

VARIANCE(S):

V-2022-004

**CITY OF SUWANEE
VARIANCE ANALYSIS**

CASE NUMBER: V-2022-004

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

APPLICABLE SECTION: SECTION 501.A

LOCATION: 517 MAIN STREET

PARCEL: 7-236-473

ZONING: R-100

APPLICANT/OWNER: CHARLOTTE K. MCLAUGHLIN
517 MAIN STREET
SUWANEE, GA 30024

CONTACT: JAMES MCLAUGHLIN
CONTACT PHONE: 404-429-4515

STAFF RECOMMENDATION: **APPROVAL WITH CONDITIONS**

ANALYSIS:

The applicant seeks a variance from Section 501 of the City of Suwanee Zoning Ordinance to allow for an accessory building exceeding 800 square feet within the R-100 (Residential Single Family) zoning district. The subject property is approximately 0.42 acre and located at 517 Main Street in historic Old Town.

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

The proposed accessory structure would have a footprint of 672 square feet. The building would be two stories measuring approximately 22 feet at the highest point of the roof. The proposed structure would include a 672 square foot two-car garage on the ground level and an approximately 543 square foot of finished space over the garage. 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 2,513 square feet, and the proposed carriage house would total approximately 1,215 square feet. The R-100 zoning district limits accessory buildings to a

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 fronts Main Street and backs up to the Brushy Creek Greenway. The railroad tracks are located across Main Street. The properties on both sides of the subject property are zoned R-100 and contain single family detached homes and detached accessory structures including a large barn on the adjacent property to the west that is larger than 800 square feet.

The houses along Main Street are some of the oldest homes in the City. As such, many of the parcels, homes and structures predate zoning and often do not conform to the regulations of the Zoning Ordinance. The Historic Old Town area contains structures and development patterns more commonly found in small towns and rural areas. In these situations, larger barns and multiple accessory structures fit with the character of the area.

Detached accessory structures are common in historic Old Town. Of the 18 residential lots along Main Street, 13 have at least one detached accessory structure. Three of these are greater than 800 square feet including one on the adjacent property to the west and one at 451 Main Street that was granted a variance similar to this request in 2014. The request was to exceed 800 square feet to build a 1,890 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).

Historic homes in Old Town do not have attached garages, so constructing the accessory structure separately from the main house allows for 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. The subject property was occupied, prior to their demolition, by a small single family home and a detached garage that was located in approximately the same location as the proposed accessory structure.

Historic Old Town 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 were more recently constructed and done so with the approval of a variance. The applicant is attempting to replicate a development style that existed before the City adopted zoning.

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 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-2022-004.

Recommended Conditions

V-2022-004

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 800 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 1,250 square feet including both conditioned and unconditioned floor area.
3. The front elevation shall have a maximum height of 24 feet as measured from the highest point of the roof.
4. Said accessory building shall include a two-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

OWNER INFORMATION

Name: CHARLOTTE K. McLAUGHLIN Name - SAME -
Address: 517 MAIN STREET Address _____
City: SUWANEE City: _____
State: GEORGIA State _____
Phone: 404-429-4515 Phone: _____
E-mail address: JPMcLAUGHLIN50@GMAIL.COM

CONTACT PERSON: JAMES McLAUGHLIN PHONE: 404-429-4515

ADDRESS OF PROPERTY 517 MAIN STREET, SUWANEE, GA 30024

LAND DISTRICT _____ LAND LOT _____ PARCEL 7236-473 LOT _____

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) N/A

ZONING R100

VARIANCE REQUESTED COMBINE TWO ACCESSORY (GREATER THAN 800 SQ FT) STRUCTURES INTO ONE AND THUS SAVE THE LARGE TREE IN BACK OF LOT.

NEED FOR VARIANCE _____

***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.**

V-2022-004

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.



Notary Seal

[Signature] 03.17.2022
Signature of Applicant Date
Charlotte Kendrick McLaughlin
Typed or Printed Name and Title
[Signature] 3/17/22
Signature of Notary Public Date

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.



