

Variances:

V-2022-003

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2022-003

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

APPLICABLE SECTION: SECTION 512.2.A.1.c

LOCATION: 3987 SCALES STREET

PARCEL: 7-237-403

ZONING: IRD (INFILL RESIDENTIAL DISTRICT)

APPLICANT: CHUCK R. RIGDON JR.
207 DAVES FARM ROAD
JEFFERSON, GA 30549

OWNER: TOMMY & CATHY SCRIBBINS
1604 CRITTENDEN LANE
LAWRENCEVILLE, GA 30043

CONTACT: VICKIE ADAMS
CONTACT PHONE: 678-232-4924

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant seeks a variance from Section 512 of the City of Suwanee Zoning Ordinance to allow for an accessory building exceeding 800 square feet within the IRD (Infill Residential District) zoning district. The subject property is approximately 0.37 acre and located at 3987 Scales Street in historic Old Town. The property is zoned IRD (Infill Residential District).

The applicant plans to build a two-story single family home on the property along with a detached three car garage/accessory dwelling unit (both of which are permitted by the current zoning). However, the applicant would like to finish the space over the garage in the form of a carriage house, which would result in a structure that is greater than 800 square feet. The garage will be accessed from a driveway off of Scales Street.

The proposed accessory structure would have a footprint of approximately 923 square feet. The building would be two stories measuring 24 feet at the highest point of the roof. The proposed structure would include a 748 square foot three-car garage on the ground level and an approximately 785 square foot accessory dwelling unit over the garage including enclosed stairs

and a small front porch at the entry. The proposed structure would have an exterior finish consistent with the primary house, be subordinate in size to the primary residence, and be located in the rear yard as required by the Zoning Ordinance. The primary home is proposed to be approximately 5,126 square feet, and the proposed carriage house would be a total of approximately 1,533 square feet including the 24 square foot porch. The IRD (Infill Residential District) zoning limits accessory buildings to a total of 800 square feet (including both conditioned and unconditioned space), so the applicant would need a variance to build the accessory structure as proposed.

The subject property is surrounded by residentially zoned property zoned IRD that contain single family homes. To the southwest of the subject property, across Scales Street, is a church and single family homes on lots zoned R-100.

The surrounding lots are developed with single family homes, and several of the surrounding lots have accessory buildings as well. The 3 lots to the northeast of the subject property on the same block as the subject property (zoned IRD) have built similar sized garages as the proposed carriage house that are attached to the main house by a breezeway. These garages did not require a variance per the Zoning Ordinance because they are attached to the main home. The adjacent property directly to the northwest was granted a variance similar to this request in 2019. The request was to exceed 800 square feet to build a 1,728 square foot accessory structure with an accessory dwelling unit over a two car garage that was not attached to the home. Another variance was approved in 2019 nearby at 571 Jackson Street to allow a similar detached 1,260 square foot carriage house with an accessory dwelling unit over a two car garage.

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, so the construction of a detached accessory structure contributes to the creation of a new main house that is more consistent with historic houses in the area. Most homes in Old Town have either detached garages at the rear of the lot or no garage at all. In fact, prior to recent demolition, the subject property was occupied by a small single family home and a detached garage located in approximately the same location as the proposed structure.

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. The applicant is attempting to replicate a development style that existed before the City adopted zoning.

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 similar to those on adjacent lots. 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 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 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-2022-003.

Recommended Conditions

V-2022-003

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. One accessory structure may have a footprint of up to 925 square feet and a 2-story appearance, consistent with the architecture identified in Exhibit 'B' and located approximately as shown in Exhibit 'A'.
2. Said accessory building shall be a maximum of 1,600 square feet including both conditioned and unconditioned floor area.
3. Said accessory building shall have a maximum height of 25 feet as measured from the highest point of the roof.
4. Said accessory building shall include a three-car garage.

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 SUWANEE 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: Charles R. Rigdon Jr.
Address: 207 Oaves Farm Rd.
City: Jefferson
State: GA.
Phone: 770-231-5856

OWNER INFORMATION

Name: Tommy & Cathy Scribbins
Address: 1604 Crittenden Lane
City: Lawrenceville
State: GA.
Phone: 678-887-2621

E-mail address: chuckrigdon@me.com tscrib@bellsouth.net

CONTACT PERSON: Vickie Adams PHONE: 678-232-4924

ADDRESS OF PROPERTY 3987 Scales St. Suwanee

LAND DISTRICT 7 LAND LOT 237 PARCEL 403 LOT 07-237-4013

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) N/A

ZONING IR D

VARIANCE REQUESTED To exceed 880sq. ft. for detached garage with accessory living space upstairs.

