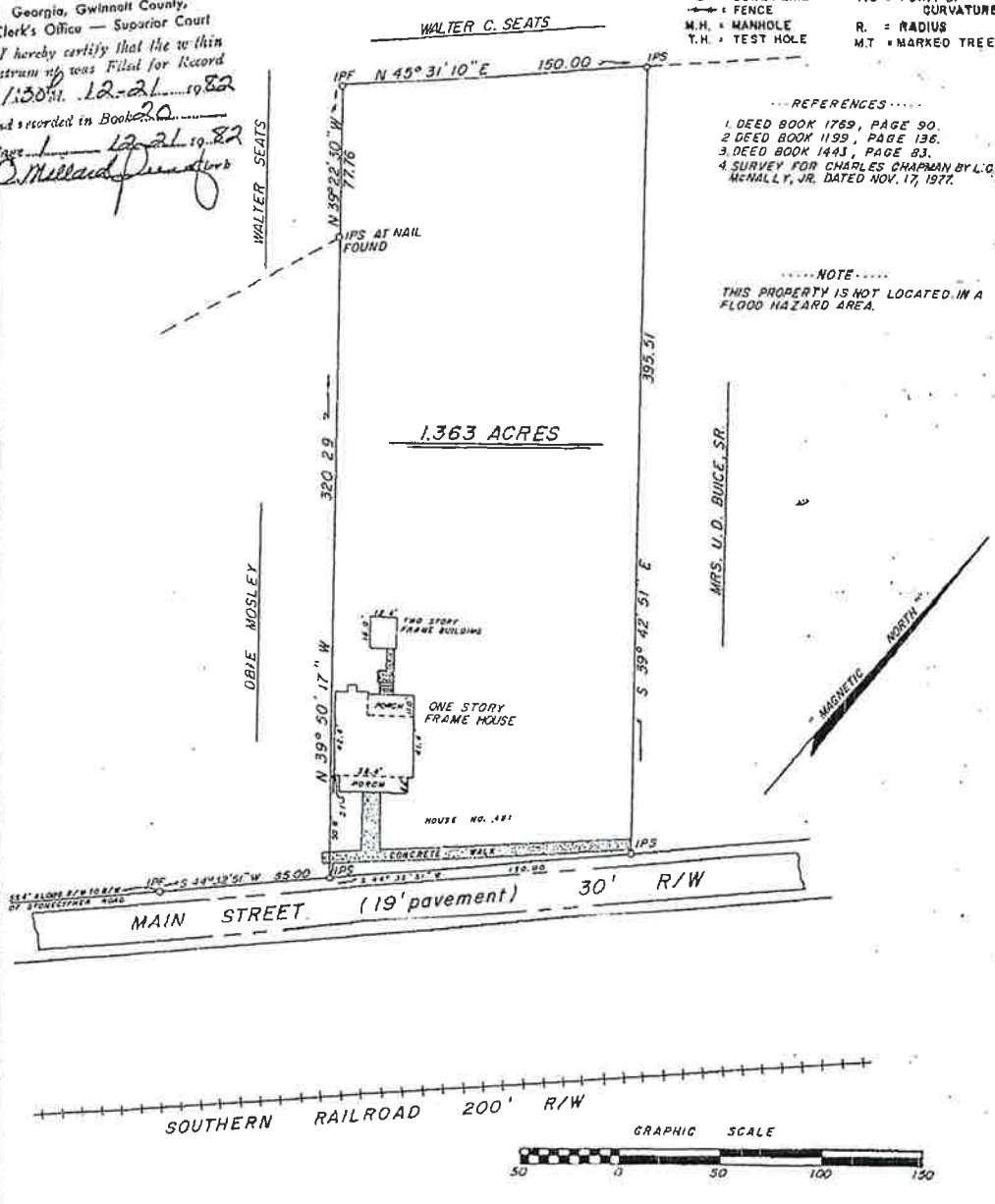
Georgia, Gwinnett County,
Clerk's Office — Superior Court
I hereby certify that the within
instrument was Filed for Record
at 1:00 PM 12-21-1982
and is recorded in Book 20
Page 1 12-21-1982
O. Milledge

