

Planning Commission Meeting

700 Doug Davis Drive
Hapeville, GA 30354

March 10, 2020 6:00 PM

Agenda

1. Welcome
2. Minutes of January 14, 2020
 - 2.I. Approval of Minutes
 1. MINUTES - 01-14-2020_draft
3. New Business
 - 3.I. 3234 Dogwood Drive Special Use Permit Request
Background:

Claudette Eley is requesting approval of a special use permit to operate a personal care home at 3234 Dogwood Drive, Parcel Identification number 14-0094-0001-013-0. The property is zoned V, Village and is subject to the zoning regulations under Sec. 93-1.1-5 of the City of Hapeville Zoning Ordinance.

Documents:

1. Application - 3234 Dogwood Drive, CUP_redacted
 2. 3234 Dogwood Drive - Plans
 3. Planners Report 3234 Dogwood Dr. SUP - Personal Care Home 3.5.20
- 3.II. 3140 Dogwood Drive Subdivision Plat Review
Background:

Wilson Smith is requesting subdivision plat approval to subdivide an existing 0.28 acre lot located at 3140 Dogwood Drive, Parcel Identification Number 14 009400020055. The property is zoned R-SF, Residential Single Family.

Documents:

1. APPLICATION - 3140 Dogwood Drive, Subdivision Plat_Redacted
2. Planner's Report 3140 Dogwood Dr Subdivision
3. Engineer's Report - 3140 Dogwood Dr Subd Plat Review -1 (002)

3.III Off-Street Parking Entrance & Exit Points Text Amendment
· Background:

Consideration of a text amendment to amend Chapter 93 (Zoning), Article 23 (Off-street parking and loading), Section 93-23-2 (Entrance and exit points) for the purpose of updating the requirements for curb breaks at entrance and exit points for off-street parking access.

Documents:

1. Ordinance - Text Amendment Curb Breaks (02403010xA0B3B)
2. Planner's Report Text Amendment Curb Breaks
4. Next Meeting Date - Tuesday, April 14, 2020 at 6:00 p.m.
5. Adjourn

Planning Commission Meeting

**700 Doug Davis Drive
Hapeville, GA 30354**

January 14, 2020

6:00PM

MINUTES

1. Welcome and Introduction

Chairman Brian Wismer called the meeting to order at 6:00 p.m. in the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. Members in attendance included Vice Chairman Jeanne Rast, Lucy Dolan, Leah Davis, Larry Martin and Charlotte Rentz. City Planner Michael Smith and Secretary Adrienne Senter were also present.

Commissioner Cliff Thomas was unable to attend the meeting.

2. Election of Officers

2.I. Vice Chairman:

Motion Item: Larry Martin made a motion, Lucy Dolan seconded to re-elect Jeanne Rast as Vice Chairman of the Planning Commission.

Motion Carried: 5-0.

Chairman:

Motion Item: Lucy Dolan made a motion, Charlotte Rentz seconded to re-elect Brian Wismer as Chairman of the Planning Commission.

Motion Carried: 5-0.

3. Approval of Minutes

3.I. Minutes of December 14, 2019

MOTION ITEM: Jeanne Rast made a motion, Leah Davis seconded to approve the minutes of December 14, 2019 as submitted. Motion Carried: 5-0.

4. New Business

4.I. 360 Lake Drive - Site Plan Review

Background:

Caren Ann Nunnally is seeking site plan approval to construct a two-story single-family dwelling at 360 Lake Drive. The dwelling will be 2,529-sf and will include four bedrooms and three and a half bathrooms. The property is zoned R-SF, Residential-Single Family.

One tree to be removed, a 31" oak, is a landmark tree. The removal of landmark trees must comply with the City's Tree Ordinance. The applicant agreed to comply with the City's Tree Ordinance.

Commissioner Martin inquired regarding the use of the existing curb cut and the access to the adjacent property. Ms. Nunnally stated that based on the current curb cut and the location of the future driveway, the adjacent property will require an access easement for continued use.

In addition, the applicant should provide general design cross section characteristics for the sidewalk, driveway, and walkway.

Public Comment: None.

MOTION ITEM: Jeanne Rast made a motion, Larry Martin seconded to approve the site plan at 360 Lake Drive subject to the applicant providing the general design cross section characteristics for the sidewalk, driveway, and walkway. The applicant must meet the City's Tree Ordinance prior to the issuance of a land disturbance permit. Motion Carried: 5-0.

4.II. 515 Walnut Street - Site Plan Review

Background:

Asha Pittman on behalf of Gregory Evans requested site plan approval to construct a new one and a half story single-family dwelling at 515 Walnut Street. The property is zoned R-SF, Residential Single-family.

The lot is a corner lot, at the intersection of Walnut Street and North Fulton Avenue. The four-bedroom/three-bathroom dwelling will have 1,889 square feet of heated floor area, a 48 square foot porch, and a 197 square foot rear deck. Off-street parking will be provided by a side entry driveway accessed along North Fulton Avenue. The parcel is currently vacant.

The proposed structure sits within the west setback by two feet, which is not compliant.

Commissioner Martin inquired that as a possible resolution to the setback

issue, if the applicant could move the house closer to the adjacent property.

Ms. Pittman stated that they plan to move the home closer to North Fulton Avenue to avoid being closer to the existing neighboring property and to keep the chimney and additional square footage in the dining room.

Staff also identified two deficiencies in the submitted plans in which the applicant must update the plans to reflect the following:

1. The applicant should provide cross sections for all driveways, walkways, sidewalks, and curb cuts. Cross sections should be shown cutting across the pavement from the side to side, showing typical details of final construction.
2. The applicant should provide a development schedule.

In addition, staff noted the Mayor & Council passed a revision to the Tree Conservation Ordinance, which will come into effect January 17, 2020. All projects will be required to comply with the new Ordinance and must provide a Tree Conservation and Protection Plan for review by Staff prior to the issuance of a Land Disturbance Permit.

Public Comment: None.

MOTION ITEM: Lucy Dolan made a motion, Charlotte Rentz seconded to approve the site plan request at 515 Walnut Street and recommend the Board of Appeals grant the side yard setback request subject to the following conditions:

1. Applicant must provide design cross sections for all driveways, walkways, sidewalks, and curb cuts.
 2. Applicant must provide a development schedule.
 3. Applicant must provide a Tree Conservation and Protection Plan prior to the issuance of a Land Disturbance Permit.
 4. Approval of the
- Motion Carried: 5-0.**

4.III. 3436 Harding Avenue - Site Plan Review

Background:

David Cook requested site plan approval to construct a one and half story single family dwelling located at 3436 Harding Avenue. The property is zoned R-SF, Residential-Single Family.

The dwelling will have 1,800 square feet of living area, three bedrooms and

three bathrooms, and will be 25' high from the foundation. Parking will be provided by an existing garage in the rear of the lot, connected to the street via a nine-foot wide driveway. The lot is currently occupied by an existing garage.

The applicant provided revised plans that indicate the height of the structure and the rear setback.

The minimum setback for an accessory structure is 5' from the property line. The existing garage is setback 4.6' from the northern property line, which is not compliant.

The applicant indicated that the existing garage will be renovated, and the side wall will be removed and relocated beyond the 5' required setback.

Public Comment: None.

MOTION ITEM: Larry Martin made a motion, Lucy Dolan seconded to approve the site plan request for 3436 Harding Avenue provided the applicant submit revised plans to show the garage location within the setback. In addition, the applicant must provide a Tree Conservation and Protection Plan prior to the issuance of a Land Disturbance Permit. Motion Carried: 5-0.