NEED FOR VARIANCE Requesting detached garage remain detached from primary house without a breeze way connecting the garage and house.

***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.**

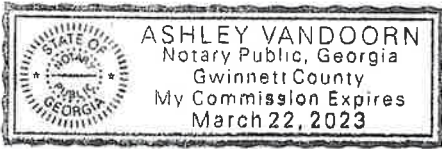
APPLICANT CERTIFICATION

The undersigned below is authorized to make this application and is aware that an application or re-application for the same type of variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals, unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than (6) months from the date of the last action by the Board of Appeals.

[Handwritten Signature] _____
Signature of Applicant Date 03/11/22

Chuck Rindorj, President
Typed or Printed Name and Title

[Handwritten Signature] _____
Signature of Notary Public Date 03/11/2022



Notary Seal

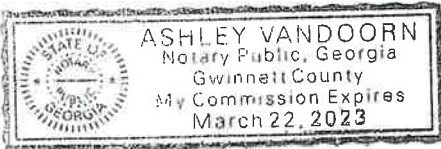
PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for the same type of Variance affecting the same land or any portion thereof shall not be acted upon within twelve (12) months from the date of last action by the Board of Appeals unless waived by the Board of Appeals. An application or reapplication shall not be acted upon in less than six (6) months from the date of the last action by the Board of Appeals.

[Handwritten Signature] _____
Signature of Applicant Date 3/11/22

Kathryn Ann Scribbins, owner
Typed or Printed Name and Title

[Handwritten Signature] _____
Signature of Notary Public Date 03/11/2022



Notary Seal

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number V-2022-003 Variance _____ Administrative _____
Date Rec'd 3/11/22 Rec'd By _____ Hearing Date _____
Amount Rec'd _____ Receipt _____

ACTION TAKEN _____

SIGNATURE _____ DATE: _____



PROJECT NOTES

- BOUNDARY AND TOPOGRAPHY SURVEY INFORMATION PROVIDED BY GA LAND SURVEYOR, DATED 8/7/16. THE FINAL PLAT FOR THIS SUBDIVISION WAS RECORDED 8/13/16 (OB 142, PG 293).
- CONSTRUCTION OF PERMANENT STRUCTURES PERMITTED IN BUFFERS OR EASEMENTS.
- NO PORTION OF THE PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER FIRM PANEL 13135C0032G DATED 3/4/13.
- ADDITIONAL PERMITTING MAY BE REQUIRED FOR RETAINING WALLS IN EXCESS OF 4 FEET IN HEIGHT.

CONTACT INFORMATION

CIVIL ENGINEER (RDP PREPARED)
 DOVETAIL CIVIL DESIGN, INC.
 3651 MARS HILL ROAD
 SUITE 1800
 WATKINSVILLE, GA 30677
 PHONE: (678) 726-3300
 EMAIL: RICHARD@DOVETAILCIVIL.COM
 CONTACT: RICHARD BREEDLOVE
 GASWCC LEVEL 2 #17259

PROPERTY OWNER
 TOM & KATHY SCRIBBINS
 1604 CRITTENDEN LANE
 LAWRENCEVILLE, GA 30043
 PHONE: (770) 277-4869

SURVEYOR
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE
 SUITE 1
 SUWANEE, GA 30024
 PHONE: (404) 384-9577
 EMAIL: CAMMIE@LANDSURVEYOR.COM
 CONTACT: CALEB MCGRUCHEY

INSTALLATION SPECIFICATIONS:
 1. SEED SELECTION AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE GSWCC MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA.
 2. LOOSEN COMPACTED SOIL TO A MINIMUM DEPTH OF THREE (3) INCHES PRIOR TO APPLICATION.
 3. DRY STRAW OR HAY SHALL BE IN CLEAN CONDITION AND APPLIED BY SPREADER OR MACHINE TO A THICKNESS OF TWO (2) TO FOUR (4) INCHES.
 4. STRAW OR HAY SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION.
 5. MULCH ON SLOPES GREATER THAN 3% SHOULD BE ANCHORED WITH EMULSIFIED ASPHALT OR OTHER SUITABLE TACKIFIER.
 6. ADDITIONAL MULCHING IS REQUIRED IF THE MINIMUM THICKNESS IS NOT ACHIEVED OR IF SOIL COVERAGE IS LESS THAN 90%.