Notary Seal

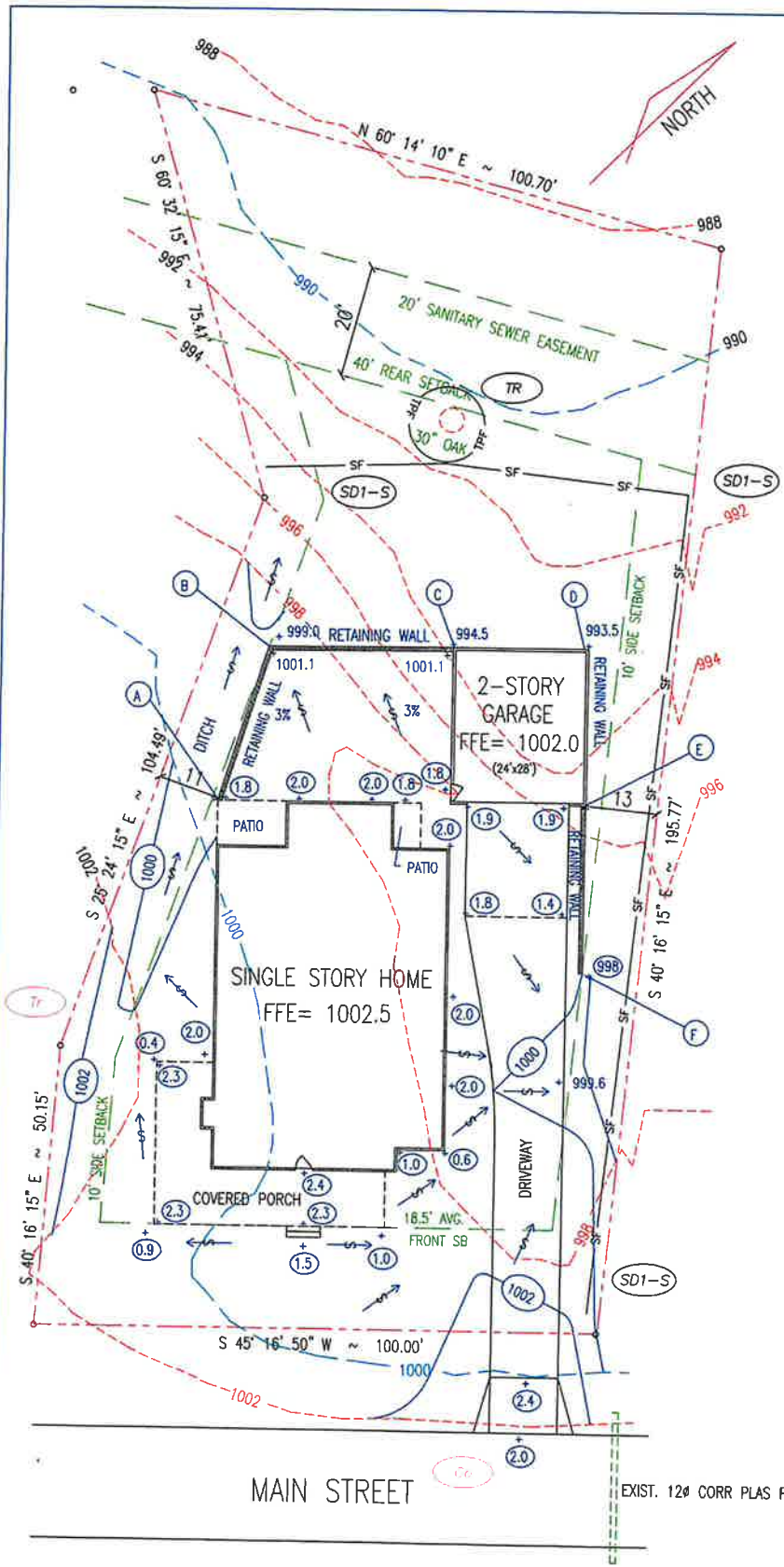
[Signature] 03.17.2022
Signature of Applicant Date
Charlotte Kendrick McLaughlin
Typed or Printed Name and Title
[Signature] 3/17/22
Signature of Notary Public Date

DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY

Case Number V-2022-004 Variance _____ Administrative _____
Date Rec'd _____ Rec'd By _____ Hearing Date _____
Amount Rec'd _____ Receipt _____

ACTION TAKEN _____

SIGNATURE _____ DATE: _____



CONTACT INFORMATION & NOTES:
 PROPERTY OWNER: JIMMY & KENDRICK McLAUGHLIN
 4255 SUWANEE DAM RD., SUWANEE, Ga. 30024
 EMAIL: JPMcLAUGHLIN50@GMAIL.COM
 PHONE: (404) 429-4515
 ENGINEER: MARK S. BROCK
 PHONE: (770) 905-9810
 EMAIL: MARK.BROCK55@GMAIL.COM
 604 SCALES ROAD, SUWANEE, Ga. 30024
 SURVEYOR: INFO TAKEN FROM SURVEY BY BOUNDARY ZONE
 PHONE: (770) 271-5772
 SURVEY DATED: 10/06/2020, PROJECT No. 2013401-EXP

NO PORTION OF THE PROPERTY LIES WITHIN A SPECIAL FLOOD ZONE.
 ADDITIONAL PERMITTING MAY BE REQUIRED FOR RETAINING WALLS IN EXCESS OF 4' IN HEIGHT.
 NO DECKS, PATIOS OR PERMANENT ARE PERMITTED IN BUFFERS OR EASEMENTS.

