



Board of Appeals Meeting

700 Doug Davis Drive
Hapeville, GA 30354

August 25, 2022 6:00 PM

AGENDA

1. Call to Order

2. Roll Call

Michael Simpson, Chairman
Jason Morris, V. Chairman
Richard Neal
Kelly Singleton
Brittany Williams
Melanie Williams

3. Approval of Minutes

3.1. Minutes of June 23, 2022

4. New Business

2132 Argo Drive

Variance Request

Background:

Carolyn Routh is requesting a variance to reduce the side yard setback at 2132 Argo Drive, Parcel Identification Number 14 0066-0004-075-0. The property is zoned R-0, One Family Residential and is subject to the zoning regulations under Section 93-22.1-1 of the City of Hapeville Zoning Ordinance.

Documents:

1. Application-2132 Argo Drive_Site Plan_Redacted
2. Plans-2132 Argo Drive_Site Plan
3. Planners Report 2132 Argo Drive BOA
4. Legal Adv - 08-25-22_ 2132 Argo Drive_Variance

5. Next Meeting Date - September 22, 2022 at 6:00 PM

6. Adjourn

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Name of Applicant Carolyn Routh

Mailing Address 2132 Argo Drive, Hapeville GA 30354

Telephone [REDACTED] Mobile # [REDACTED] Email [REDACTED]

Property Owner (s) Carolyn Routh

Mailing Address Same as above

Telephone Same as above Mobile #

Property Address/Location: Same as above

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14-0066-0004-075-0

Square Foot of Property 16,184 sf Building Size Zoning R0

Present Land Use Single Family Residential

Variance Requested Extend new screen porch soffit into setback 1'-10 3/8" +/- see below.

Applicable Code Section R0 zoning setback requirements.

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on the application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered to. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

Carolyn P. Routh

Applicant's signature

Date: 7-2-2022

Sworn to and subscribed before me

This 2nd day of July, 2022.

Janice Bolien

Notary Public

Janice Bolien
NOTARY PUBLIC
Fulton County, GEORGIA
My Commission Expires 03/27/2023

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

Mrs. Routh has a grandfathered non conforming corner lot. Her existing house/ carport are currently approximately 25'- 8 5/8" into the setback on the Northside Drive side of her lot. We are proposing a new screen porch on the rear of her residence which does not exceed her existing house corner on the Northside Drive side. Because of the existing grandfathered encroachment that exists, it is very difficult to add a structure to the rear of her house in a position that allows her convenient access that does not encroach into the current setback.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

Because of the setbacks that have been imposed, post construction of her home, the new setbacks make it difficult to add a screen porch next to her kitchen. As Mrs. Routh is hoping to live out her years at this home, having to move the porch away from the kitchen will cause her difficulty in using the new porch. The variance request is only to allow a portion of the eave to encroach. In addition, moving the porch farther away will cause her to have to remove a triple window.

Explain how these conditions are peculiar to the particular piece of property involved.

Being a grandfathered non conforming corner lot where the existing home is already over the setback line makes it challenging to add on to the back of her home at the location that will be most helpful to her. It should be noted that the encroachment is on the street side of the setback with her existing carport much farther to the road than the small piece of her overhang on the porch that would be encroaching.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

This addition is at the rear of her home and poses no detriment to her neighbors visually. The rear setback is approximately 72' from the back of the proposed addition. Her rear yard is also completely fenced with a 6' high privacy fence which further ensures that it will not be obtrusive.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

2132 Argo Dr
Hapeville, GA 30354

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.

Name of Applicant Carolyn Routh

Address of Applicant [REDACTED]

Telephone of Applicant [REDACTED]

Carolyn P. Routh
Signature of Owner

Carolyn P. Routh
Print Name of Owner

Personally Appeared Before Me this 2nd day of July, 2022.