Ds1
DISTURBED AREA STABILIZATION WITH MULCHING

INSTALLATION SPECIFICATIONS:
 1. ACCORDANCE WITH THE GSWCC MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA.
 2. SOIL SURFACES MAY NEED TO BE TILLED, FITTED OR OTHERWISE SCARIFIED TO ALLOW FOR PROPER SEED LODGING AND GERMINATION.
 3. APPLY LIME AT A RATE OF ONE TON PER ACRE AS NEEDED.
 4. SEEDS SHALL BE PLANTED AT A DEPTH OF TEN TIMES THE SEED DIAMETER.
 5. ACCEPTABLE PLANTING METHODS INCLUDE HYDRO-SEEDING, DRILLING AND BROADCAST SPREADING BY MACHINE OR HAND.

SPECIES	PLANTING RATES PER ACRE*	TYPICAL PLANTING MONTHS											
		J	F	M	A	M	J	J	A	S	O	N	D
BARLEY	144 LBS	X	X	X	X	X	X	X	X	X	X	X	X
ANNUAL LESPEDEZA	40 LBS	X	X	X	X	X	X	X	X	X	X	X	X
WEEPING LOVEGRASS	4 LBS	X	X	X	X	X	X	X	X	X	X	X	X
BROWNTOP MILLET	40 LBS	X	X	X	X	X	X	X	X	X	X	X	X
OATS	128 LBS	X	X	X	X	X	X	X	X	X	X	X	X
RYE	168 LBS	X	X	X	X	X	X	X	X	X	X	X	X
ANNUAL RYEGRASS	40 LBS	X	X	X	X	X	X	X	X	X	X	X	X
SUDANGRASS	60 LBS	X	X	X	X	X	X	X	X	X	X	X	X
WHEAT	180 LBS	X	X	X	X	X	X	X	X	X	X	X	X

* PLANTING RATES SHOWN ARE FOR BROADCAST APPLICATIONS. REDUCE THESE RATES BY 50% FOR SEED DRILLING.

Ds2



DOVETAIL
 civil design inc
 3651 Mars Hill Road, Suite 1800
 Watkinsville, GA 30677
 Office: (678) 726-3300
 www.dovetailcivil.com