RETAINING WALL CHART

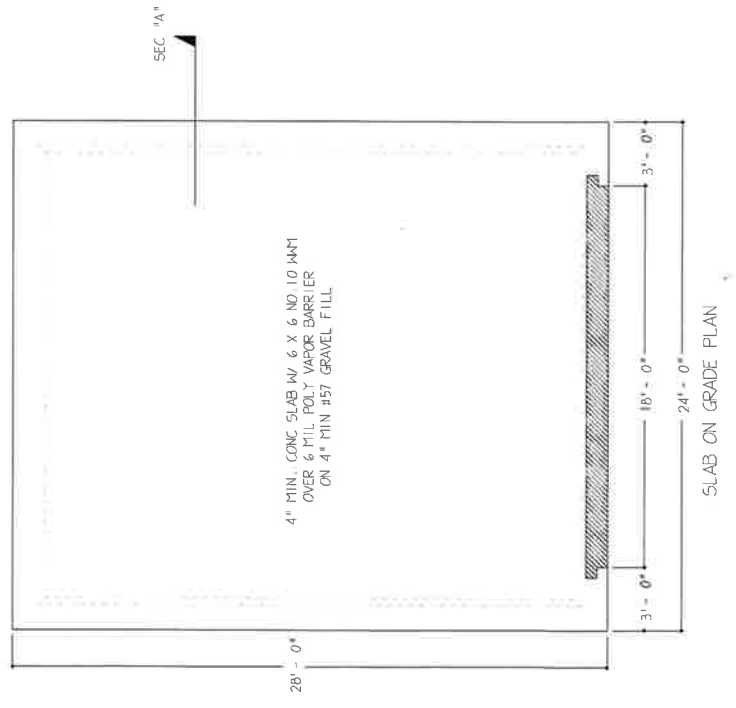
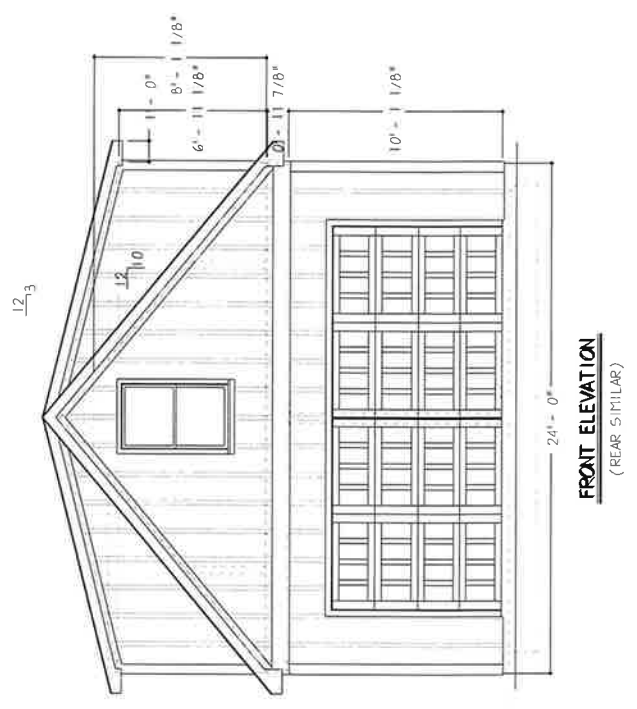
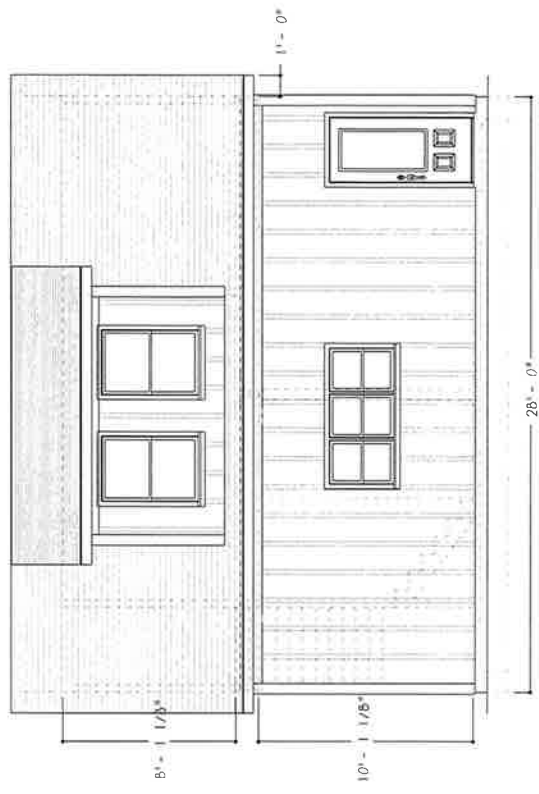
| POINT | STATION | TOP WALL | BTM. WALL |
|-------|---------|----------|-----------|
| A | 0+00 | 1001.8 | 999.0 |
| B | 0+29 | 1001.1 | 998.5 |
| C | 0+62 | 1002.0 | 994.0 |
| D | 0+86 | 1002.0 | 993.0 |
| E | 1+14 | 1002.0 | 996.0 |
| F | 1+44 | 1000.0 | 998.0 |