Janice Bolen
Notary Public

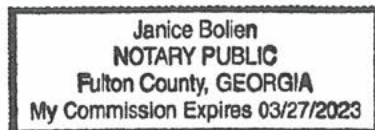


Exhibit "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 95, 14TH DISTRICT, FULTON COUNTY, GEORGIA, BEING PART OF LOTS 8, 9, AND 10 OF BLOCK "B" OF UNIT "A" OF THE SUBDIVISION OF THE PROPERTY OF S.R. YOUNG AND GEO LONGINO, ACCORDING TO PLAT RECORDED IN PLAT BOOK 32, PAGE 25, FULTON COUNTY RECORDS, AND BEING SHOWN ON RE-SURVEY OF LOTS 8, 9 AND 10 AND 11 OF SAID BLOCK ON PLAT MADE BY EMBRY M. CRAWFORD, REGISTERED ENGINEER, DATED OCTOBER 26, 1953, COPY OF WHICH IS ON FILE IN THE OFFICE OF THE ATLANTA TITLE COMPANY. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION FORMED BY THE SOUTHERLY SIDE OF ARGO DRIVE AND THE EASTERLY SIDE OF NORTHSIDE DRIVE (FORMERLY BORING STREET), WHEN SAID STREET LINES ARE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE, AND RUNNING THENCE IN A SOUTHERLY DIRECTION ALONG THE EASTERLY SIDE OF NORTHSIDE DRIVE, AND FOLLOWING THE CURVATURE THEREOF, A DISTANCE OF 174.3 FEET TO THE NORTHWESTERN CORNER OF LOT 7 OF SAID BLOCK AND SUBDIVISION; THENCE IN AN EASTERLY DIRECTION ALONG THE NORTHERLY LINE OF SAID LOT 7 A DISTANCE OF 94 FEET TO AN IRON PIN; THENCE IN A NORTHERLY DIRECTION A DISTANCE OF 190.5 FEET TO AN IRON PIN ON THE SOUTHERLY SIDE OF ARGO DRIVE WHICH IS 91 FEET EASTERLY, AS MEASURED ALONG THE SOUTHERLY SIDE OF ARGO DRIVE FROM THE POINT OF BEGINNING; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTHERLY SIDE OF ARGO DRIVE, AND FOLLOWING THE CURVATURE THEREOF A DISTANCE OF 91 FEET TO THE POINT OF BEGINNING. LESS, HOWEVER, THAT PORTION OF SAID PROPERTY USED IN ROUNDING THE CURVE, FORMED BY THE INTERSECTION OF THE SOUTHERLY SIDE OF ARGO DRIVE AND THE EASTERLY SIDE OF NORTHSIDE DRIVE; BEING IMPROVED PROPERTY KNOWN AS 2132 ARGO DRIVE, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF HAPEVILLE, GEORGIA, AS SHOWN BY PLAT OF SURVEY OF PROPERTY OF JAMES MURRELL HUNTER MADE BY L.H. FITZPATRICK, CE, DATED JUNE, 1954, A COPY OF WHICH IS ON FILE IN THE OFFICE OF ATLANTA TITLE COMPANY

USE OF THIS DOCUMENT:
This drawing and associated documents are the exclusive property of the Architect, Zalc & Associates, and are not to be reproduced or copied in whole or in part. They are only to be used for the project and specifically for the use for the project and are not to be used for any other project without the written permission of the Architect.

SAYE OF THE DRAWING:
Scales are stated on this drawing are valid on the original drawing only, the dimension of which is 24x36. Do not take dimensions written dimensions take precedence over scaled dimensions.

Revisions:

[illegible]

To
deno

2132 Argo Dr.
Hapeville, Ga.
Fulton County

ARCHITECTURE
INTERIORS
PLANNING

Zaic & Associates, Architects
3184 East Point Street
East Point, Georgia 30344
Phone 770.356.7752 www.zaicassociates.com

Stamp:

Project Number: 2115

Drawn By: MD Checked By: RZ

Zaic & Associates, Architects
2022, All Rights Reserved
Release and Date:

PERMIT/CONSTRUCTION
MAY 18, 2022
Sheet Title:

SITE PLAN -
AS BUILT

A0.1

GENERAL NOTES ~~~~~

THE FIELD DATA UPON WHICH THIS PLAT IS BASED
HAD AN ANGULAR ERROR OF 0 SECONDS PER ANGLE
POINT AND A PRECISION RATIO OF 1 IN 102,586. IT
HAS BEEN ADJUSTED USING THE CLOSEST RULE.