4.IV. 3473 Harding Avenue - Site Plan Review

Background:

David Cook authorized representative for Juwan Thompson of Round Table Visions, LLC requested site plan approval to construct a one and half story single family dwelling located at 3473 Harding Avenue. The property is zoned R-SF, Residential-Single Family.

The dwelling will have 1,800 square feet of living area, three bedrooms and three bathrooms, and will be 25' high from the foundation.

Motion Item: Larry Martin made a motion, Lucy Dolan seconded to approve the site plan request for 3473 Harding Avenue provided the applicant submit a Tree Conservation and Protection Plan prior to the issuance of a Land Disturbance Permit. Motion Carried: 5-0.

5. Old Business

5.I. Administrative Variance - Text Amendment

Background:

Discussion on an amendment to the Code of Ordinances, Sec. 87-3-3(a) to provide a process for Administrative Variances. *This item was tabled at the December 14, 2019 meeting.*

Discussion ensued regarding the appeal process and percentage.

Commissioner Martin expressed concerns regarding the proposed review process and was in support of continuing the existing process of presenting all variance requests to the Board of Appeals.

Chairman Wismer stated that administrative variances are common practice amongst most municipalities and the ordinance, as proposed, is conservative.

MOTION ITEM: Lucy Dolan made a motion, Leah Davis seconded to table this item pending additional staff and legal review. Motion Carried: 5-0.

6. Next Meeting Date

- Tuesday, February 11, 2020 at 6:00 p.m.

7. Adjourn

There being no further discussion, the following action was taken:

MOTION ITEM: Jeanne Rast made a motion, Larry Martin seconded to adjourn the meeting at 7:26 p.m. Motion Carried: 5-0.

Respectfully submitted by,

Brian Wismer, Chairman

Adrienne Senter, Secretary

20-PC-13-04

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION**

Name of Applicant Claudette Eley

Mailing Address: 3173 Oakdale Road, Hapeville GA 30354

Telephone [REDACTED] Mobile # same Email [REDACTED]

Property Owner (s) Najarian Capital, LLC

Mailing Address 3520 Piedmont Rd., NE, Suite 415, Atlanta, GA 30305

Telephone 470-639-8910 Mobile # -

Address/Location of Property: 3234 Dogwood Dr., Hapeville, GA 30354

Parcel I.D. # **(INFORMATION MUST BE PROVIDED):** 14-0094-0001-013-0

Present Zoning Classification: Village Size of Tract: 0.26 acre(s)

Present Land Use: Funeral Home/Mortuary

Please check the following as it applies to this application

Site Plan Review

X Conditional Use Permit

Temporary Use Permit

Other (Please State) _____

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or 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 this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances. 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 too. 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.

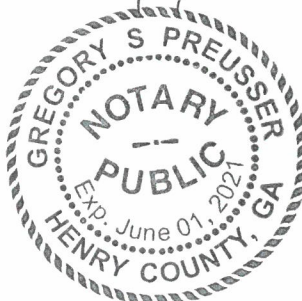
Claudette Eley
Applicant's signature

Date: 2/14/2020

Sworn to and subscribed before me

This 14 day of February, 2020

[Signature]
Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION**

WRITTEN SUMMARY

In detail, provide a summary of the proposed project in the space provided below. (Please type or print legibly.)

I am seeking approval of a special use permit to allow a personal care home at 3234 Dogwood Drive. The property is zoned village and requires approval by the Planning Commission and City Council. The Code of Ordinances Sec. 93-2-21 states, the home must provide on-site parking and/or drop off space adequate to meet the needs of the proposed facility, and Sec. 93-28-75 states, parking requirements for residential uses shall be one space for each dwelling unit. There are currently 10 parking spaces on the premises with 2 located in a garage.

The formal mortuary will be transformed into a beautiful home for active senior citizens. It will provide exceptional housing, a range of personalized care, memory care and daycare services 24/7. The home will serve up to 24 seniors and will offer assistance with activities of daily living such as eating, bathing, dressing, toileting, and medication management. The home will feature 8-10 units, 8 easily accessible restrooms, a kitchen where home-cooked meals will be prepared daily, and beautiful common areas with a variety of amenities for seniors to enjoy. The renovation should not take more than 4 months to complete.

The home will have approximately 8 full-time and 3 part-time employees. The max shift will have approximately 3 employees on the premises at one time.

As a proud resident of Hapeville, I love our small quaint city and feel that there's something here for everyone. However, our senior citizens need to have better and more senior care housing options within the community. Afterall, many of them helped shape and made Hapeville the thriving city it is today.

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION

AUTHORIZATION OF PROPERTY OWNER

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

3234 Dogwood 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 THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant Claudette Eley

Address of Applicant 3173 Oakdale Road
Hapeville, GA 30354

Telephone of Applicant [REDACTED]

[Signature]
Signature of Owner

Najarian Capital LLC
Print Name of Owner

Personally Appeared Before Me this 15 day of Jan., 2020.

Courtney Blake
Notary Public



Site Plan Checklist – Please include with your application.

A site plan is used to determine the practical ability to develop a particular property within the City of Hapeville. Information relating to environmental condition, zoning, development impact, consistency with the Hapeville Comprehensive Plan and relevant town master plans will be considered in the decision process. To be considered, a site plan **must** contain the following information:

(Please **initial** each item on the list above certifying the all required information has been included on the site plan)

CE A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and/or contractual interest in the subject site, and the anticipated development schedule. Please complete and submit all forms contained within the application for site plan review.

CE Site plans shall be submitted indicating project name, applicant's name, adjoining streets, scale, north arrow and date drawn.

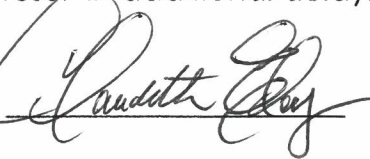
CE The locations, size (sf) and height (ft) of all existing and proposed structures on the site. Height should be assessed from the base of the foundation at grade to the peak of the tallest roofline.

CE Site plans shall include the footprint/outline of existing structures on adjoining properties. For detached single-family residential infill development, the front yard setback shall be assessed based on the average setback of existing structures on adjoining lots. Where practical, new construction shall not deviate more than ten (10) feet from the average front yard setback of the primary residential structure on an adjoining lot. Exemption from this requirement due to unnecessary hardship or great practical difficulty can be approved at the discretion of the Planning Commission. To be considered for an exemption, the applicant must submit a "Request for Relief" in writing with their site plan application, including the conditions that necessitate relief (i.e. floodplain, wetland encroachment, excessive slope, unusual lot configuration, legally nonconforming lot size, unconventional sitting of adjoining structures, etc).

- CE The location and general design cross-section characteristics of all driveways, curb cuts and sidewalks including connections to building entrances. A walkway from the primary entrance directly to the public sidewalk is required for all single-family residential development.
- CE The locations, area and number of proposed parking spaces. Please refer to Article 22.1 Chart of Dimensional Requirements to determine the correct number of parking spaces for your particular type of development.
- CE Existing and proposed grades at an interval of five (5) feet or less.
- CE The location and general type of all existing trees over six (6) inch caliper and, in addition, an identification of those to be retained. Requirements for the tree protection plan are available in Code Section 93-2-14(f). Please refer to Sec. 93-2-14(y) to determine the required tree density for your lot(s).
- CE A Landscape Plan: The location and approximate size of all proposed plant material to be used in landscaping, by type such as hardwood deciduous trees, evergreen trees, flowering trees and shrub masses, and types of ground cover (grass, ivies, etc.). Planting in parking areas should be included, as required in Section 93-23-18.
- CE The proposed general use and development of the site, including all recreational and open space areas, plazas and major landscape areas by function, and the general location and description of all proposed, outdoor furniture (seating, lighting, telephones, etc.). Detached single-family residential development may be exempt from this requirement.
- CE The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms. Detached single-family residential development may be exempt from this requirement.
- CE The identification and location of all refuse collection facilities, including screening to be provided. Detached single-family residential development may be exempt from this requirement.