Notes: Bottom of wall equals Top of Footing
 There shall be a minimum of 0.5' of backfill over the top of footings.

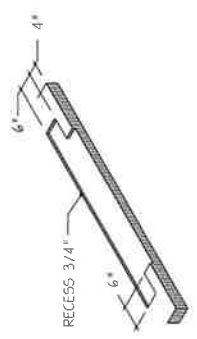
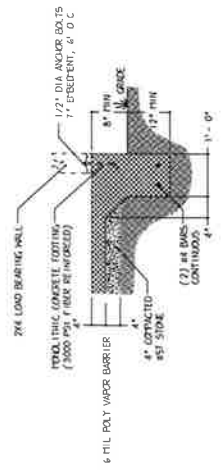


RESIDENTIAL DRAINAGE PLAN
 517 MAIN STREET, SUWANEE, GA.
 03/21/22
 SCALE: 1" = 20'

Exhibit A - Site Plan V-2022-004

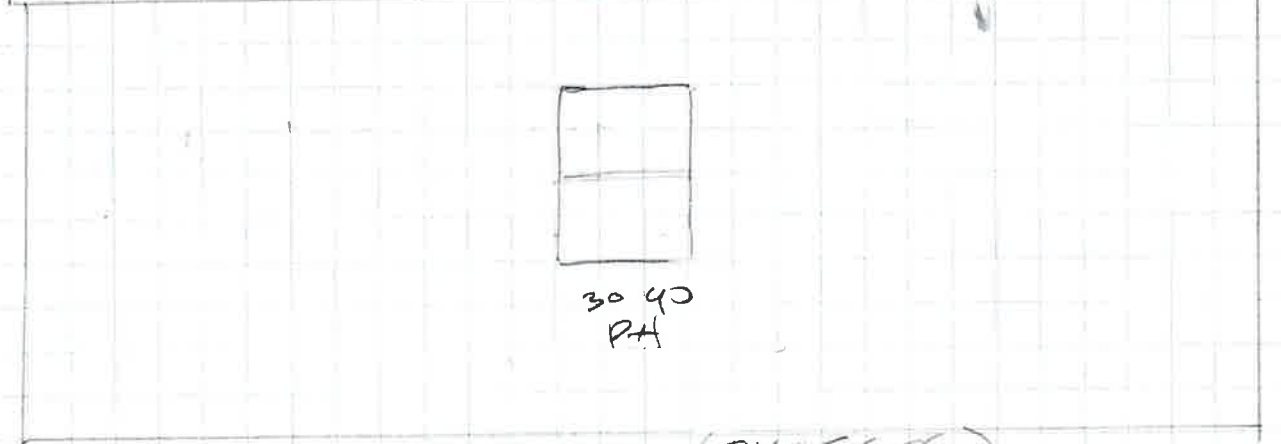
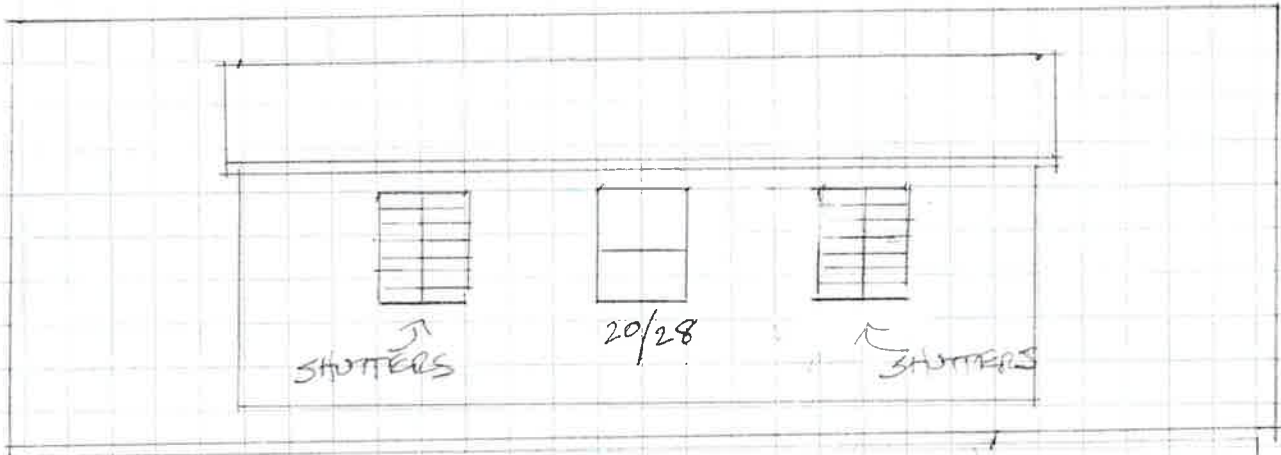


