

**VARIANCE(S):**

**V-2024-008**

**CITY OF SUWANEE  
VARIANCE ANALYSIS**

**CASE NUMBER(S):** V-2024-008

**REQUEST(S):** ACCESSORY STRUCTURE LOCATED  
OUTSIDE OF A REAR YARD

**APPLICABLE SECTION(S):** SECTION 604

**LOCATION:** 1361 ERYN CIRCLE

**DISTRICT/LAND LOT:** 7-197-044

**ZONING:** R-100

**DEVELOPMENT:** ACCESSORY STRUCTURE

**APPLICANT/OWNER:** RICHARD PARCELL  
1361 ERYN CIRCLE  
SUWANEE, GA 30024

**CONTACT:** RICHARD PARCELL  
**CONTACT PHONE:** 770-232-2904/770-354-8837

**RECOMMENDATION:** **APPROVAL WITH CONDITIONS**

**ANALYSIS:**

The applicant seeks a variance from Section 604 of the City of Suwanee Zoning Ordinance to allow for the construction of an 80 square foot shed on the side of a residential property located at 1361 Eryn Circle.

The subject property is approximately 0.59 acres and zoned R-100 (Residential Single Family District). The property contains a two-story house that faces Eryn Circle. The applicant plans to build a small accessory structure measuring 80 square feet on the side of the existing home. The applicant proposes to locate the small shed on the side of the house because the rear yard is where the septic tank and septic drainage field is located.

The subject property is zoned R-100 (Single Family Residential District). The property is surrounded entirely by other R-100 lots developed with other single family homes in the Maple Ridge and Idlewild neighborhoods.

Section 604 of the Zoning Ordinance regulates the location of accessory structures in the R-100 (Residential Single Family District) zoning district. The ordinance requires accessory structures to be located in the rear yard. The purpose of this is to prevent accessory uses and structures from overshadowing the primary structure. The location of the septic tank in the rear yard, along with an existing retaining wall and topography issues prevent the applicant from installing the accessory structure in the rear yard. Because of this, a variance from this regulation is needed to build an accessory structure on the side of the house.

The proposed accessory structure would be located more than 5 feet from the side property line. The structure would comply with the other requirements for an accessory structure. Approval of the request to locate an accessory dwelling unit in the proposed location is not likely to negatively impact nearby properties due to the existing vegetation and retaining wall providing screening from the neighboring properties. The applicant is also willing to construct a privacy fence to screen the accessory structure from Eryn Circle. However, there is already existing vegetation providing screening. A smaller accessory structure located to the side of an existing home would not be detrimental to the surrounding 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. In this case, the topography and the presence of the septic system do impact the usability of the rear yard. Additionally, the proposed structure is very small and would be well screened by vegetation, so the ordinance would not be undermined if a variance were approved.

In conclusion, approval of this variance would not be a substantial detriment to the public good. The accessory structure will be well screened and does not exceed size requirements for the property. Approval of the request would not undermine the intent of the zoning ordinance. As such, staff recommends **APPROVAL WITH CONDITIONS** of V-2024-008.

Recommended Conditions

**V-2024-008**

Staff recommends approval of a variance to allow for an accessory structure outside of a rear yard subject to the following condition:

1. The size and location of the accessory structure shall be approximately as presented in Exhibit 'A'.

## Standards for Consideration

Pursuant to Section 1909A 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 variance unreasonably increase the congestion in public streets?**

Approval of this variance would not increase the congestion in public streets.

**B. Will approval increase the danger of fire or endanger public safety?**

Approval of this 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 this 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 this 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: Richard Parcell  
Address: 1361 Eryn Circle  
City: Suwanee  
State: GA  
Phone: 770-232-2904  
E-mail address: judyparcell@gmail.com

**OWNER INFORMATION**

Name: Richard Parcell  
Address: 1361 Eryn Circle  
City: Suwanee  
State: GA  
Phone: 770-232-2904

CONTACT PERSON: Richard Parcell PHONE: 770-232-2904 / 770-354 883

ADDRESS OF PROPERTY 1361 Eryn Circle

LAND DISTRICT 7 LAND LOT 197 PARCEL 0.44 LOT 2/Block C

SUBDIVISION OR PROJECT NAME (IF APPLICABLE) Maple Ridge

ZONING R100 ACREAGE 3/4

VARIANCE REQUESTED Accessory building on side yard

NEED FOR VARIANCE Building the shed in the rear yard is prohibitive due to septic system

**\*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.



Richard J. Parcell 6-5-24  
Signature of Applicant Date  
RICHARD J. PARCELL  
Typed or Printed Name and Title  
Jeffrey Romero 6-5-24  
Signature of Notary Public Date

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.