LEGEND

- IPF : IRON PIN FOUND
- IPS : IRON PIN SET
- PL : PROPERTY LINE
- CL : CENTERLINE
- BL : BUILDING LINE
- LLL : LAND LOT LINE
- R/W : RIGHT OF WAY
- P- : POWER LINE
- T- : TELEPHONE
- W- : WATER LINE
- S- : SEWER LINE
- F- : FENCE
- M.H. : MANHOLE
- T.H. : TEST HOLE
- D.E. : DRAINAGE EASEMENT
- S.E. : SEWER EASEMENT
- D.A. : DRAINAGE AREA
- H.W. : HEAD WALL
- C.B. : CATCH BASIN
- C.D. : CROSS DRAIN
- P.T. : POINT OF TANGENCY
- P.C. : POINT OF CURVATURE
- R. : RADIUS
- MT : MARKED TREE

- REFERENCES ---
1. DEED BOOK 1769, PAGE 90.
 2. DEED BOOK 1199, PAGE 136.
 3. DEED BOOK 1443, PAGE 83.
 4. SURVEY FOR CHARLES CHAPMAN BY L.C. McNALLY, JR. DATED NOV. 17, 1977.

--- NOTE ---
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.



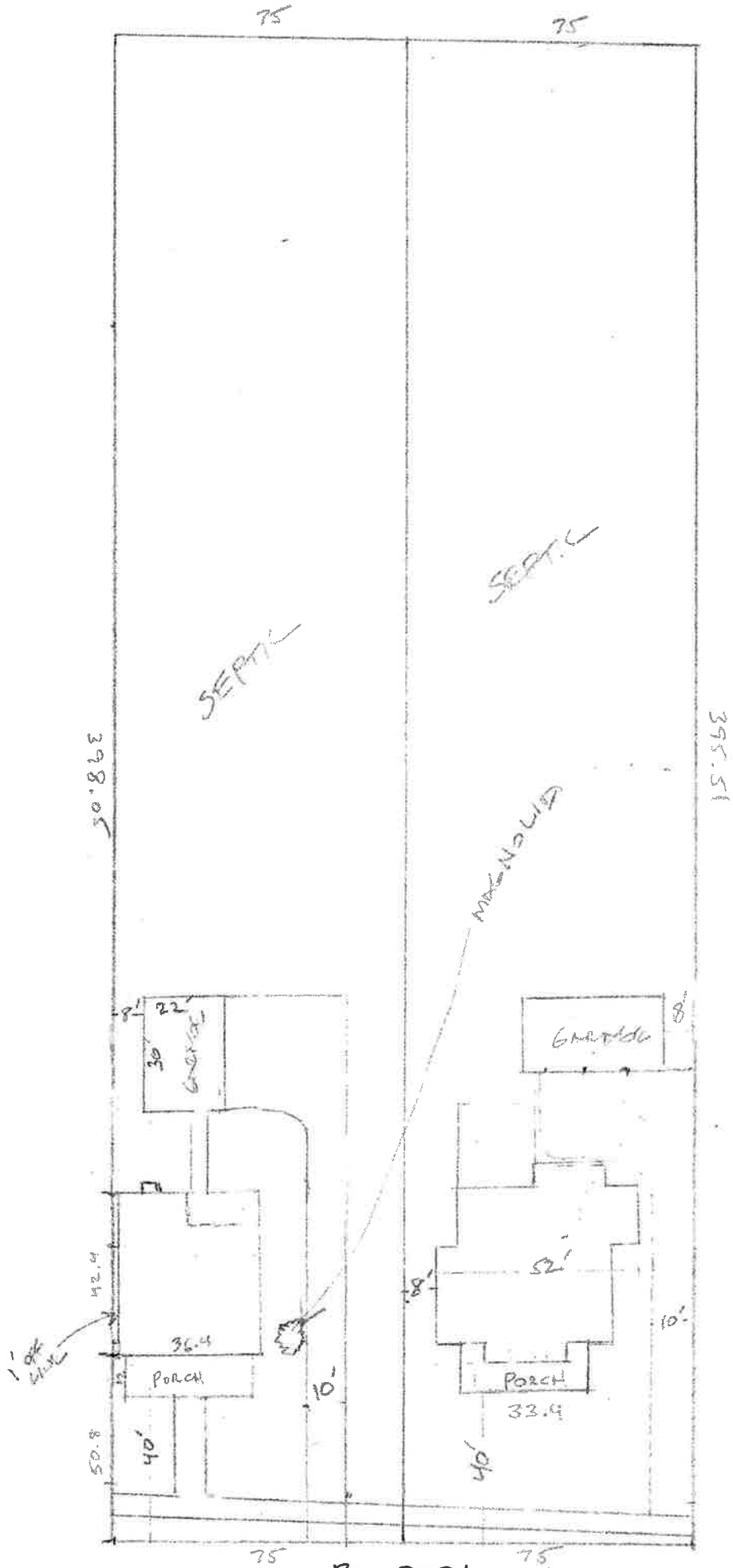
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 11,123 AND AN ANGULAR ERROR OF 4" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.
 THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 266,721.
 EQUIPMENT USED:
 20" TRANSIT 300' STEEL TAPE
 1" THEODOLITE ELECTRONIC DISTANCE MEASURING DEVICE