- CE Provisions for both on-site and offsite storm-water drainage and detention related to the proposed development.
- CE Location and size of all signs. Detached single-family residential development may be exempt from this requirement.
- CE Typical elevations of proposed building provided at a reasonable scale (1/8" = 1'0") and include the identification of proposed exterior building materials. Exterior elevations should show all sides of a proposed building.
- CE Site area (square feet and acres).
- CE Allocation of site area by building coverage, parking, loading and driveways, and open space areas, including total open space, recreation areas, landscaped areas and others. Total dwelling units and floor area distributed generally by dwelling unit type (one-bedroom, two-bedroom, etc.) where applicable.
- CE Floor area in nonresidential use by category. Detached single-family residential development may be exempt from this requirement.
- CE Total floor area ratio and/or residential density distribution.
- CE Number of parking spaces and area of paved surface for parking and circulation
- CE At the discretion of the planning commission, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, storm water and erosion control, etc. of the proposed development.

Please **initial** each item on the list above certifying the all required information has been included on the site plan, sign and submit this form with your site plan application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Applicant Signature: 

Date 2/14/2020

Deed Book 42541 Pg 487
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

Exhibit A

All that tract or parcel of land lying and being in Land Lot 94, 14th District, Fulton County, Georgia, being more particularly shown on that survey for Atlanta Embalming Service, prepared by Solar Land Surveying Company, John W. Stanzlils, Jr., R.L.S. No. 2109, dated April 7, 2006, and being more particularly described as follows:

Beginning at a point located on the easterly right-of-way line of Dogwood Drive (f/k/a Stewart Avenue) (having a 50 foot right-of-way) 200 feet north along said easterly right-of-way from its intersection with the northerly right-of-way line of North Avenue (f/k/a Waters Road); thence running north 00° 45' 56" east along the easterly right-of-way line of Dogwood Drive 50 feet to an iron pin placed; thence running north 00° 45' 56" east along easterly right-of-way line 40 feet to an iron pin; thence running south 89° 02' 49" east 125 feet to an iron pin placed; thence running south 00° 45' 56" west 40 feet to a point; thence running south 00° 45' 56" west 50 feet to a point; thence running north 89° 02' 54" west 125 feet to the easterly right-of-way line of Dogwood Drive and the POINT OF BEGINNING;

Being the same property shown as Lots 9, 10 and 11, Block 1, Forest Hills Park as shown on plat recorded at Plat Book 7, pages 58 and 59, Fulton County, Georgia records, being incorporated herein by reference.



MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

MARK	DATE	DESCRIPTION
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[illegible]

PROJECT NO:
CAD DWG FILE:
DRAWN BY:
CHK'D BY:
COPYRIGHT:

SHEET TITLE

EXISTING FLOOR PLANS

SHEET

A-01





50 FIVE FORKS TRICKUM
LILBURN, Ga 30047
phone: (404) 725-6731

CONSULTANTS

MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

3234 DOGWOOD DR HAPEVILLE GA

stamps

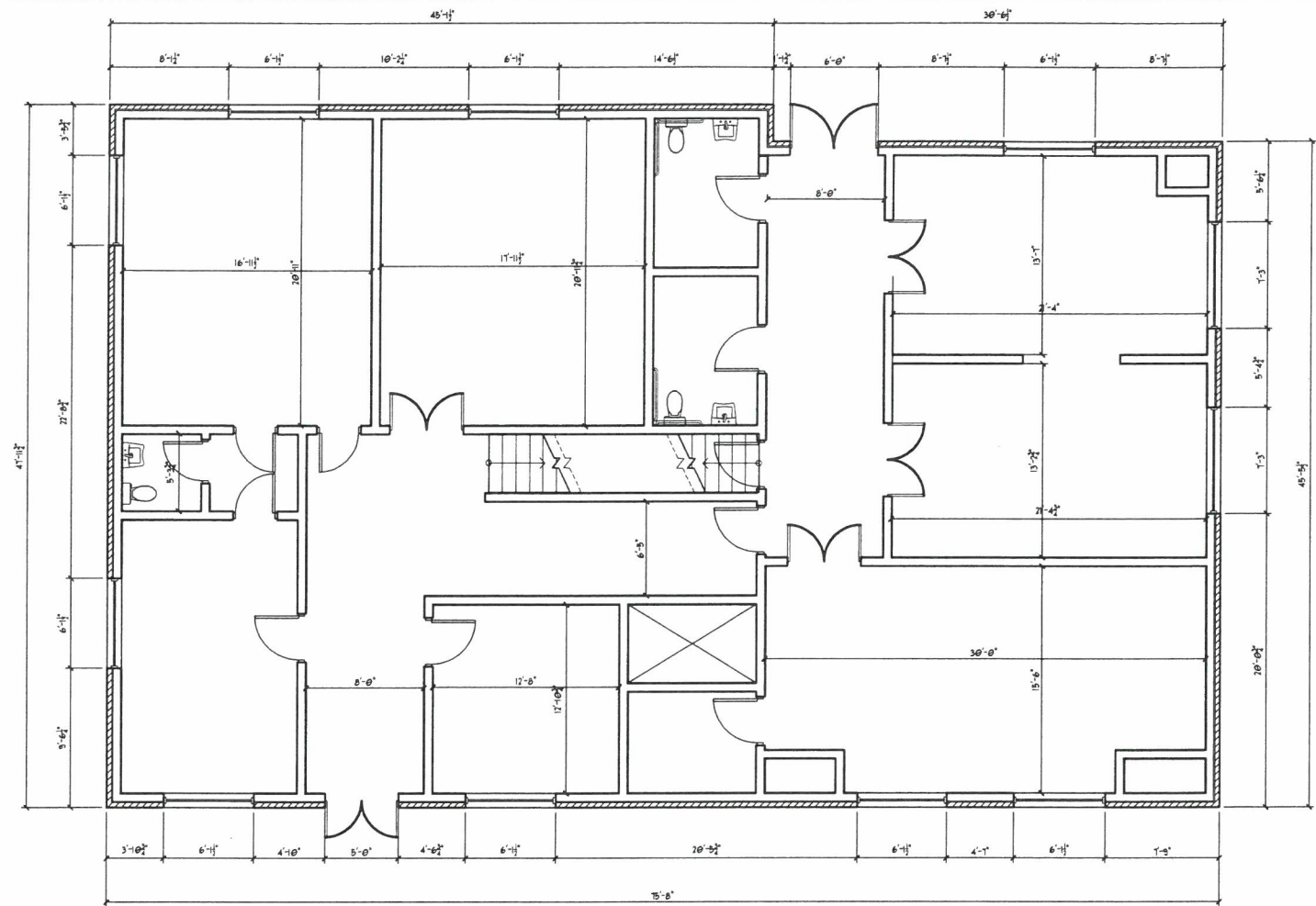
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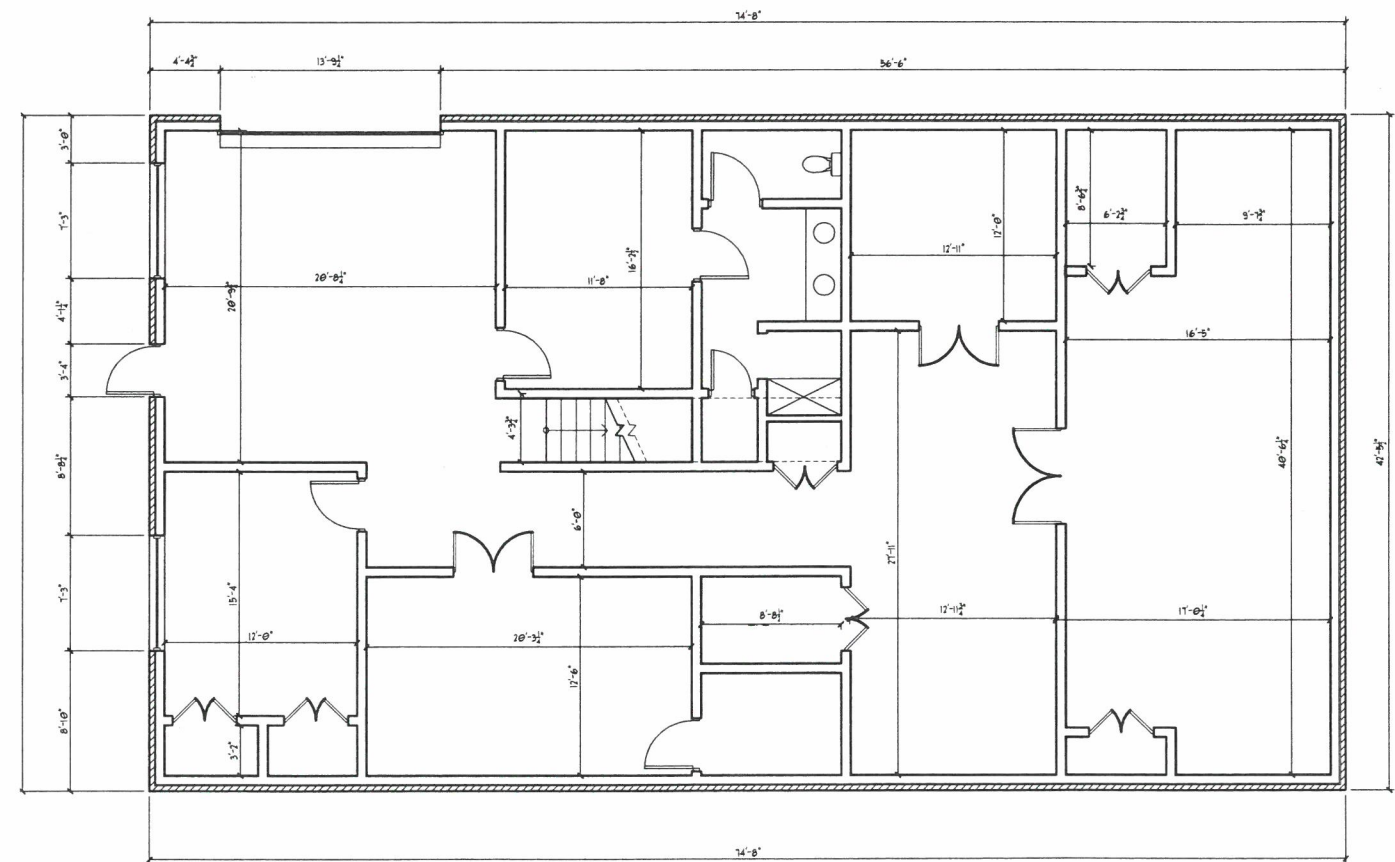
EXISTING FLOOR PLANS