EQUIPMENT USED TO OBTAIN THESE MEASUREMENTS
WAS A SOKKIA SET-300R.

THE DATA SHOWN ON THIS PLAT HAS A CLOSURE
PRECISION RATIO OF 1 IN 87,050.

ALL L.P.'S ARE "X" REBAR, UNLESS OTHERWISE INDICATED.

BEARINGS ARE CALCULATED FROM ANGLES TURNED
FROM A SINGLE MANGROVE OBSERVATION.

ACCORDING TO THE CURRENT "F.L.A. OFFICIAL FLOOD
HAZARD MAP", COMMUNITY FLOOD 13,212C THIS PROPERTY IS NOT IN
AN AREA HAVING SPECIAL FLOOD HAZARDS.

ALL VARIATIONS OF TITLE ARE EXCEPTED.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF
A TITLE SEARCH. THERE MAY BE EASEMENTS OR
OTHER ENCUMBRANCES NOT SHOWN.

THE SURVEY AND PLAT SHOWS HEREON IS NOT INTENDED
FOR USE OR RELIANCE BY ANY PARTIES OR PARTIES NOT
SPECIFICALLY LISTED IN THE TITLE UNAUTHORIZED THIRD PARTIES
SHALL NOTHEREBY AND HOLD DELTA 1 LAND SURVEYING, LLC
OR ANYONE IN CONNECTION WITH THE PLAT LIABLE FOR ANY LOSS ARISING
OUT OF OR RELATED TO RELIANCE BY ANY PARTY ON ANY PART OF
WORK HEREON. THE UNDERSIGNED, OF THE CONTENTS OF THE SURVEY
REFERENCE: DE 953716, PG. 119

* * * PER DEED AND PLAT RECORDS, NO MONUMENT FOUND.
THIS PROPERTY IS CURRENTLY ZONED R-0 (ONE FAMILY DET.)
PER THE CITY OF HAYWARD, CA. DEPT.

STEBACKS: FRONT = 30 FEET
MAJOR SIDE = 30 FEET
REAR = 6 FEET
SIDE = 6 FEET
MAYX LOT COVERAGE = 40%

AREA = 161,184 SQ. FT.
0.3722 ACRE

THIS DEED IS A REAFFIRMATION OF MY EXISTING PARCEL OR PARTS OF MY LAND AND DOES NOT SUBSIDUE OR CREATE NEW PARCELS OR MAKE ANY CHANGES TO ANY REAL ESTATE DOCUMENTS, RECORDS, PLATS OR OTHER INSTRUMENTS WHICH RELATED THE PARCEL OR PARCELS ARE SITED HEREON. REAFFIRMATION OF THIS PLAT DOES NOT IMPLY COMPLIANCE WITH ANY LOCAL REGULATIONS OR REQUIREMENTS FOR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERWRITTEN LAND SURVEYOR CERTIFIES THAT THIS IS A REAFFIRMATION OF MY PARCELS AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF SURVEYORS AND REGISTRATION PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-9.

JOB # 21-132	DRAWN BY: TD	FIELD CREW: J.E.SJ	FIELD DATE: 11-15-21	PLAT PREPARED: 11-22-21
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DELTA 1
LAND SURVEYING, LLC

361 WESTCHESTER WAY
CANTON, GEORGIA 30115
PHONE: (770) 597-3533
(FIRM LICENSE NO. LSF 001041)



SURVEY FOR
CAROLYN P. ROUTH

LOCATED IN LAND LOT 95
14th DISTRICT, CITY OF HAPEVILLE
FULTON COUNTY, GEORGIA
NOVEMBER 15, 2021 1"=20'