3987 SCALES STREET RDP
 RESIDENTIAL DRAINAGE PLAN FOR:
 TOM & KATHY SCRIBBINS
 PARCEL NO. 07-237-403

PROJECT NUMBER: MSB005 SCALE: 1:30 SHEE
 DATE: 02/03/22 DRAWN BY: MSB

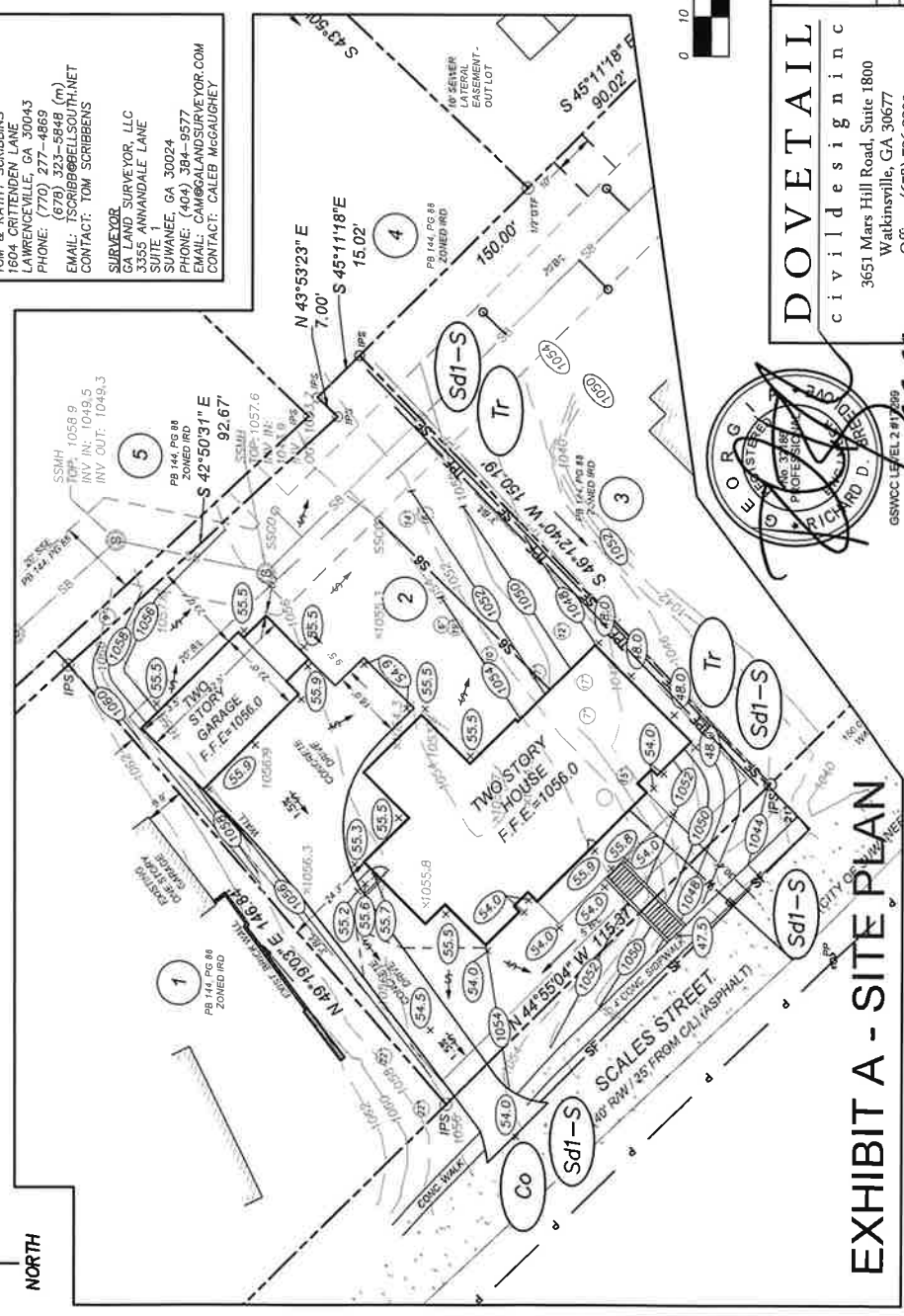


EXHIBIT A - SITE PLAN