Richard J. Parcell 6-5-24  
Signature of Applicant Date  
RICHARD J. PARCELL  
Typed or Printed Name and Title  
Jeffrey Romero 6-5-24  
Signature of Notary Public Date

Notary Seal

**DEPARTMENT OF PLANNING AND DEVELOPMENT USE ONLY**

Case Number Y-2024-008 Variance  Administrative 8/20/24  
Date Rec'd 6/5/24 Rec'd By AD Hearing Date 8/20/24  
Amount Rec'd \_\_\_\_\_ Receipt \_\_\_\_\_

ACTION TAKEN \_\_\_\_\_

SIGNATURE \_\_\_\_\_ DATE: \_\_\_\_\_



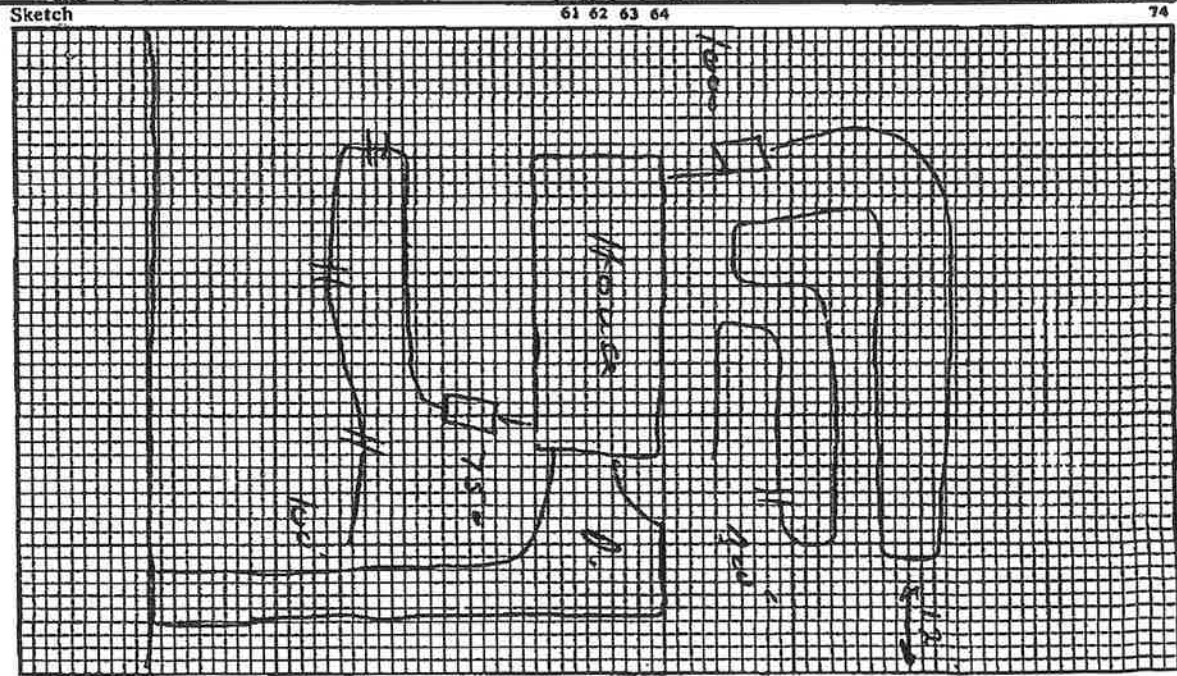
Georgia Department of Human Resources  
**ON-SITE SEWAGE MANAGEMENT SYSTEM INSPECTION REPORT**