4" MIN. CONC. SLAB W. 6 X 6 NO. 10 MAT
 OVER 6" MILL POLY VAPOR BARRIER
 ON 4" MIN #57 GRAVEL FILL

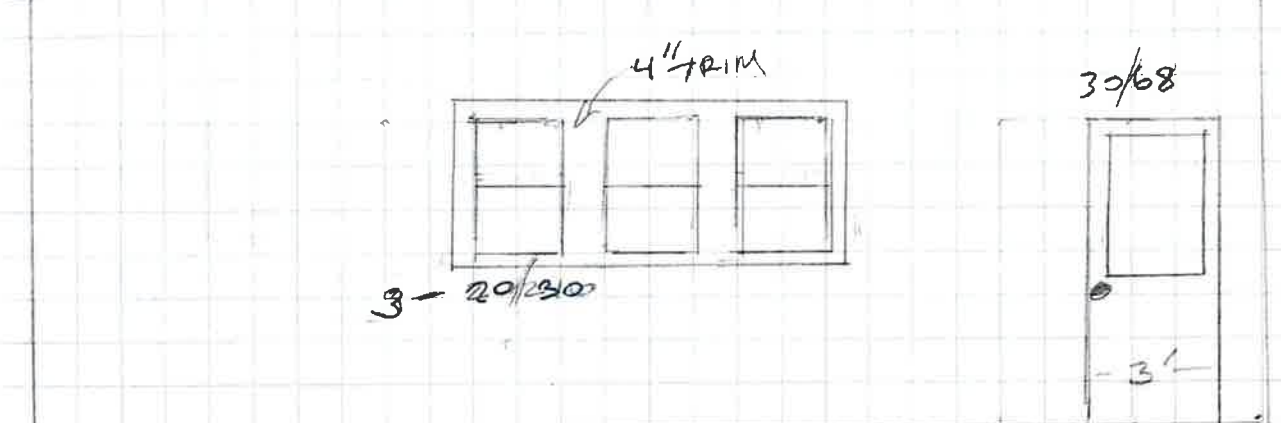
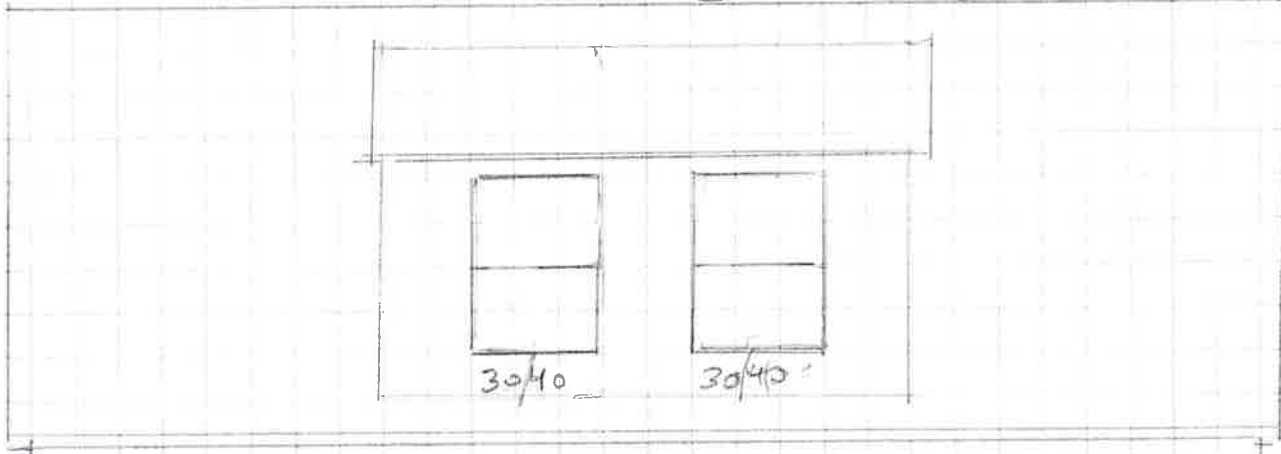