V-2022-003

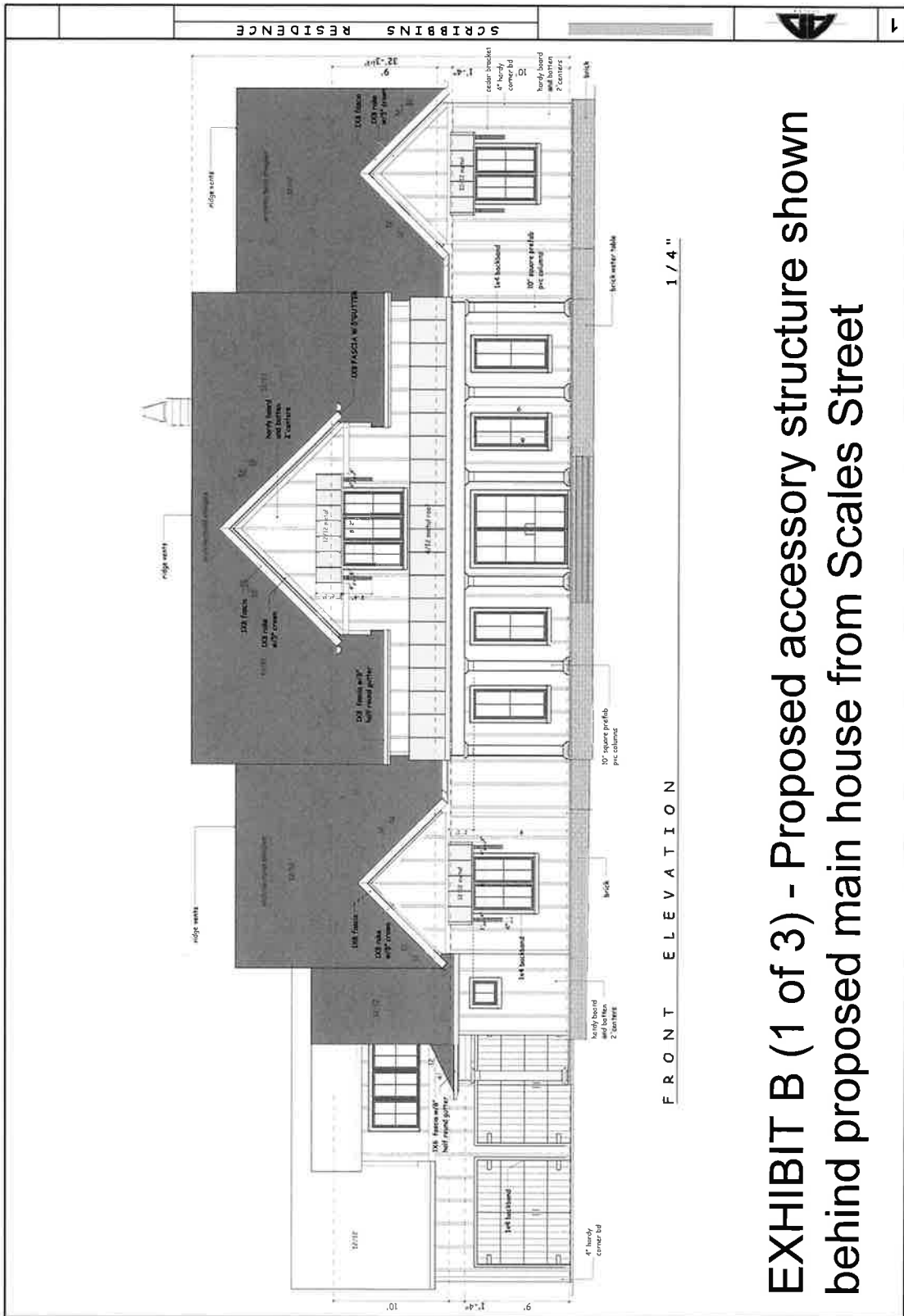
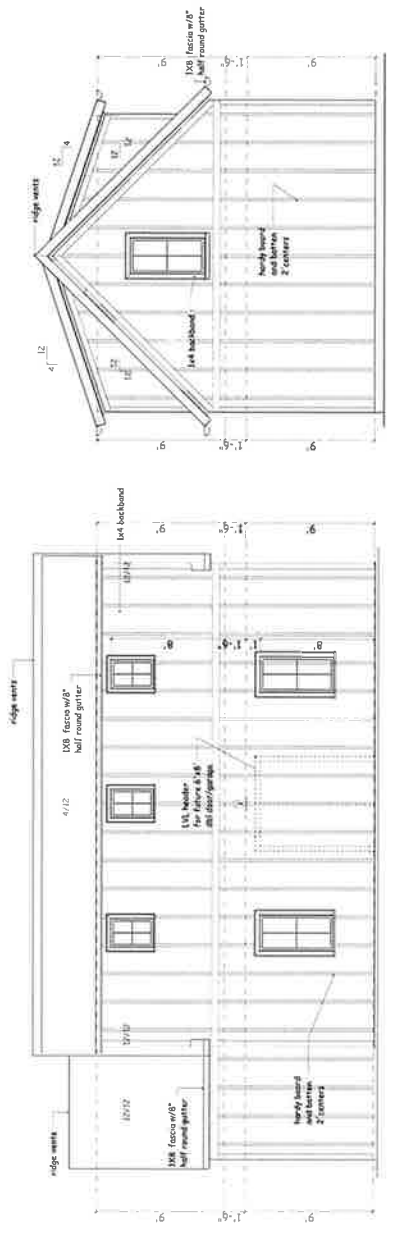


EXHIBIT B (1 of 3) - Proposed accessory structure shown behind proposed main house from Scales Street

FRONT ELEVATION 1/4"