County Code	Construction Permit	Case Number (FHA, VA, etc.)	Health Dist.	Day	Month	Year
067 <small>2 3 4</small>	7037 <small>5 6 7 8</small>	[ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] <small>9 10 11 12 13 14 15 16 17 18 19 20</small>	[ ] [ ] <small>21 22</small>	23 <small>23 24</small>	12 <small>25 26</small>	87 <small>27 28</small>

<b>Property Location</b> Maple Ridge 2-C 1361 Eyroad Cr.	<b>Property Owner</b> J. Anthony Hones <b>Sewage Disposal Contractor</b> Charles Backhoe	<b>County</b> Gwinnett
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ALL ITEMS: Blank = Not Applicable; 0 = Unknown \*ITEMS: 1 = Yes; 2 = No

SECTION A - GENERAL	SECTION D - PRIMARY TREATMENT	ITEMS
1. Type Water Supply: (1) Public, (2) Community, (3) Indiv.	1. Sewage Disposal Method: (1) Septic Tank, (2) Construction Privy, (3) Pit Privy, (4) Aerobic Unit, (5) Other	b. Total Linear Feet
2. Financial Assistance: (1) FHA, (2) VA, (3) Farmers Home, (4) Conventional, (5) Other	2. Septic Tank Capacity (gallons):	c. Length each Trench (feet)
3. House Structure: (1) New, (2) Existing < 1 year, (3) Existing > 1 year	3. Unit 1 Tank/Compartment Capacity:	d. Width of Trenches (inches)
4. Sewage Disposal Installation: (1) New, (2) Repair to existing sys.	4. Septic Tank Inside Length (feet):	e. Number of Trenches
5. If Repair of Existing System - Years System Installed: (1) < 1 year, (2) 1 - 2, (3) 2 - 3, (4) 3 - 5, (5) 5 - 10, (6) > 10	5. Septic Tank Inside Width (feet):	f. Distance between Trenches
6. Percolation Rate Min./In.:	6. Septic Tank Liquid Depth (feet):	g. Average Trench Depth (inches)
7. *Is Property Part of a Subdivision:	7. Septic Tank Material: (1) Precast concrete, (2) Poured in place, (3) Other	h. * Aggregate Proper Size
<b>SECTION B - FACILITY</b>	8. Dosing Tank Capacity (gallons):	i. * Aggregate Proper Depth
1. *Type Facility: See Code Below	9. Grease Trap Capacity (gallons):	j. Distance from Building Foundation
2. Water Usage Determined by: (1) No. Bedrooms, (2) No. Gallons	10. Distance Septic Tank from Well:	k. Nearest Property Line: (1) Front, (2) Rear, (3) R. Side, (4) L. Side
3. Number Bedrooms or Gallons:	<b>SECTION E - SECONDARY TREATMENT</b>	l. Distance Nearest Property Line
<b>SECTION C - LOT SIZE</b>	1. Field Layout Method: (1) Distribution Box, (2) Level Field, (3) Serial, (4) Mound, (5) Other	m. Distance Privy or Absorption Field from Well
1. Lot Depth (Average):	2. Absorption Field:	<b>SECTION F - HEALTH AGENCY TIME</b>
2. Lot Width (Average):	a. Total Square Feet	1. Total Inclusive Time (min.):
3. Building Line (Feet):		<b>SECTION G - SYSTEM APPROVED</b>
		1. * Yes
		2. No