V-2022-004 Exhibit B (1 of 2)

517 MAIN ST
GARAGE

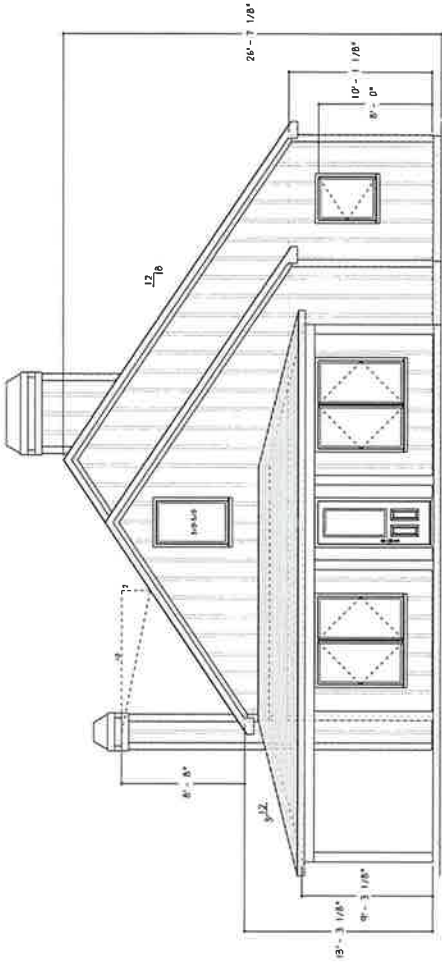


(RIGHT SIDE)

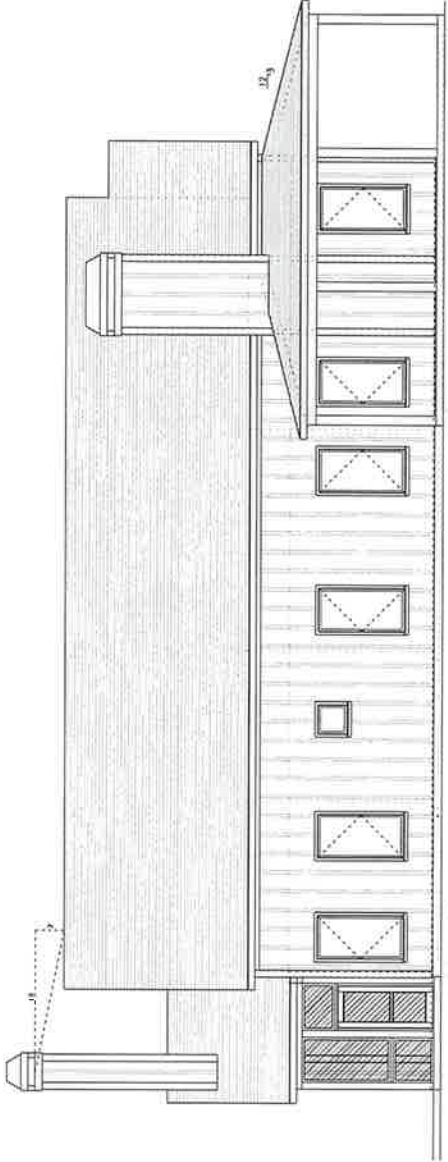


28' (LEFT SIDE)