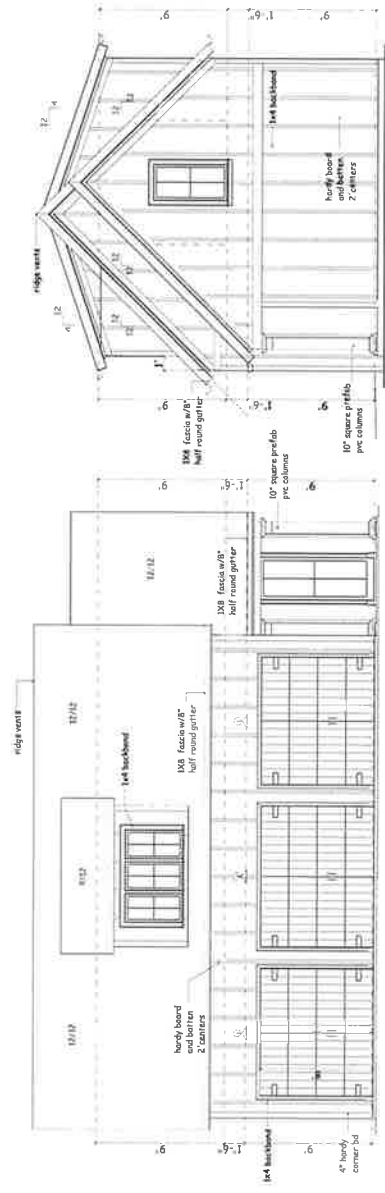
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EXHIBIT B (2 of 3) - Architecture for accessory structure



GARAGE REAR ELEVATION 1/4"

GARAGE LEFT SIDE ELEVATION 1/4"



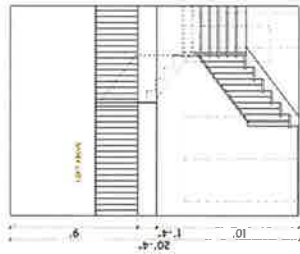
GARAGE FRONT ELEVATION 1/4"

GARAGE RIGHT SIDE ELEVATION 1/4"

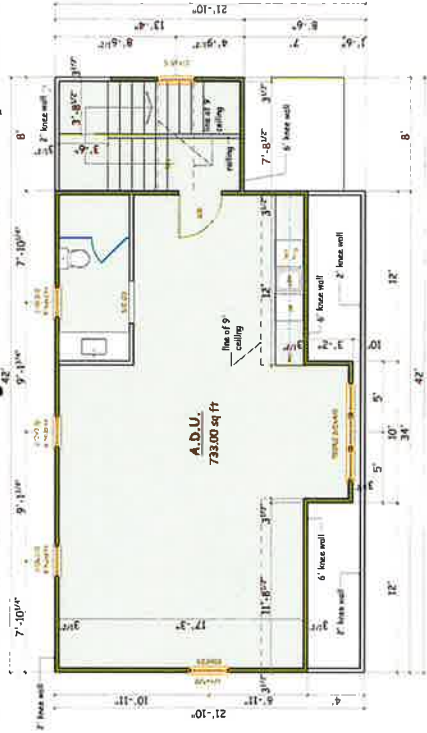


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EXHIBIT B (3 of 3) - Proposed accessory structure plans

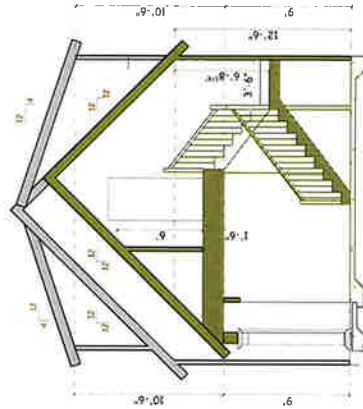


ENTRY FOYER STAIR

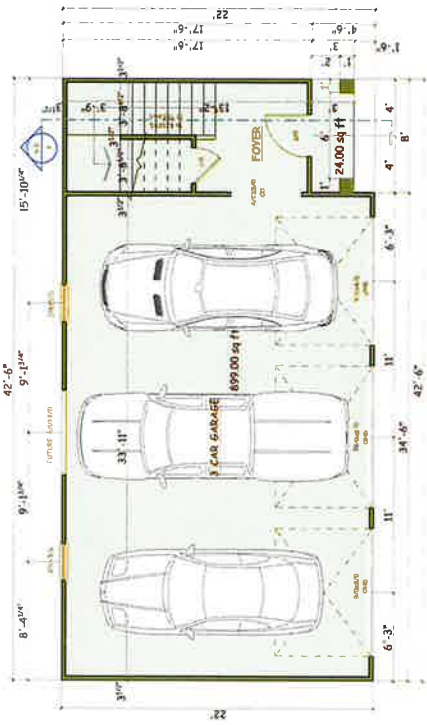


A.D.U. UNIT ABOVE GARAGE

1/4"