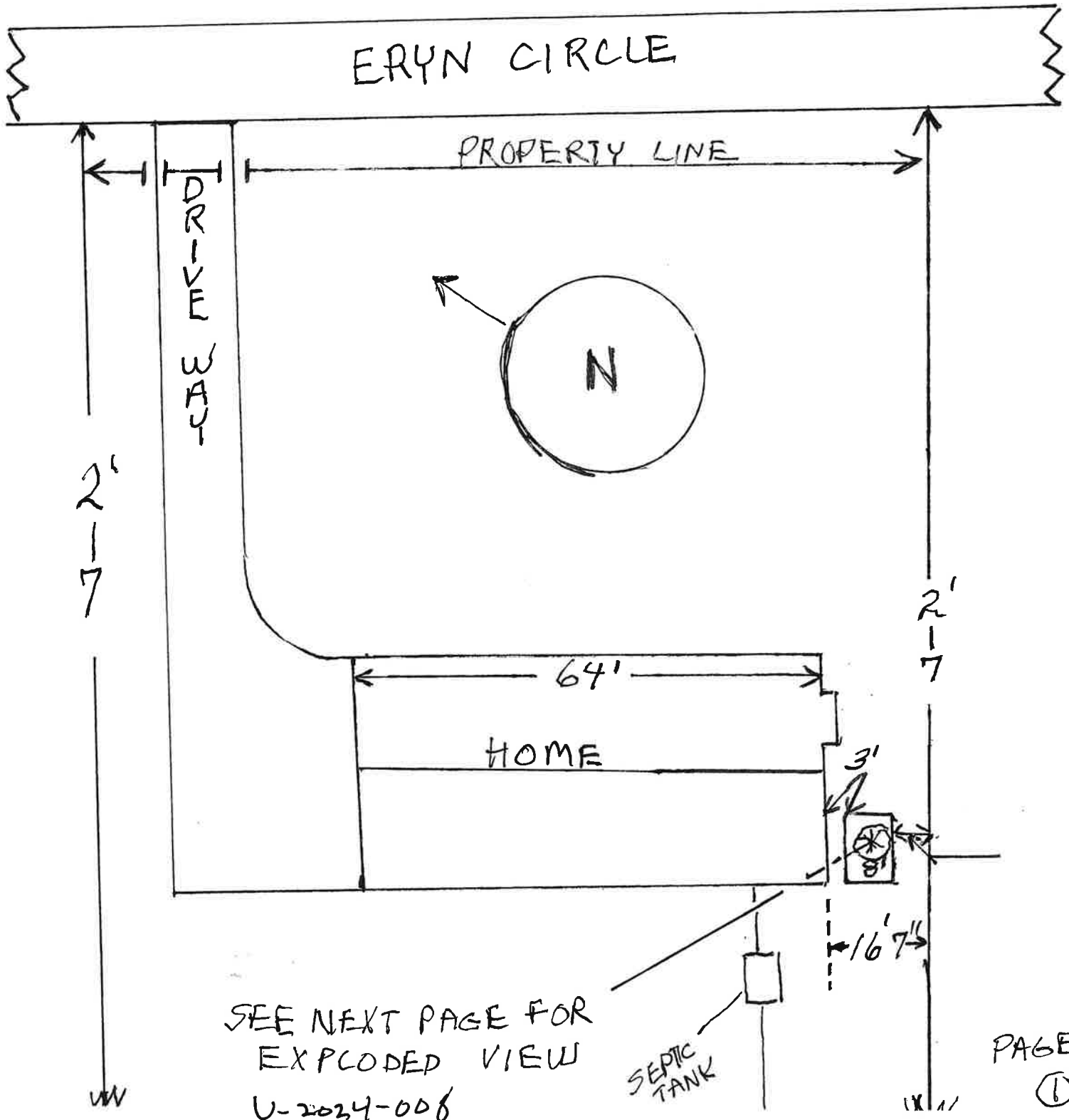
1. \*Type Facility
- (1) Residence
  - (2) Apartment
  - (3) Institution
  - (4) Service Station
  - (5) Restaurant
  - (6) Church
  - (7) Tourist Accommodation
  - (8) Launderette
  - (9) Mobile Home Park
  - (10) Other (Specify) \_\_\_\_\_

Remarks:

Inspected By: <i>[Signature]</i>	Title: <i>[Signature]</i>	Health Agency: <i>[Signature]</i>
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RICHARD & JUDY PARCELL  
1361 ERYN CIRCLE  
LOT 2 BLOCK C 3/4 ACRE