SHEET

A-01



1 EXISTING MAIN LEVEL 2 FLOOR PLAN
3/16" = 1'-0"



1 EXISTING LEVEL 1 FLOOR PLAN
3/16"=1'-0"



3050 FIVE FORKS TRUCK
LILBURN, Ga 30047
phone: (404) 725-6731

CONSULTANTS

MARY'S HOUSE SENIOR CARE

THE UNIVERSITY OF CHICAGO

stamps

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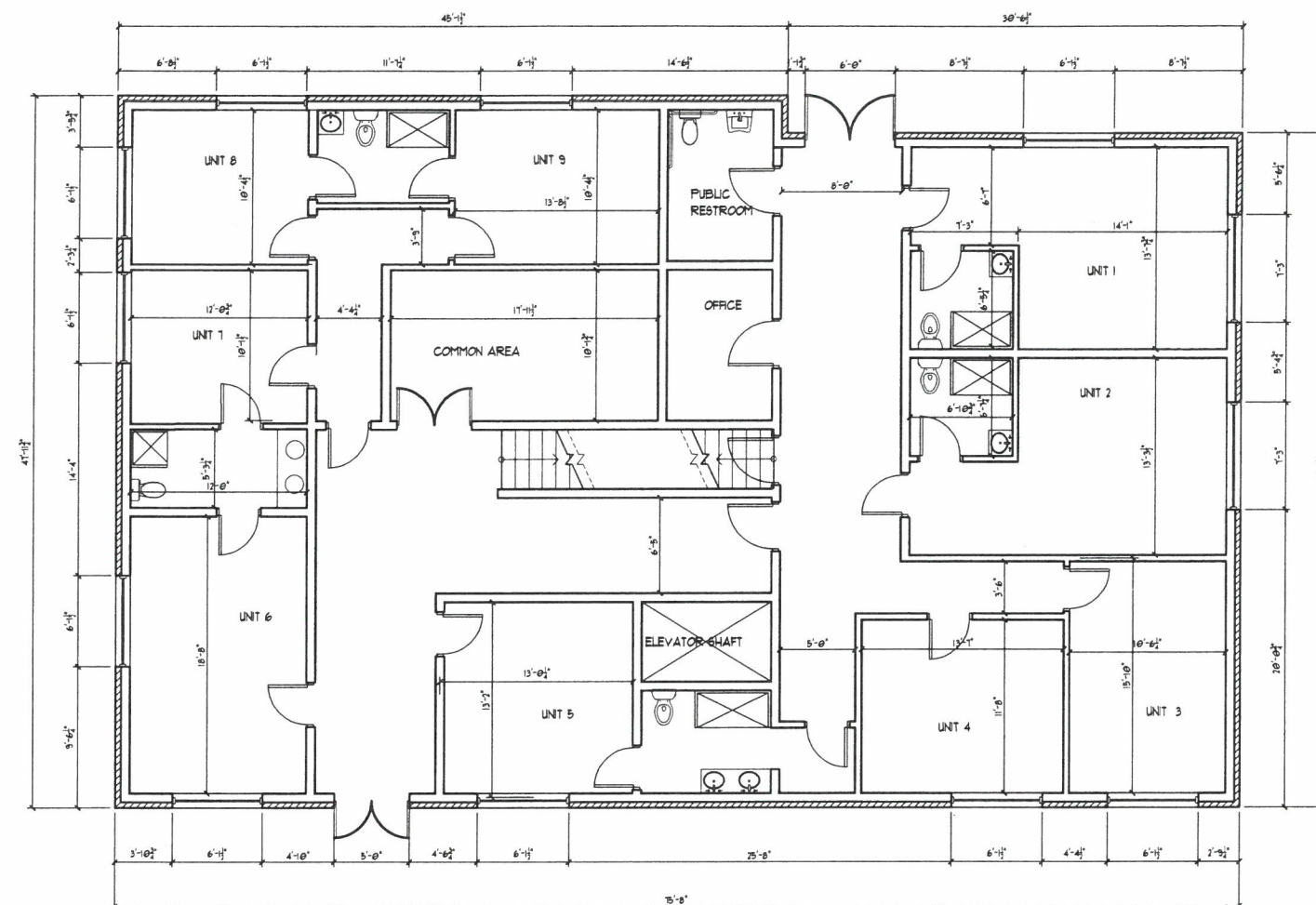
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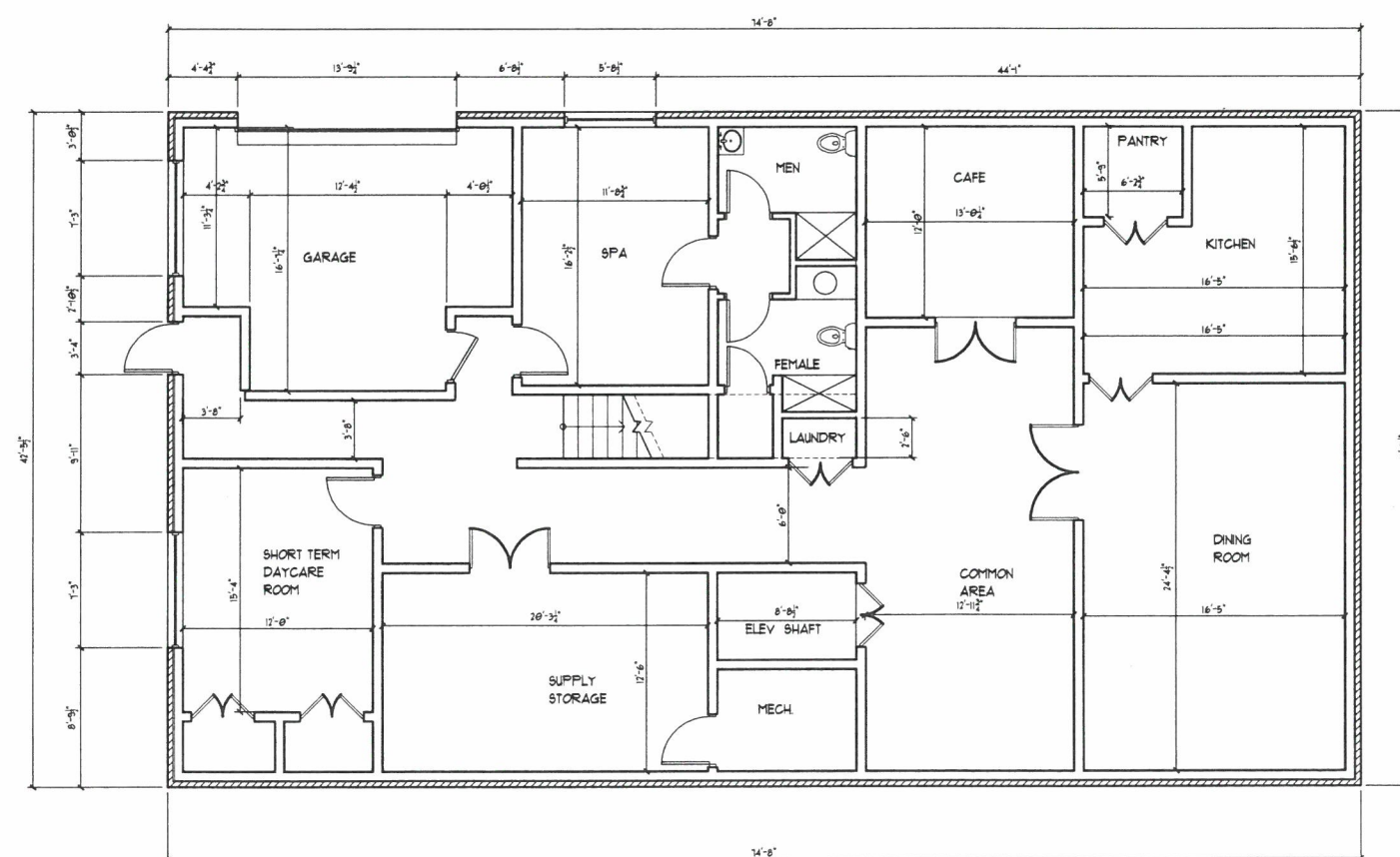
PROPOSED FLOOR PLANS

SHEET

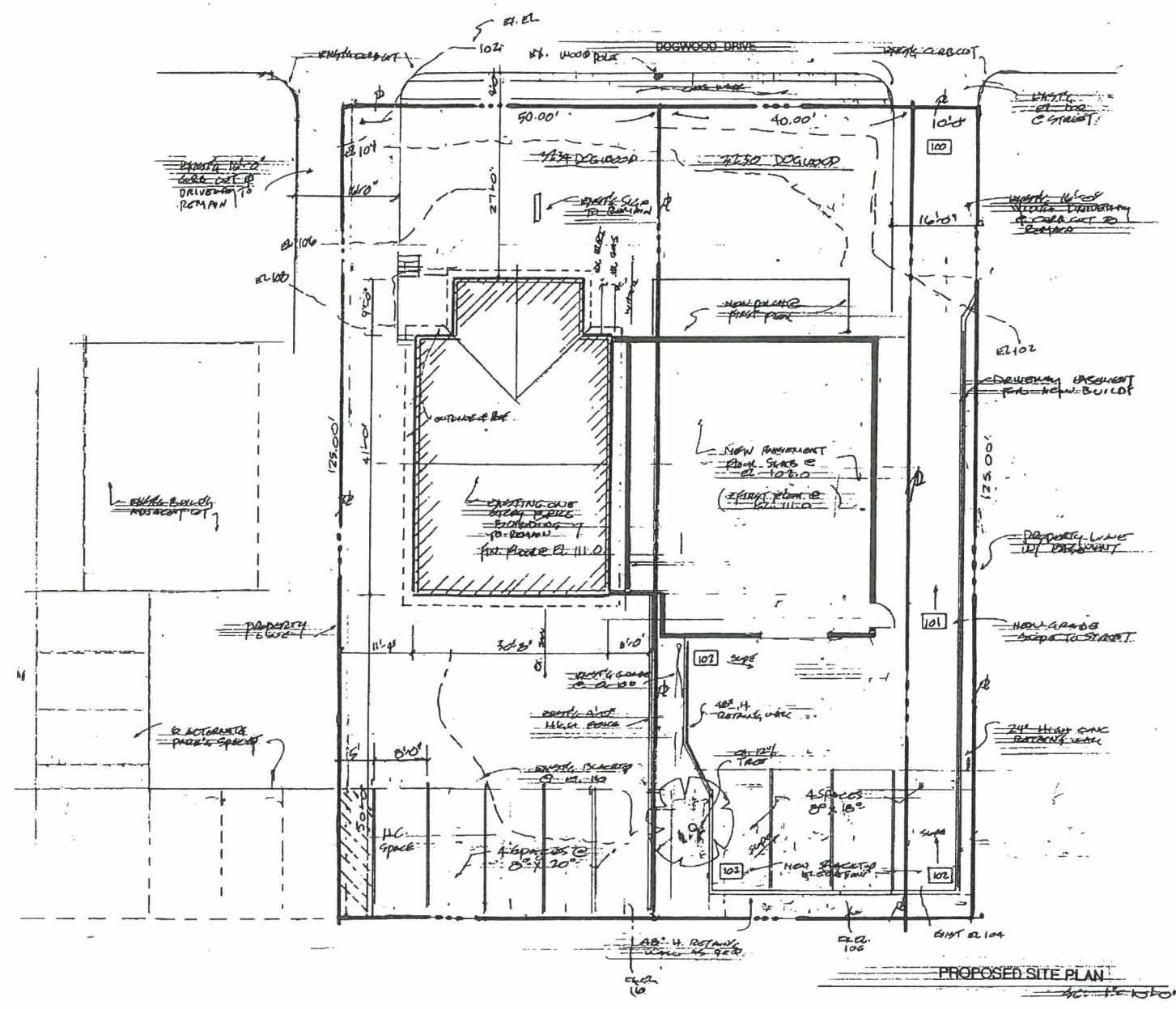
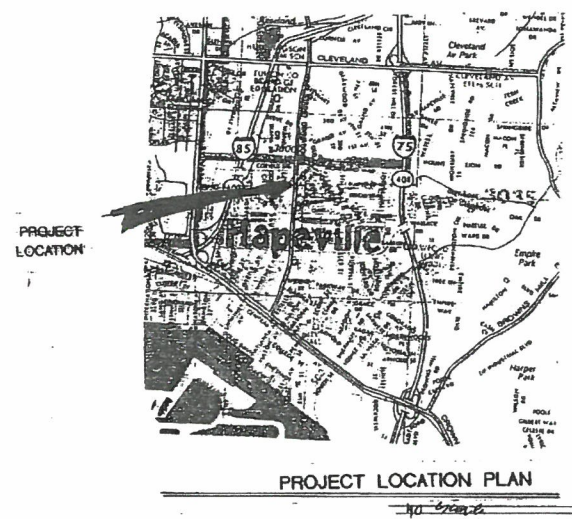
A-02