SURVEY FOR			
KEITH B. MADDOX and			
BARBARA M. MADDOX			
STATE: GEORGIA	COUNTY: GWINNETT	CITY: SUWANEE	6ND:
LAND LOT: 236	DISTRICT: 7th	SCALE: 1 inch = 50 feet	DATE: DEC. 20, 1982
BORDERS AND ASSOCIATES			
LAND SURVEYORS		PHONE: 867-2802	WINDER, GEORGIA

RZ-2021-004 Existing Survey

Proposed Site Plan

1" = 40'



RZ-2021-004



Zoning Map RZ-2021-004

Legend



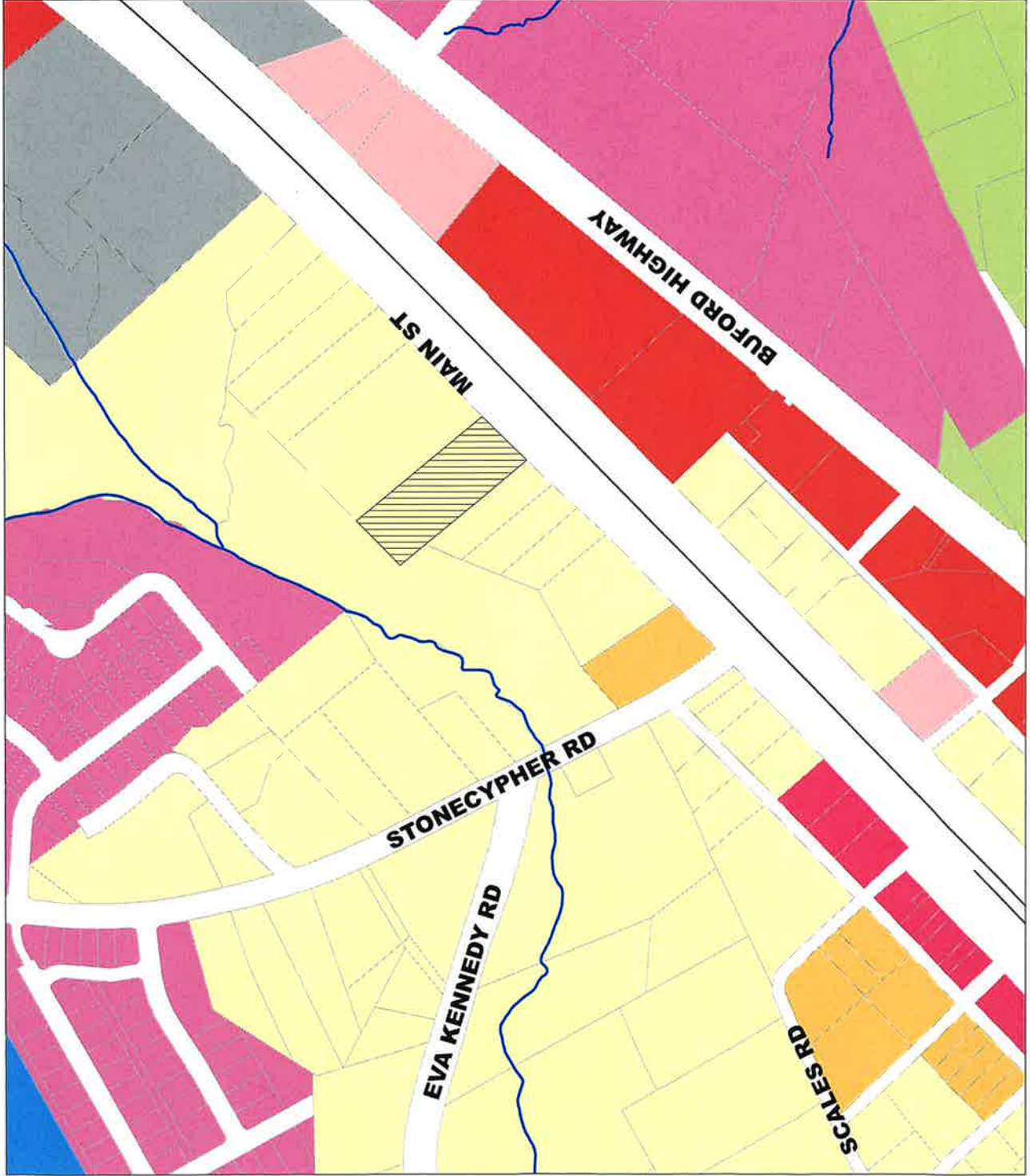
Subject Property

ZONING

C-1	C-2	C-2A	C-3	GCA	IRD	M-1	OI	OTCD	PMUD	R-100	R-140	R-75	R-85	RM6	RM8
[Red]	[Red]	[Red with vertical lines]	[Dark Red]	[Green with diagonal lines]	[Orange]	[Blue]	[Grey]	[Pink]	[Pink]	[Yellow]	[Light Green]	[Yellow]	[Yellow]	[Brown]	[Brown]