11-7-2024-MA

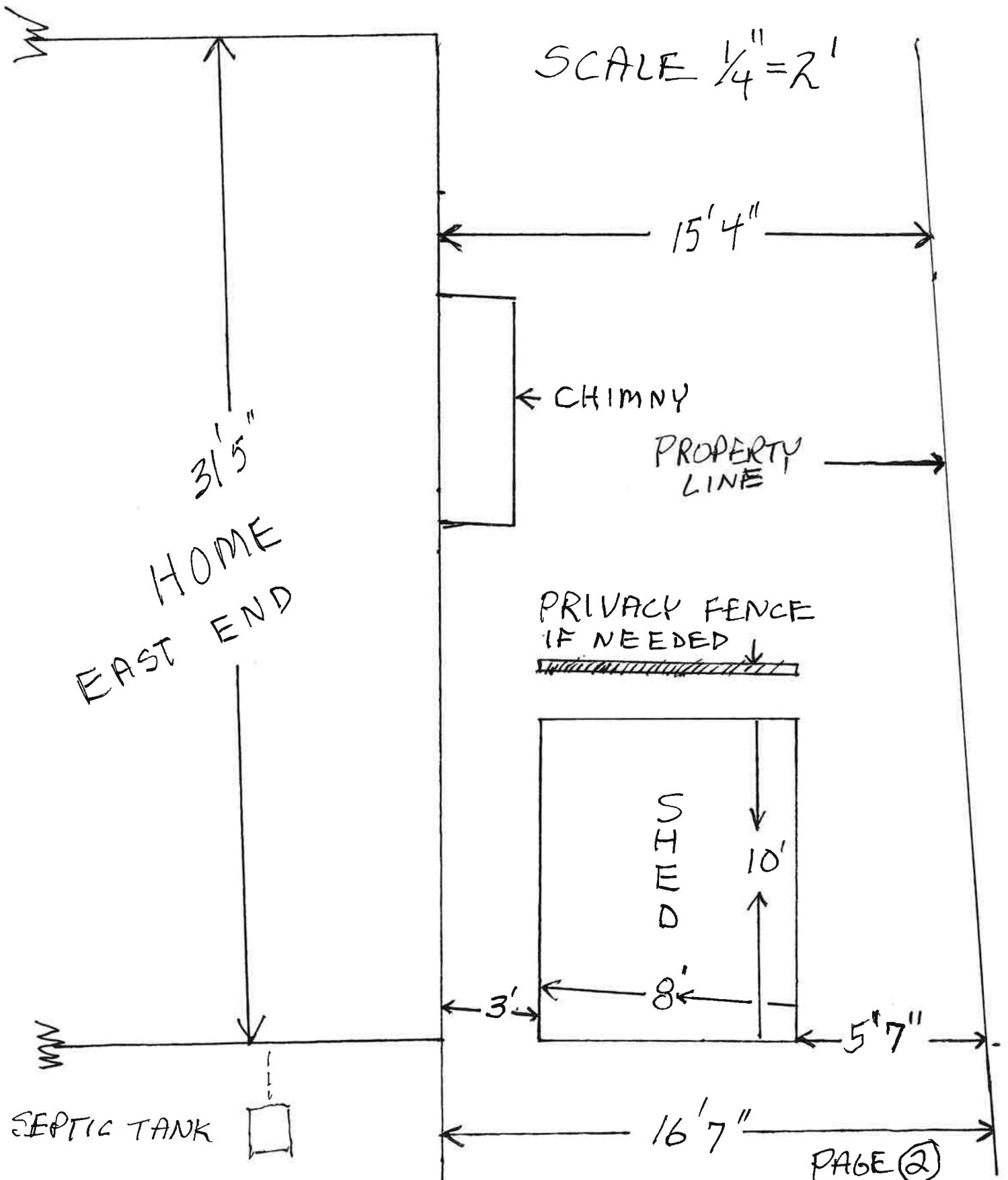
RICHARD & JUDY PARCELL

1361 ERYN CIRCLE

LOT 2 BLOCK C 3/4 ACRE

V-2024-008

Exhibit 'A'



on page 1

VARIANCE REQUEST MAP

1361 Eryn Circle, Suwanee GA



Map Printed On 2024-06-05 13:48

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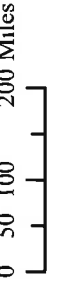
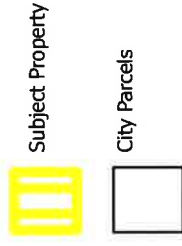
V. 7074-009





