

**MINUTES
CITY OF SUWANEE, GEORGIA
ZONING APPEALS BOARD MEETING
December 8, 2020**

PLANNING AND ZONING APPEALS BOARD MEMBERS: Present: Ray Brown, Paul Alznauer, and David Sullivan. Staff members present: Alyssa Durden, and MaryAnn Jackson.

CALL TO ORDER

Alyssa Durden called the meeting to order at 6:30 p.m.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Paul Alznauer nominated David Sullivan for Chairperson, second by Ray Brown. Motion carried 3-0.

Alyssa Durden turned the meeting over to David Sullivan.

Ray Brown nominated Paul Alznauer for Vice Chairperson, second by David Sullivan. Motion carried 3-0.

ADOPTION OF THE AGENDA

Ray Brown moved to approve the agenda as presented, second by Paul Alznauer. Motion carried 3-0.

APPROVAL OF MINUTES

Ray Brown moved to approve the December 10, 2019 minutes, second by Paul Alznauer. Motion carried 3-0.

OLD BUSINESS

NEW BUSINESS

V-2020-002- Owner/Applicant: David W. Hill. The applicant requests a variance from Sections 501 and 604 of the City of Suwanee Zoning Ordinance to allow for an accessory structure larger than 800 square feet and located not in a rear yard. The site contains approximately 1.35 acres in Land Lot 276 of the 7th District and is located at 4580 Tench Road.

Alyssa Durden presented the staff report as follows: The applicant is seeking a variance from Section 501 and Section 604 of the City of Suwanee Zoning Ordinance to allow for the construction of a detached garage exceeding 800 square feet in the front yard of a residential property located at 4580 Tench Road.

The subject property is approximately 1.35 acres and zoned R-100 (Residential Single Family District). It is surrounded by large lots with single family detached homes that are zoned R-100 or R-140. The property is rural in character similar to other lots in the area. A +/-26 acre property wraps the subject property on two and a half sides. This adjacent property is occupied by a single family house, a barn for horses that are kept on the property, and other large

accessory structures.

The subject property contains an approximately 2,300 square foot single story home located toward the rear of the 330 feet deep property. The house has an attached garage that faces the front of the property and a pool in the rear yard. A driveway winds from the northwest corner of the property down to the house. The property slopes down from Tench Road and the adjacent property to the east. The topography levels off where the house and pool are located and then slopes down from the house toward the rear property line.

The applicant proposes to add a detached garage that would be 30 feet by 35 feet (1,050 square feet) in the front yard at the end of the existing driveway near the existing attached garage. The proposed garage would have an exterior finish consistent with the primary residence. Section 501 of the City of Suwanee Zoning Ordinance limits accessory structures to 800 square feet in the R-100 zoning district, and Section 604 requires all accessory structures to be located in the rear yard of a property. As such, a variance is required to build the garage as proposed.

Accessory buildings are permitted uses in all of the City's residential zoning districts. All of the residential zoning districts have the same standard for accessory buildings in terms of maximum size and location allowed. However, a 1.35-acre lot is more capable of accommodating a larger accessory building without negative impacts on adjoining properties than a half-acre lot in a subdivision. The City regulates the size and location of accessory structures to protect homeowners from the possible negative impacts of an accessory structure on adjacent properties. In this case, the closest home is located more than 175 feet from the proposed accessory structure.

The vegetation, topography, and large size of the subject property allow for a structure in the front yard that would not be very visible from Tench Road or surrounding properties. The proposed location for the garage is approximately 120 feet back from Tench Road, approximately 20 feet below the grade of Tench Road, and approximately 10 feet below the grade of the adjacent property to the east. Furthermore, the front yard between the proposed garage location and Tench Road and adjacent properties to the east and west are wooded and would screen the garage from view.

The applicant requests to exceed the 800 square feet limit for the proposed garage because they have a need to store vehicles used to maintain the subject property as well as the larger adjacent +/- 26 acre property that is owned by family members of the applicant. There are many examples of other larger accessory structures in the immediate area. The adjacent property contains a barn, pavilion, garage, and storage shed that range from approximately 1,200 square feet to 3,200 square feet, and other larger accessory structures are located on nearby lots off of Abbey Hill Road. A larger accessory structure would be consistent with the area.

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 the conditions are unique to the property and/or are unlikely to cause substantial detriment to the public good, or if the variance will not undermine the intent of the zoning ordinance.

Approval of this variance would not be a substantial detriment to the public good and would not undermine the intent of the zoning ordinance, which is to limit the size and location of accessory buildings on smaller lots in more densely populated neighborhoods. The topography and pool in the rear yard of the subject property make it difficult to use the rear yard for an accessory structure. Approval of this request to locate a garage that exceeds 800 square feet in the front yard of the property is not likely to negatively impact nearby properties due to the vegetation, topography, and size of the property, and the distance of the proposed garage from the road and other nearby structures. As such, staff recommends approval with conditions of V-2020-002.

David Sullivan called upon the applicant.

Wayne Hill, 4580 Tench Road, Suwanee, GA. Mr. Hill stated that he has lived on this property for many years. There is a large ditch behind the house which prevents the accessory structure from being located there. Mr. Hill thanked the board for their time and consideration.

David Sullivan called for opposition. There was none.

Ray Brown moved to approve V-2020-002 with conditions, second by Paul Altnauer. Motion carried 3-0.

1. The accessory structure shall be located approximately as shown on the site plan labeled "Exhibit A."
2. The accessory structure shall be a maximum of 1,100 square feet in size.
3. The accessory structure shall match the exterior material of the primary dwelling.

OTHER BUSINESS

ANNOUNCEMENT

ADJOURNMENT

Ray Brown moved to adjourn the meeting at 6:41 pm.