4" 21 R

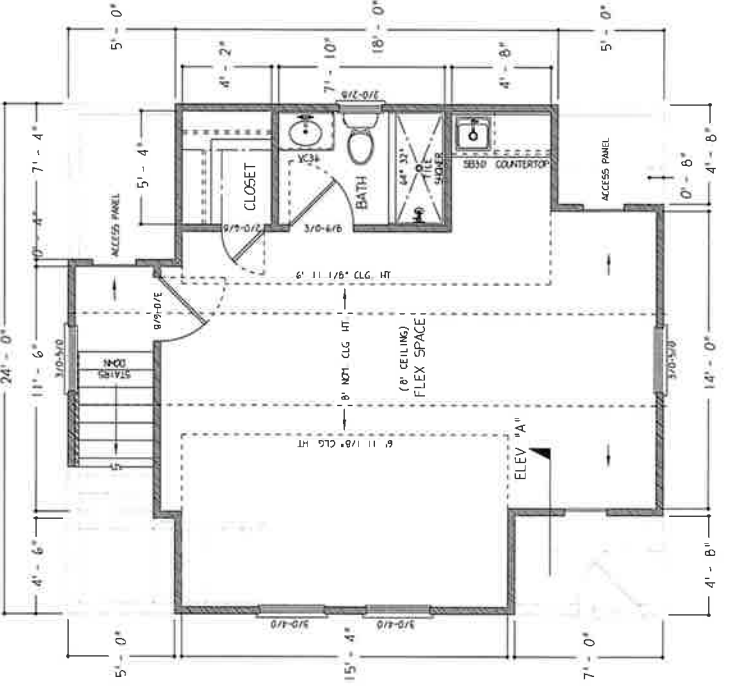
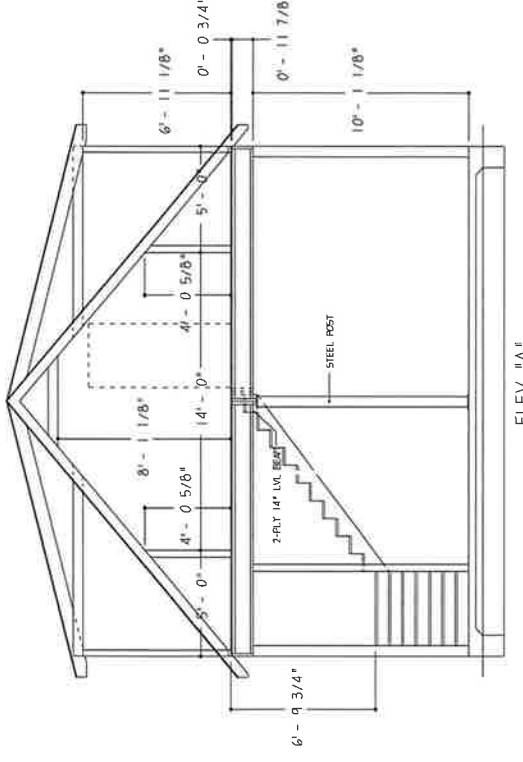
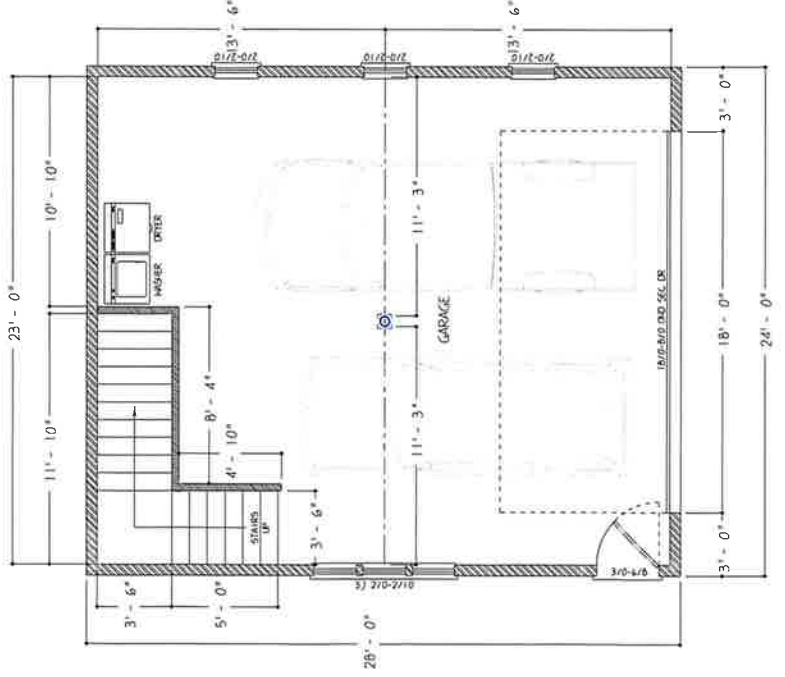
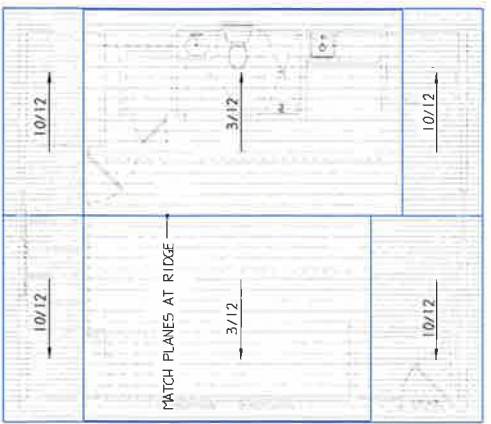