# Location Map

## V-2024-008







# Zoning Map V-2024-008

## Legend

Subject Property



City Parcels



City Limits



ZONING

C-1



C-2



C-2A



C-3



GCA



IRD



M-1



OI



OTCD



PMUD



R-100



R-140



R-75



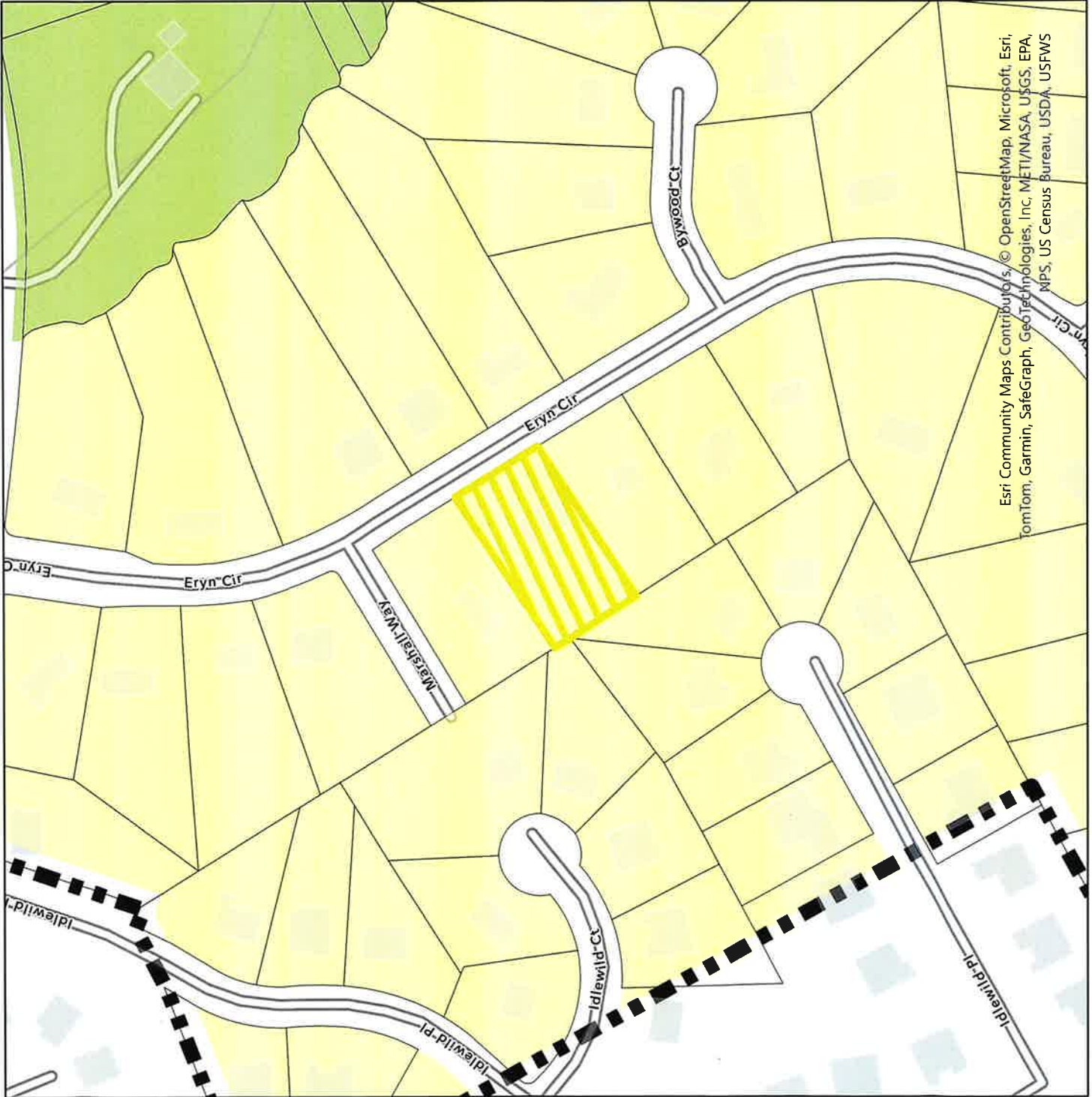
R-85



RM6



RM8



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