0 125 250 500 Feet

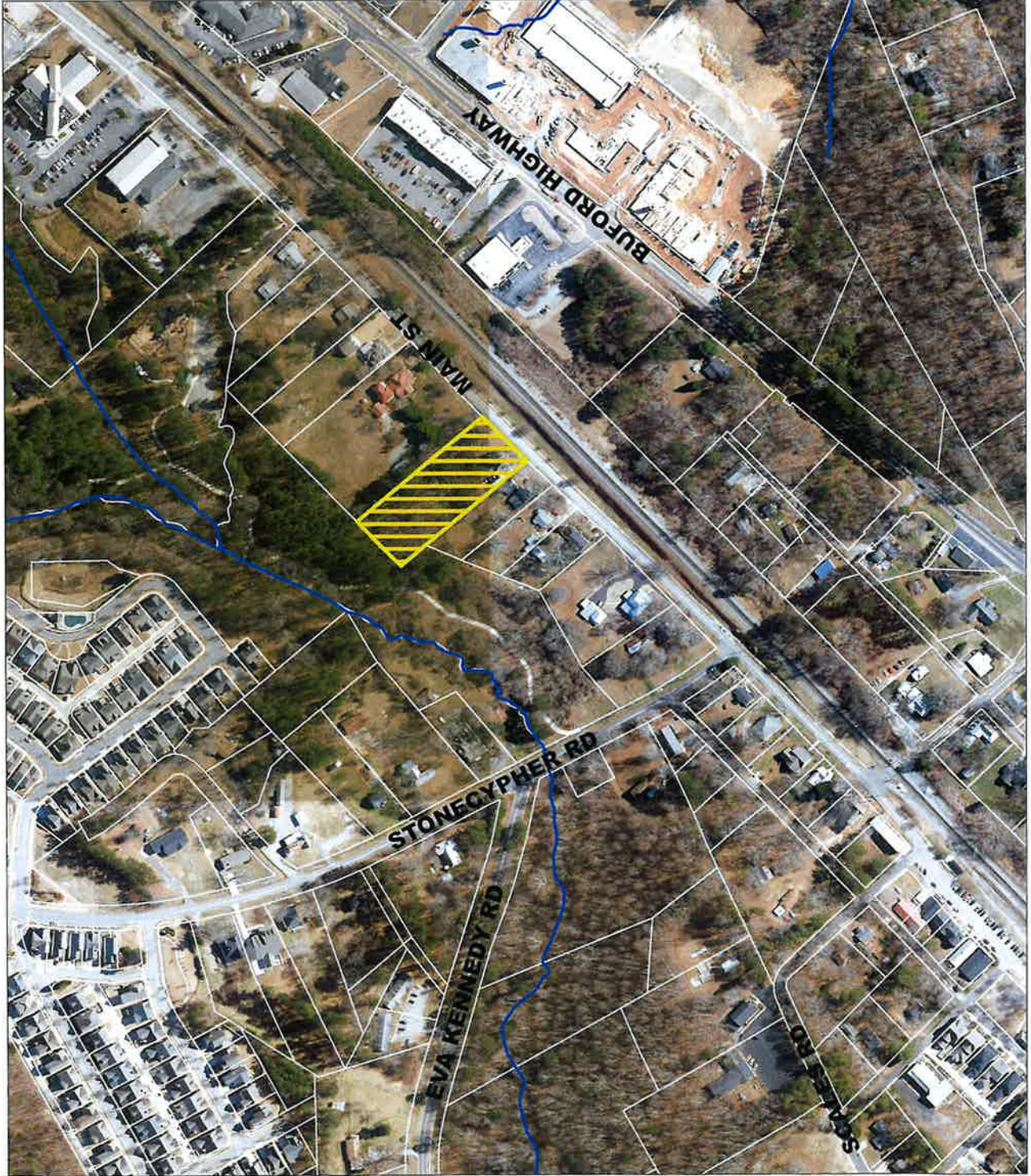


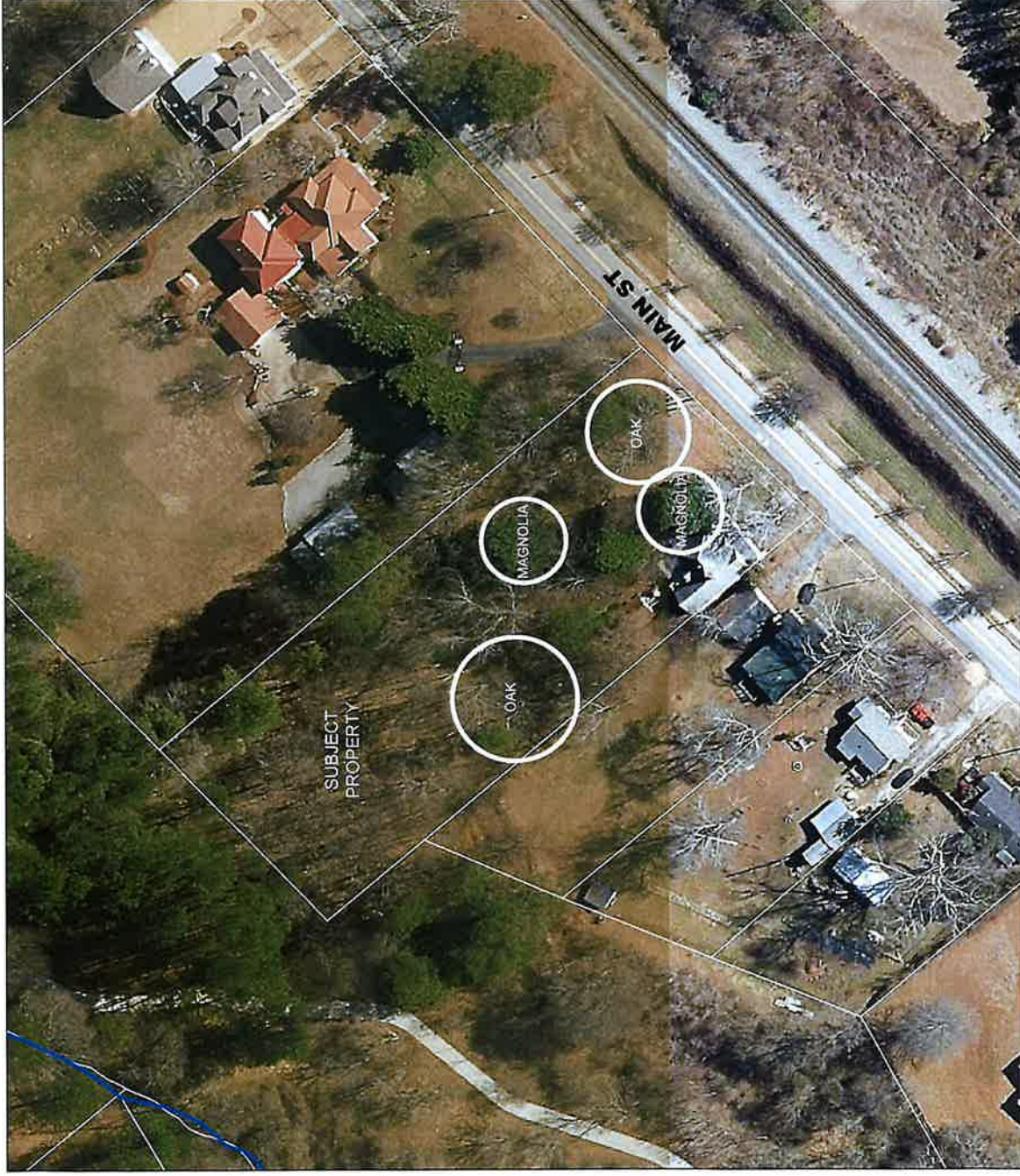


Location Map
RZ-2021-004



0 125 250 500 Feet



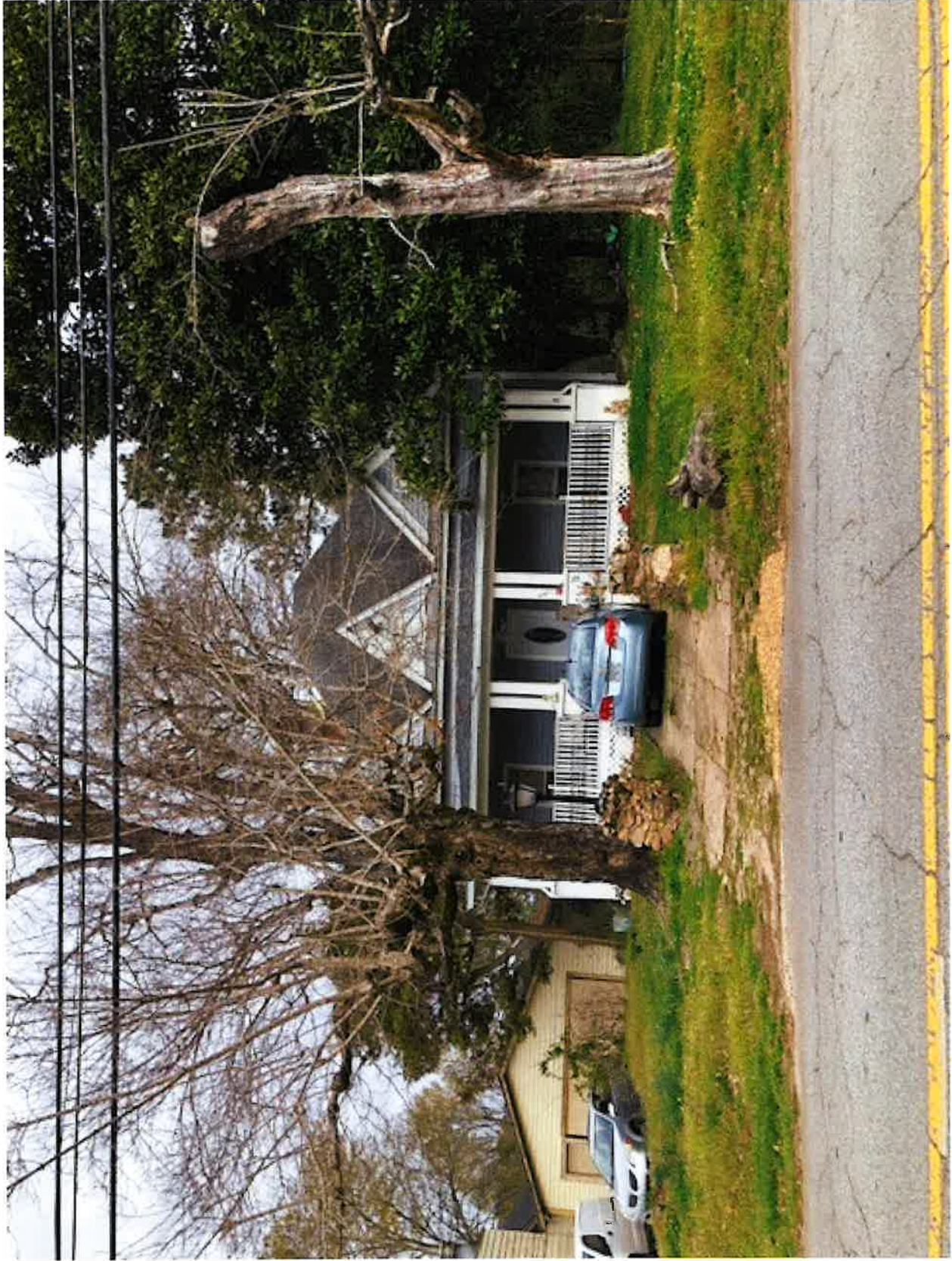


LOCATION OF EXISTING SIGNIFICANT OLD GROWTH TREES



View of subject property from
Main Street

PZ - 2021 - 004



Existing House

PZ-2021-004



March 12, 2021

Mr. Edward Townsend

Lyon Realty Associates
564 Scales Road
Suwanee, GA 30024
Tel. (678)-491-2825
email: ed@lyonrealtyassociates.com

Subject: 481 Main Street
Suwanee, GA 30024
Project No. FFIRM21-253

Mr. Townsend,

At your request, The Foundation Firm visited the above referenced address on Wednesday March 10th, 2021. The purpose of the inspection was to investigate and provide an opinion in regard to the existing condition of the foundation as it currently exists and evaluate if it is something that can be reutilized if the residence were to be remodeled.