FRONT ELEVATION



LEFT ELEVATION

Elevations of Main House
 V-2022-004



Y-2022-004 Accessory Structure Plans

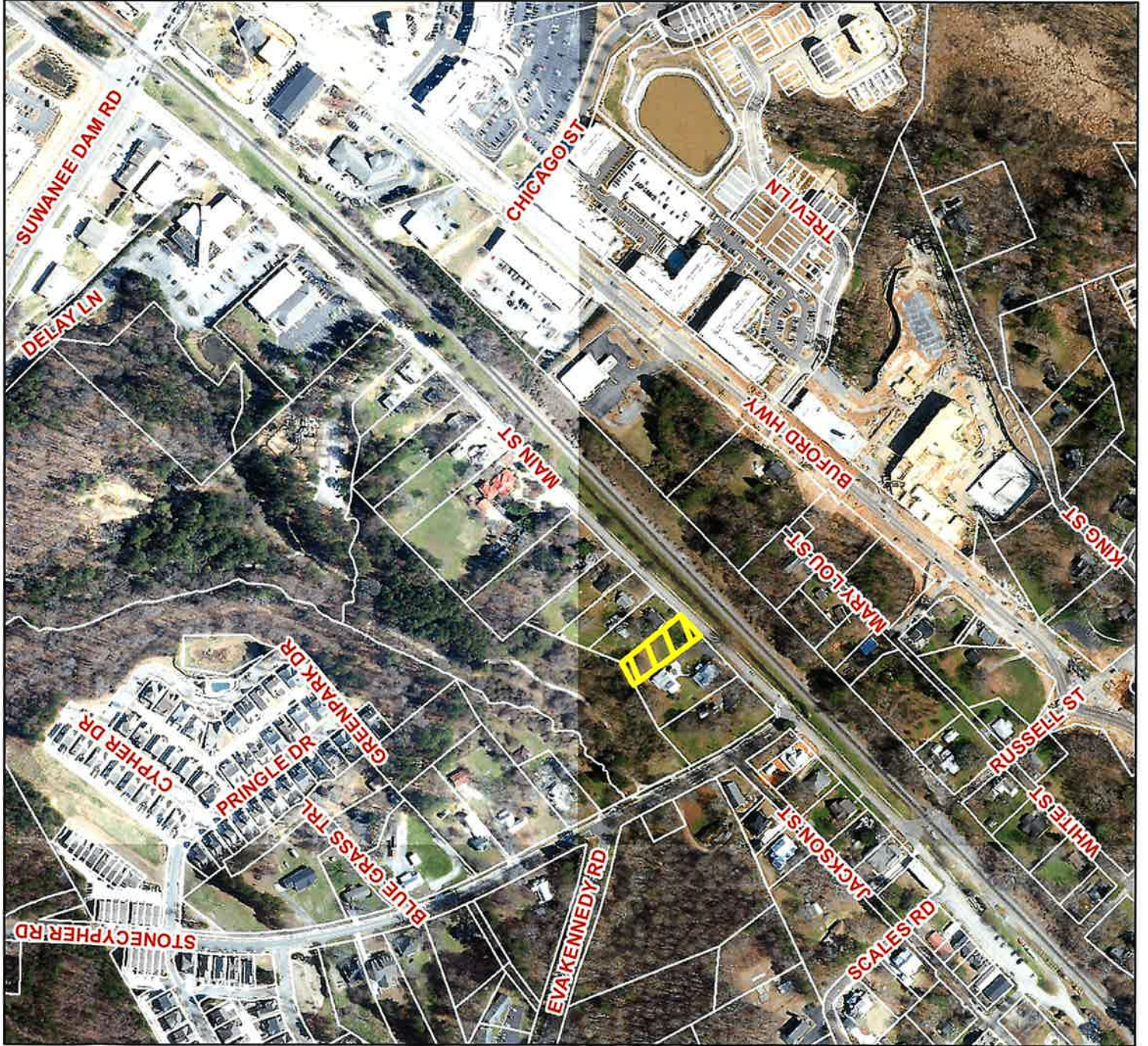


Location Map V-2022-004

Legend



Subject Property



0 250 500 1,000 Feet



Zoning Map V-2022-004

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



0 125 250 500 Feet