1 PROPOSED LEVEL 2 FLOOR PLAN
3/16"=1'-0"



1 PROPOSED LEVEL 1 FLOOR PLAN



REVISIONS	BY

Edgar Allen Paul, AIA
Funeral Home Architects
130 Old Farm Road, Marietta, Georgia
404-575-8722 Fax: 770-575-3179

ADDITION FOR
ATLANTA EMBALMING SERVICE
3234 DOGWOOD DRIVE
HAPEVILLE, GEORGIA

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
OF SHEETS

LEGEND

IPS	IRON PIN SET	CMF	CONCRETE MONUMENT FOUND
IPF	IRON PIN FOUND	SMH	SEWER MAN HOLE
OT	OPEN TOP PIN	MHT	MAN HOLE TELEPHONE
CT	CRIMP TOP PIN	CB	CATCH BASIN
RB	REINFORCING BAR	JB	JUNCTION BOX
CL	CENTERLINE	DI	DROP INLET
R/W	RIGHT-OF-WAY	LLL	LAND LOT LINE
LL	LAND LOT	HW	HEAD WALL
L	LINE	CMP	CORRUGATED METAL PIPE
R	RADIUS	RCP	REINFORCED CONCRETE PIPE
CONC	CONCRETE	CD	CROSS DRAIN
C	CURVE	SSE	SANITARY SEWER EASEMENT
PP	POWER POLE	DE	DRAINAGE EASEMENT
GV	GAS VALVE	FH	FIRE HYDRANT
GM	GAS METER	WM	WATER VALVE
LP	LAMP POLE	WM	WATER METER
SS	SANITARY SEWER	POB	POINT OF BEGINNING
TP	TELEPHONE	POC	POINT OF COMMENCEMENT
-X-X-	FENCE	PI	POINT OF INTERSECTION

GENERAL NOTES

1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES NOT SHOWN HEREON MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. NO VISIBLE EVIDENCE OF A CEMETERY FOUND.
5. BEARINGS BASED ON MAGNETIC NORTH OBSERVATIONS AS NOTED IN DEED BOOK 32969 - PAGE 564-567.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST.
7. FIELD CLOSURE: AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. THE FIELD TRAVERSE WAS CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND FOUND TO HAVE UNADJUSTED FIELD CLOSURE PRECISION THAT EXCEEDS 1' IN 10,000' AND WAS ADJUSTED BY THE LEAST SQUARES METHOD.
8. PLAT CLOSURE: THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A PRECISION OF CLOSURE IN EXCESS OF 1' IN 100,000'.
9. NO STATE PLANE COORDINATE MONUMENT WAS FOUND WITHIN 500' OF THIS PROPERTY.
10. THESE LOTS WERE ORIGINALLY DEEDED AS MULTIPLE PARCELS.
11. NO WATERS OF THE STATE EXIST WITHIN 200 FEET OF THIS PROPERTY. SUBJECT PROPERTY IS NOT SUBJECT TO 75' STREAM BUFFER REQUIREMENT.
12. NO EASEMENTS EXIST ON SUBJECT PROPERTY.
13. SUBJECT PROPERTY CURRENTLY ZONED "C-R" (COMMERCIAL/RESIDENTIAL) CITY OF HAPEVILLE ZONING DEPARTMENT - CHRIS MONTESINOS (404) 669-8269
BUILDING SETBACKS:
FRONT: 15'
SIDE: 15'
REAR: 25'
MINIMUM LOT FRONTAGE: 100'
MINIMUM LOT AREA: 8,500 SQ.FT.
MAXIMUM BUILDING HEIGHT: 40'
MINIMUM PARKING REQUIRED: 1 SPACE FOR EVERY 200' ENCLOSED COMMERCIAL FLOOR AREA.

LEGAL DESCRIPTION TOTAL TRACT

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 94 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING ALL OF LOTS 9, 10 AND 11 OF THE FOREST HILLS PARK SUBDIVISION, BLOCK 1, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION FORMED BY THE NORTHERN RIGHT OF WAY LINE OF DOGWOOD ROAD (F.K.A. WATERS ROAD) AND THE EASTERN RIGHT OF WAY LINE OF DOGWOOD ROAD (F.K.A. STEWART AVENUE) (50' R/W); THENCE RUN IN A NORTH EASTERLY DIRECTION ALONG SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE A DISTANCE OF 200.00 FEET TO A RAILROAD SPIKE FOUND AND THE TRUE POINT OF BEGINNING.