This report is prepared for the exclusive use of Mr. Edward Townsend with Lyon Realty Associates for the specific application of the residence located at 481 Main Street in Suwanee, Georgia. The conclusions and recommendations herein are rendered using generally accepted standards for construction engineering practice in the State of Georgia. These conclusions are based upon information collected in the field and the results of our visual inspection of the indicated parts of the existing building and our past experience.

No other warranty, expressed or implied, is made, nor is any other guarantee given other than that professional care and standards were applied.

DESCRIPTION AND BACKGROUND

The residence is a one-story house clad with wood siding on its four sides (see Photo 1, 2, 3 and 4), according to the Gwinnett County records the residence was built in the year 1900. The house sits on a brick veneer subwall around the perimeter. Wood structure at the floor level is for the most part original and it is in good shape in some areas but not as good in others. Footing dimensions are unknown as no invasive measuring was done.

OBSERVATIONS

During our site visit we were able to notice areas where the subwall is not in good shape as a result of poor workmanship and in other areas as the result of decay.

THE FOUNDATION FIRM, LLC

A. Areas shown in pictures 5, 7 and 8 shows cracks and or gaps in the subwall, it appears some are a result of foundation settlement and others the result of poor workmanship.

B. Pictures 9 through 12 show unevenness at the top of the subwall and as result of this many attempts have been done to shim the the existing framing. There are areas where the brick veneer was replaced with CMU blocks but the work was of poor quality as the CMU is uneven. It can also be seen that several posts (mostly 4x4) were installed randomly through the interior in areas where we assume the framing was showing signs of distress. These posts don't have adequate footings, just loose blocks and/or bricks. This is not a permanent or adequate way to provide shoring according to code..

C. In the area directly above the wall shown on picture 13, there is a large header that is rotted and two sister beams were installed at some point, the size of the sister beams that were installed are not adequate. Again a random post can be seen in this area without adequate support at the bottom.

EVALUATION AND CLOSURE

Having walked and seen the existing structure and weighing in the above factors we believe that it would not be practical nor safe to try to reuse the existing foundation. There are a lot of areas where the foundation has settled and it would not be safe trying to reuse the wall and the foundation as it currently exists. The top of the perimeter wall is very uneven and besides the tremendous amount of shimming, the foundation could continue to settle as it exists. It is our opinion that the foundation will need to be rebuilt with adequate footings.

Take note that The Foundation Firm, LLC. makes no representation or warranties, neither expressed nor implied, as to the damage resisting capability of the structure in the event of future occurrences. We express our opinion based on visual observation of the current condition of the structure relative to its condition as generally constructed. Calculation of structural capacities is not part of the scope of this report. The Foundation Firm, LLC, does not assume any legal responsibility of the original designers, owners, developers, architects, engineers, or contractors for any of the property elements discussed in this report. Only items discussed on this report were observed and this report shall not be deemed a comprehensive observation of the entire property.

We appreciate the opportunity to be of service to you on this project and trust that you will call this office with any questions that you may have.

Sincerely,

THE FOUNDATION FIRM, LLC


Lester Salinas, P.E.
Principal Engineer



481 MAIN STREET



PICTURE NO. 1



PICTURE NO. 2



PICTURE NO. 3



PICTURE NO. 4

PICTURES 1, 2, 3 AND 4

OUTSIDE OF THE RESIDENCE

481 MAIN STREET



PICTURE NO. 5



PICTURE NO. 6



PICTURE NO. 7



PICTURE NO. 8

EXTERIOR SUBWALL

481 MAIN STREET



PICTURE NO. 9



PICTURE NO. 10



PICTURE NO. 11



PICTURE NO. 12

INTERIOR SUBWALL

481 MAIN STREET



PICTURE NO. 13



PICTURE NO. 14

SHIMS