GARAGE SECTION AT STAIR



CARRIAGE GARAGE

1/4"

V-2022-003

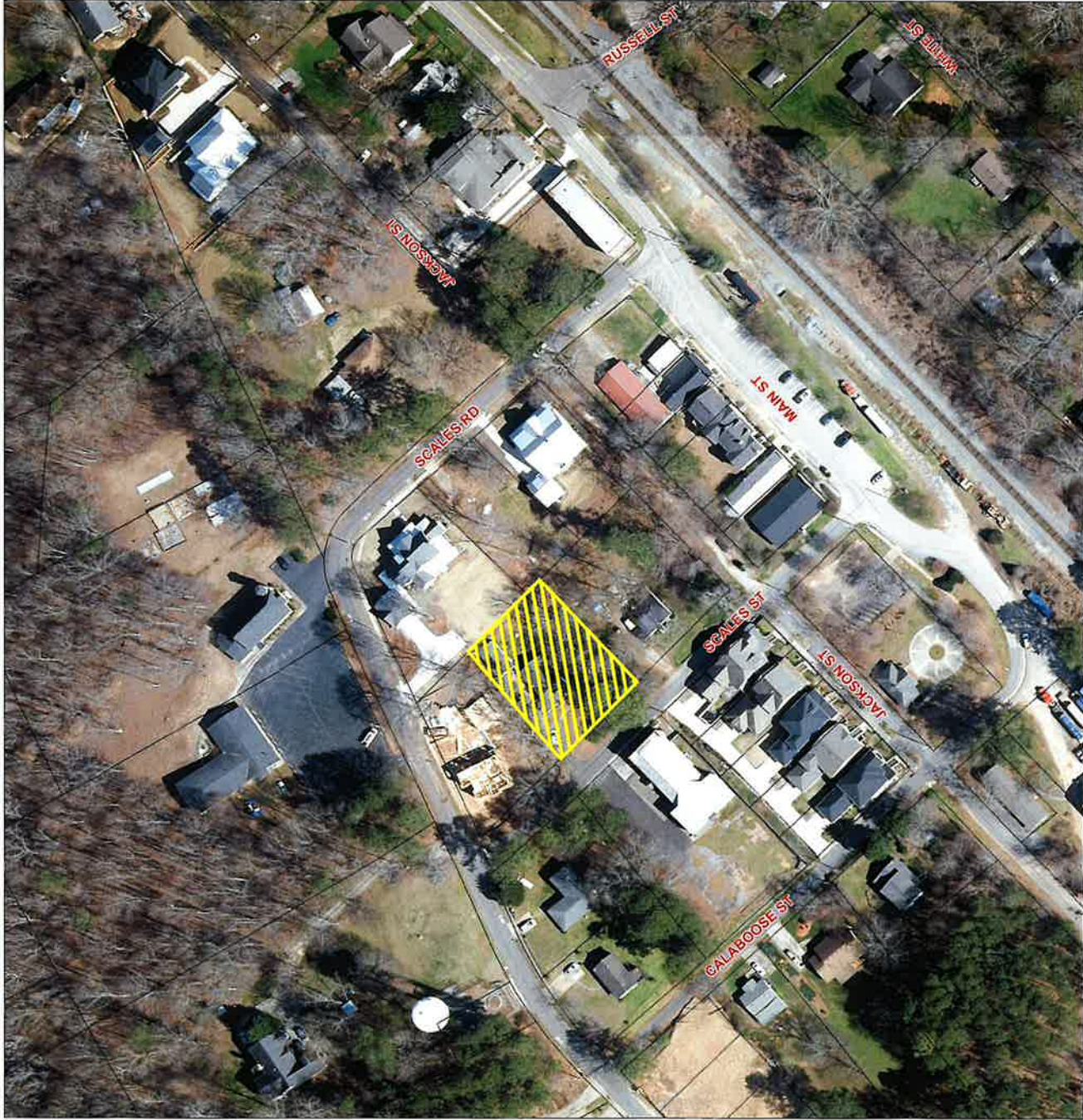


Location Map
V-2022-003

Legend



Subject Property



Legend



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
- Old Town Overlay District
- City Limits