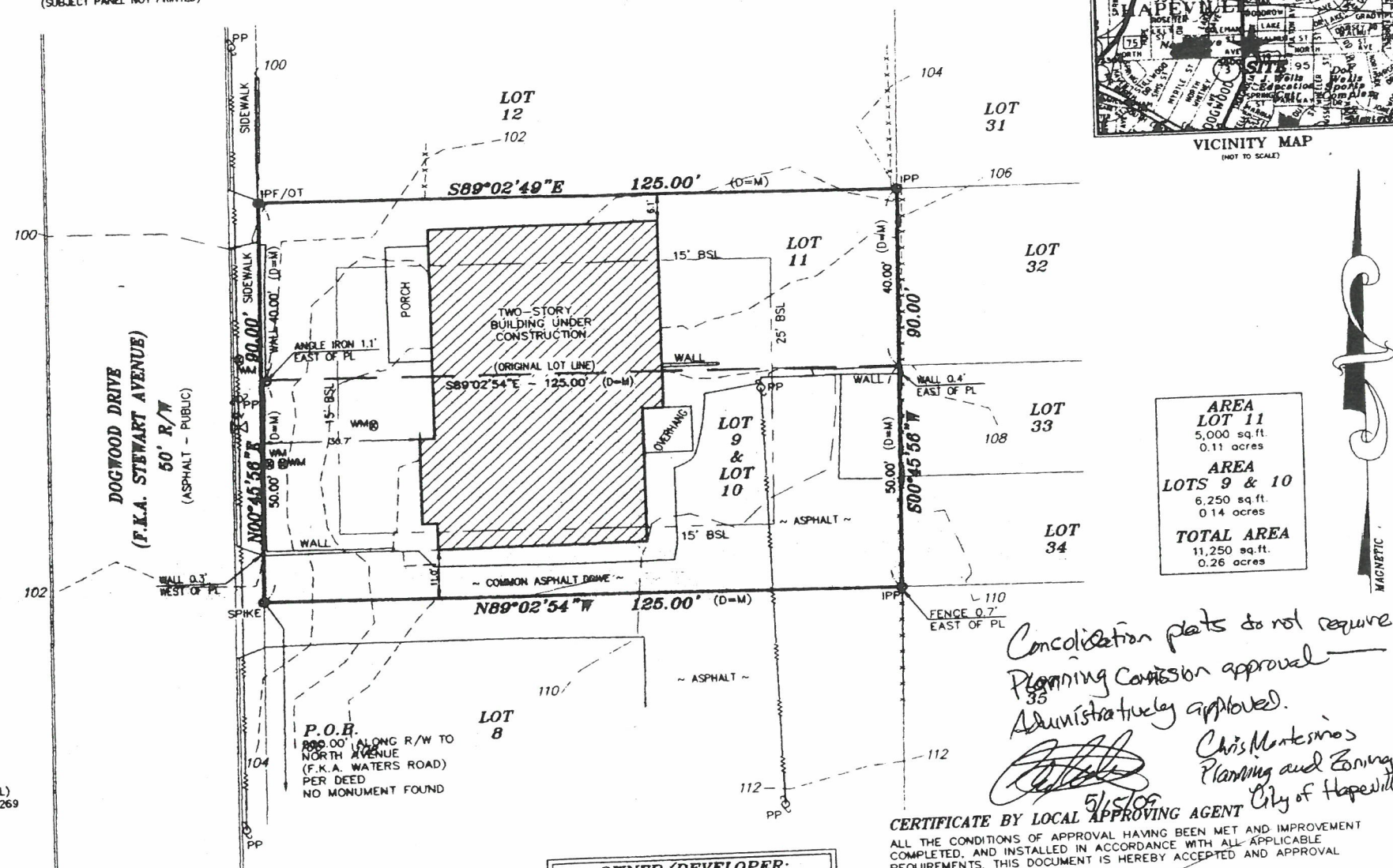
THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG THE EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE NORTH 00 DEGREES 45 MINUTES 56 SECONDS EAST A DISTANCE OF 90.00 FEET TO AN OPEN TOP PIPE FOUND; THENCE LEAVING SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE RUN SOUTH 89 DEGREES 02 MINUTES 49 SECONDS EAST A DISTANCE OF 125.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 90.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 02 MINUTES 54 SECONDS WEST A DISTANCE OF 125.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 11,250 SQUARE FEET.

FLOOD STATEMENT

BY FIELD LOCATION, THE SUBJECT PROPERTY DOES NOT FALL WITHIN A 100 YEAR FEDERALLY DESIGNATED FLOOD HAZARD AREA. THE SUBJECT PROPERTY FALLS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 131210366 E - EFFECTIVE DATE OF JUNE 22, 1996, ZONE "X", AS DESCRIBED BY SAID MAP BEING "AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN." (SUBJECT PANEL NOT PRINTED)

**LOT CONSOLIDATION PLAT FOR
3234 DOGWOOD DRIVE
LOCATED IN LAND LOT 94
14th DISTRICT
FULTON COUNTY, GEORGIA
(CITY OF HAPEVILLE)**



AREA
LOT 11
5,000 sq. ft.
0.11 acres
AREA
LOTS 9 & 10
6,250 sq. ft.
0.14 acres
TOTAL AREA
11,250 sq. ft.
0.26 acres

*Consolidation plats do not require
Planning Commission approval
Administratively approved.*
*Chris Montesinos
Planning and Zoning Manager
City of Hapeville*
5/1/09

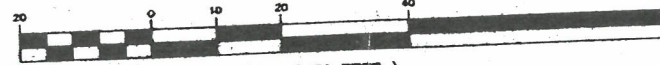
OWNER/DEVELOPER:

ATLANTA EMBALMING SERVICE
MICHAEL ALDRIDGE (CONTACT)
3234 DOGWOOD DRIVE
ATLANTA, GEORGIA 30354
PHONE 404-4471-5139

CERTIFICATE BY SURVEYOR

I HEREBY CERTIFY THAT THIS FINAL PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION AND THAT ALL CORNERS ARE ACCURATELY MARKED BY A 1/2 INCH IRON ROD.

BY: *[Signature]* DATE: 7-15-09
GEORGIA REGISTERED LAND SURVEYOR NO. 2109

**GRAPHIC SCALE**

(IN FEET)
1 inch = 20 ft.

CERTIFICATE BY LOCAL APPROVING AGENT
ALL THE CONDITIONS OF APPROVAL HAVING BEEN MET AND IMPROVEMENT COMPLETED, AND INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REQUIREMENTS, THIS DOCUMENT IS HEREBY ACCEPTED AND APPROVAL OF IMPROVEMENTS GRANTED.

BY: _____ DATE _____
DIRECTOR OF COMMUNITY SERVICES

CERTIFICATE OF APPROVAL OF THE PLANNING COMMISSION
THIS IS TO CERTIFY THAT THIS REPLATING HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF HAPEVILLE.

CHAIRMAN/SECRETARY _____ DATE _____
CITY OF HAPEVILLE PLANNING COMMISSION

**CERTIFICATE OF OWNERSHIP
"STATE OF GEORGIA"
(CITY OF HAPEVILLE)**

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATES TO THE CITY OF HAPEVILLE, THE COMPLETE OWNERSHIP AND USE OF ALL WATER AND SEWER IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED IN ACCORDANCE WITH THIS PLAT, AND DEDICATES TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, DRAINS, EASEMENTS, PARKS AND OPEN SPACES.

OWNER OF RECORD _____

DATE _____

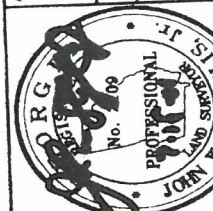
SOLAR LAND SURVEYING COMPANY

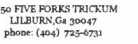
P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993
TELEPHONE (770) 794-9055 / FAX (770) 794-9052

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

DATE	07/16/06	SCALE	1" = 20'
REVISION		BY:	
SECTION	FULTON COUNTY, GEORGIA	UNIT	
LAND LOT 94	14th DISTRICT	BLOCK A	
LOT 9, 10 & 11		SUBDIVISION	FOREST HILLS PARK
DRAFTED:		DISC #	
SURVEYED:		PLOTTED:	
APPROVED:		DEED BOOK	32969, PAGE 567
JOB #	06-7174	PLAT BOOK	7, PAGE 58





MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

MARK	DATE	DESCRIPTION
------	------	-------------

[illegible]

PROJECT NO:
CAD DWG FILE:
DRAWN BY:
CHK'D BY:
COPYRIGHT:

SHEET TITLE

EXISTING FLOOR PLANS

SHEET

A-01





MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

A-01





3050 FIVE FORKS TRUCK
LILBURN, Ga 30047
phone: (404) 725-6731

CONSULTANTS

MARY'S HOUSE SENIOR CARE
3234 DOGWOOD DR HAPEVILLE GA

JOINTS & JOINTS

stamps

[illegible]