SCALE IN FEET

20 10 0 20 40 60

CLERK'S OFFICE: RECORDING INFORMATION ONLY

ITEM	QTY	UNIT	DESCRIPTION
1/2" REBAR	1.00	LB	1/2" REBAR
1/2" REBAR SET	1.00	LB	1/2" REBAR SET
RIGHT OF WAY	1.00	LB	RIGHT OF WAY
DRAINAGE EASEMENT	1.00	LB	DRAINAGE EASEMENT
LAND LOT LINE	1.00	LB	LAND LOT LINE
CEILING	1.00	LB	CEILING
CRIMP TOP PIPE	1.00	LB	CRIMP TOP PIPE
OPEN TOP PIPE	1.00	LB	OPEN TOP PIPE
CONCRETE TO MET. PIPE	1.00	LB	CONCRETE TO MET. PIPE
DROP INLET	1.00	LB	DROP INLET
JUNCTION BOX	1.00	LB	JUNCTION BOX
MANHOLE	1.00	LB	MANHOLE
CATCH BASIN	1.00	LB	CATCH BASIN
BRICKMAN	1.00	LB	BRICKMAN
POWER POLE	1.00	LB	POWER POLE
FIRE HYDRANT	1.00	LB	FIRE HYDRANT
CONCRETE MONUMENT FND.	1.00	LB	CONCRETE MONUMENT FND.
BACK OF PAVEMENT	1.00	LB	BACK OF PAVEMENT
FENCE	1.00	LB	FENCE
BUILDING	1.00	LB	BUILDING
UNDERGROUND ELEC. SERVICE LINE	1.00	LB	UNDERGROUND ELEC. SERVICE LINE
TRANSFORMER	1.00	LB	TRANSFORMER

ADDRESS:
2132 ARGO DRIVE
HAFEVILLE, GA 30354

A compass rose with a vertical line. An arrow points upwards and to the right, labeled "MAGNETIC NORTH".

This is a blank sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Modifications To The Routh Residence



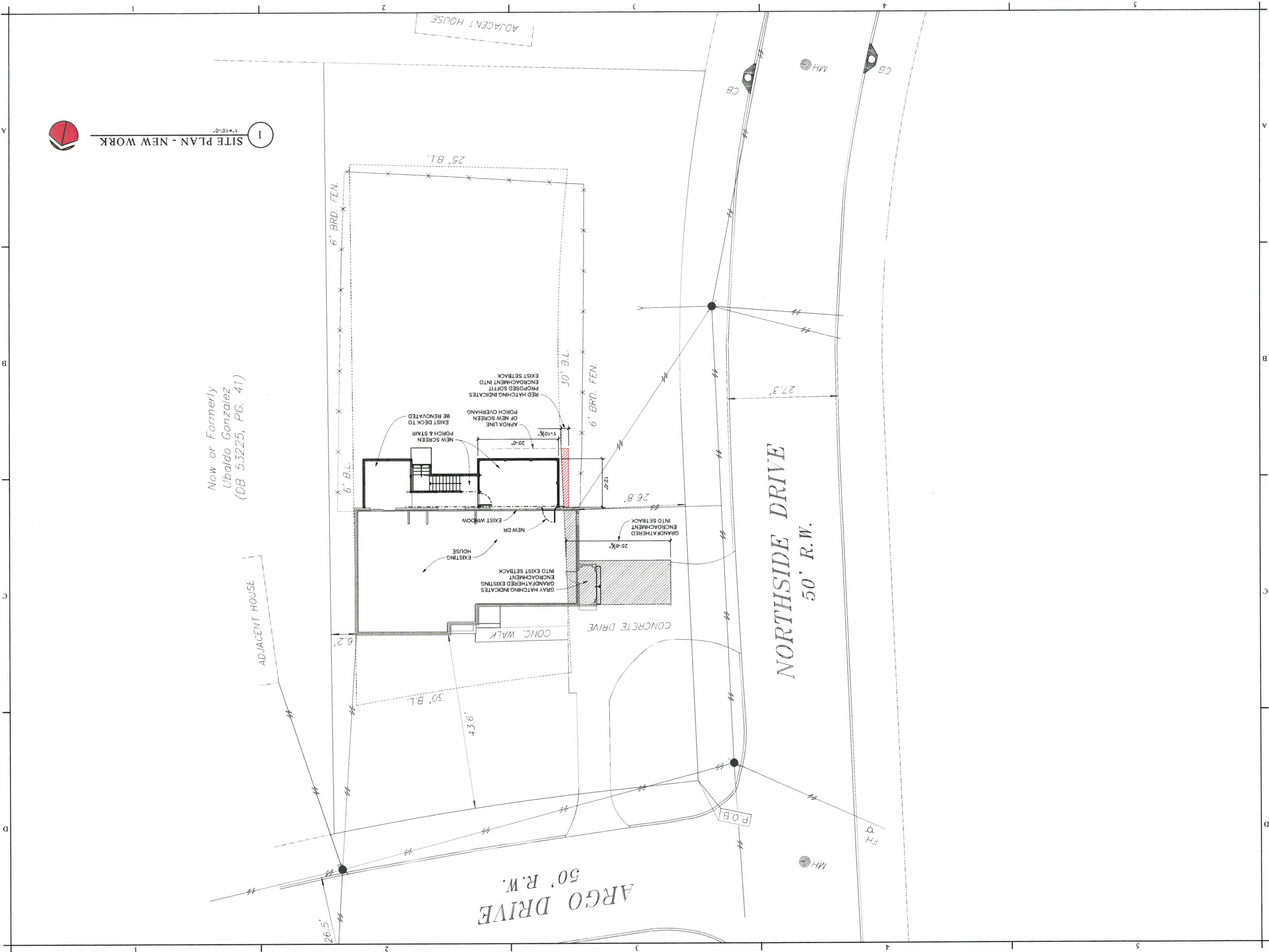
Zaic & Associates, Architects
3184 East Point Street
East Point, Georgia 30344
phone 770.356.7752 www.zaicassociates.com



Project Number: 2115
Drawn By: MD Checked By: RZ
Copyright:
Zaic & Associates, Architects
2022. All Rights Reserved
Release and Date:
PERMIT CONSTRUCTION
11-14-2022

SITE PLAN -
NEW WORK

A0.2





Department of Planning & Zoning
PLANNER'S REPORT

DATE: August 19, 2022
 TO: Adrienne Senter
 FROM: Lynn M. Patterson
 RE: Variance Application for 2132 Argo Drive

BACKGROUND

The City of Hapeville has received a variance application from Carolyn Routh to allow for an expansion to a non conforming single family structure located at 2132 Argo Drive, Hapeville, Ga 30354. The property is zoned R-O, One Family Residential. The single family dwelling and attached carport currently encroaches into the 30' side setback by 25' 5 5/8". The proposed project is a rear screened porch addition along a similar plane to the existing single family residence encroaching a total of 1' 103/8' into the 30' setback. In addition to the new porch encroachment, no non-conforming use may expand its building footprint in any way, therefore a variance is required.

CODE

ARTICLE 4. - R-O ZONE (ONE-FAMILY RESIDENTIAL)

Sec. 93-4-1. - Intent.

By virtue of its location within the comprehensive land development plan for the city, the R-O zone is established in order to protect residential areas now developed with one-family detached dwellings, and adjoining areas presently undeveloped likely to be developed for those purposes. Only a few additional and compatible uses are permitted. The regulations of this zone are intended to:

- (1) Ensure the best use of the land.
- (2) Ensure and protect the orderly and proper future development of the land according to its best indicated potential use for single-family dwelling.
- (3) Protect and promote a suitable environment for family life.
- (4) Discourage any use which would generate other than normal residential traffic on minor streets.

Sec. 93-22.1-1 Dimensional Requirements

R-O Zoning dimensional requirements for single-family detached structures are as follows:

Lot Frontage (Feet)	Min. Lot Area Sq. Ft.	Lot Area/DU Square Feet	Floor Area/DU Sq. Ft.	Max Lot Coverage	Minimum Front Yard		Minimum		Maximum		Min. Parking Spaces	Max. Unit Per Bldg. Lot
					Minor Col.	Maj. Arterial	Side	Rear	Stories	Feet		
60	10,000	10,000	1,600	40	30	30	6	25	2 ½	35	2 DU	1

FINDINGS

Sec. 87-3-3. - Powers and duties.

(2) Variances. To authorize, upon appeal in specific cases, those variances from the provisions of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done. A variance may be granted in any individual cases of practical difficulty or unnecessary hardship only upon a finding by the board of appeals that:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

The property is a corner lot with a side setback of 30'.

b. The application of this chapter to this particular piece of property would create an unnecessary hardship;

The existing dwelling footprint sits within the side yard setback and therefore is non-conforming. The proposed addition follows the existing plane (along the street) encroaching 1' 10 3/8" from the 30' setback. The variance would allow for the construction of a rear screened in porch aligned with the house while set significantly back from the edge of the carport..

c. Such conditions are peculiar to the particular piece of property involved; and

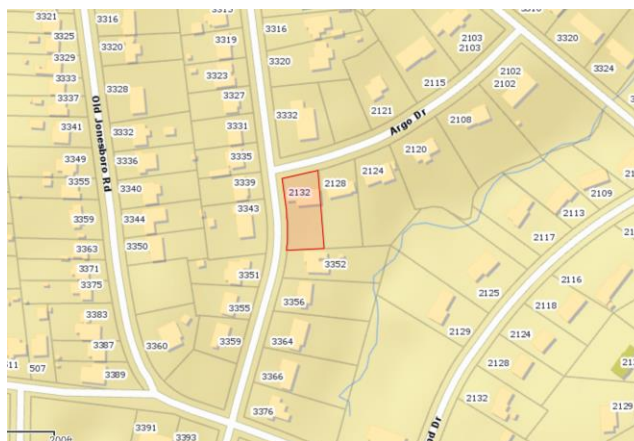
As stated above, the existing dwelling is a non-conforming condition of the developed site.

d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.

Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Code. Rather, it allows for the improvement of an existing single-family dwelling.

RECOMMENDATION

The requested variance will allow for the addition of a rear screened in porch inset from the existing wall plane. There is no evidence of a detriment to the public good. The proposed variance is recommended for approval.



2132 Argo Drive

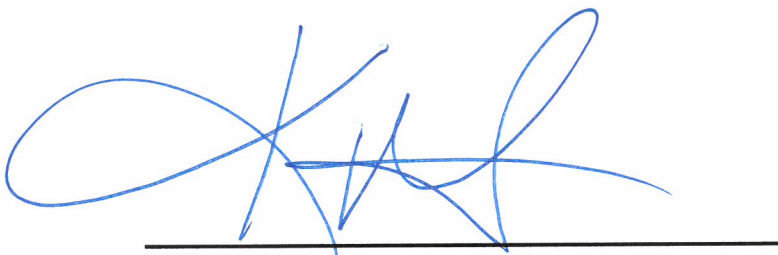
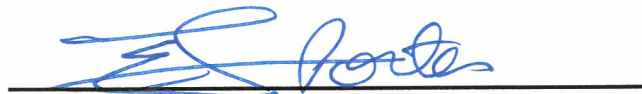


CITY OF HAPEVILLE
3468 NORTH FULTON AVENUE
ATLANTA, GA 30354

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 08/10/2022.



Subscribed and sworn to before me this August 10, 2022



NOTICE
City of Hapeville

A Public Hearing will be held by the City of Hapeville Board of Appeals on **Thursday, August 25, 2022 at 6:00 p.m.** at the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. The meeting will also be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes> to consider the following request:

Variance Requests:

Variance requests to reduce the side yard setback at 2132 Argo Drive, Parcel Identification Number 14 0066-0004-075-0. The property is zoned R-0, One Family Residential and is subject to the zoning regulations under Section 93-22.1-1 of the City of Hapeville Zoning Ordinance.

Applicant: Carolyn Routh

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the Planning and Economic Development Manager at asenter@hapeville.org or called in at 404-669-8269 no later than 5:00 p.m. on August 24, 2022. When emailing or verbally delivering your comment to the Planning and Economic Development Manager, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the Planning and Economic Development Manager will be read into the record. Citizens may not make comments on public hearing agenda items via livestream or video conference.
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