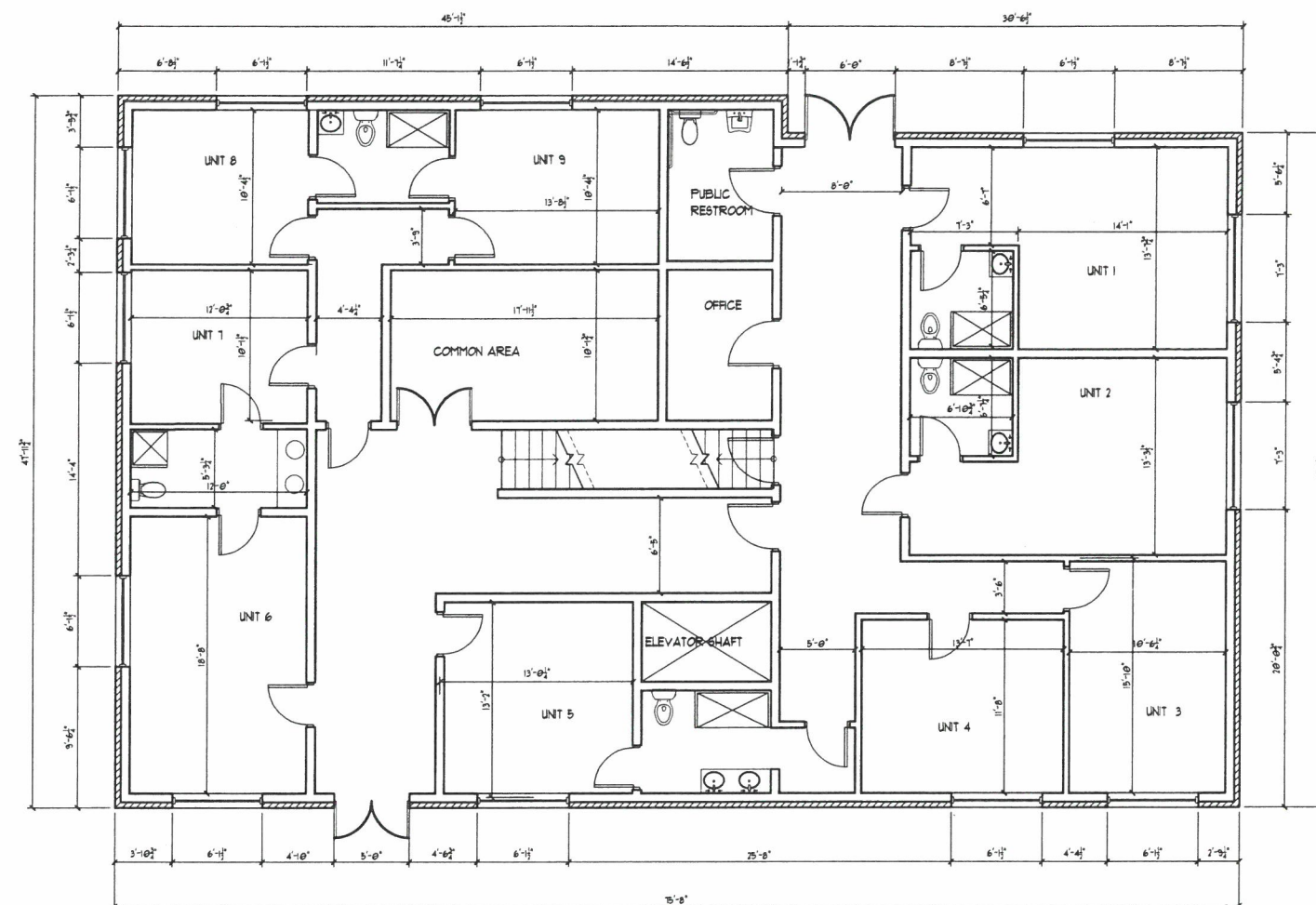
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CAD DWG FILE
DRAWN BY:
CHK'D BY:
COPYRIGHT:

SHEET TITLE

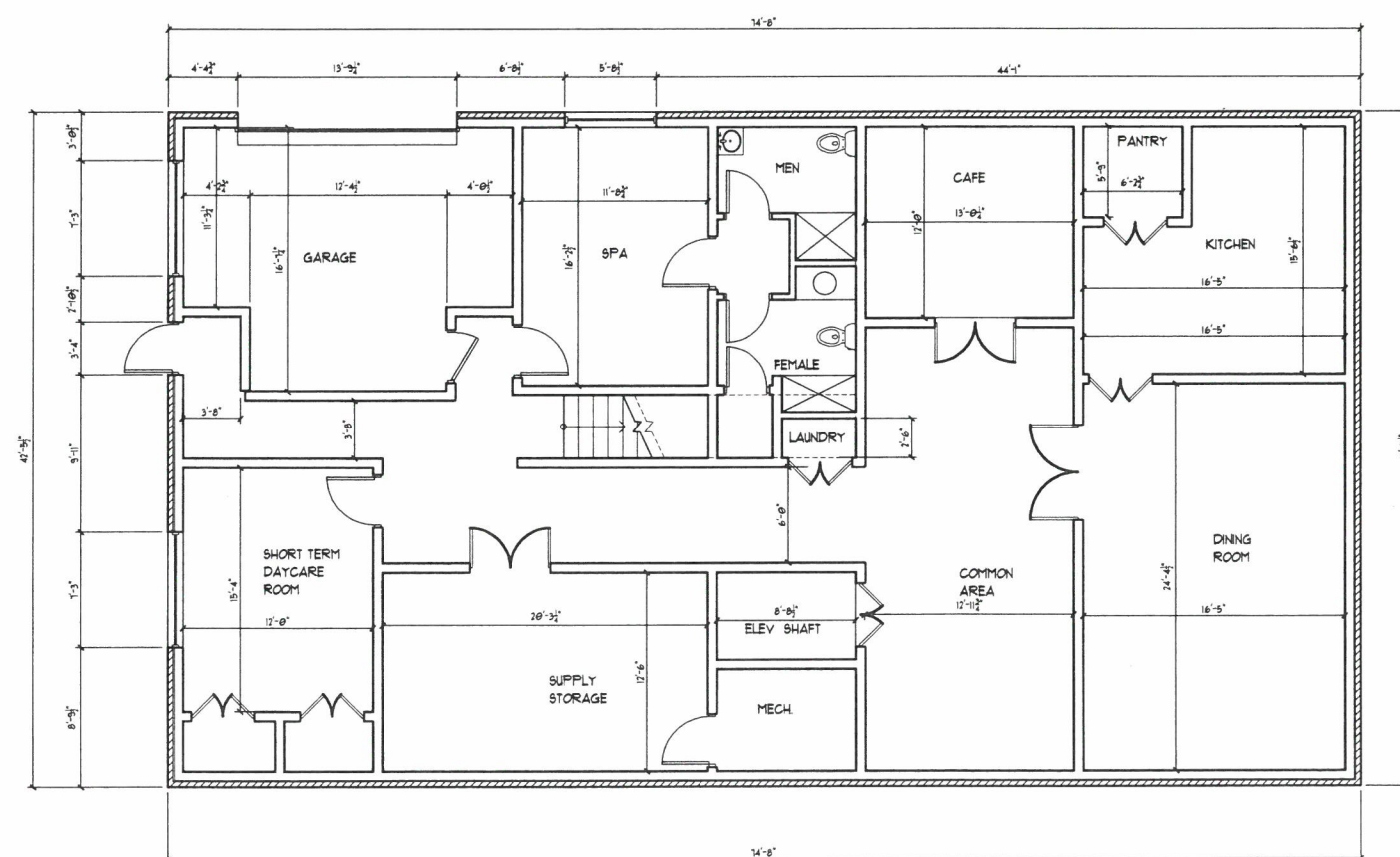
PROPOSED FLOOR PLANS

SHEET

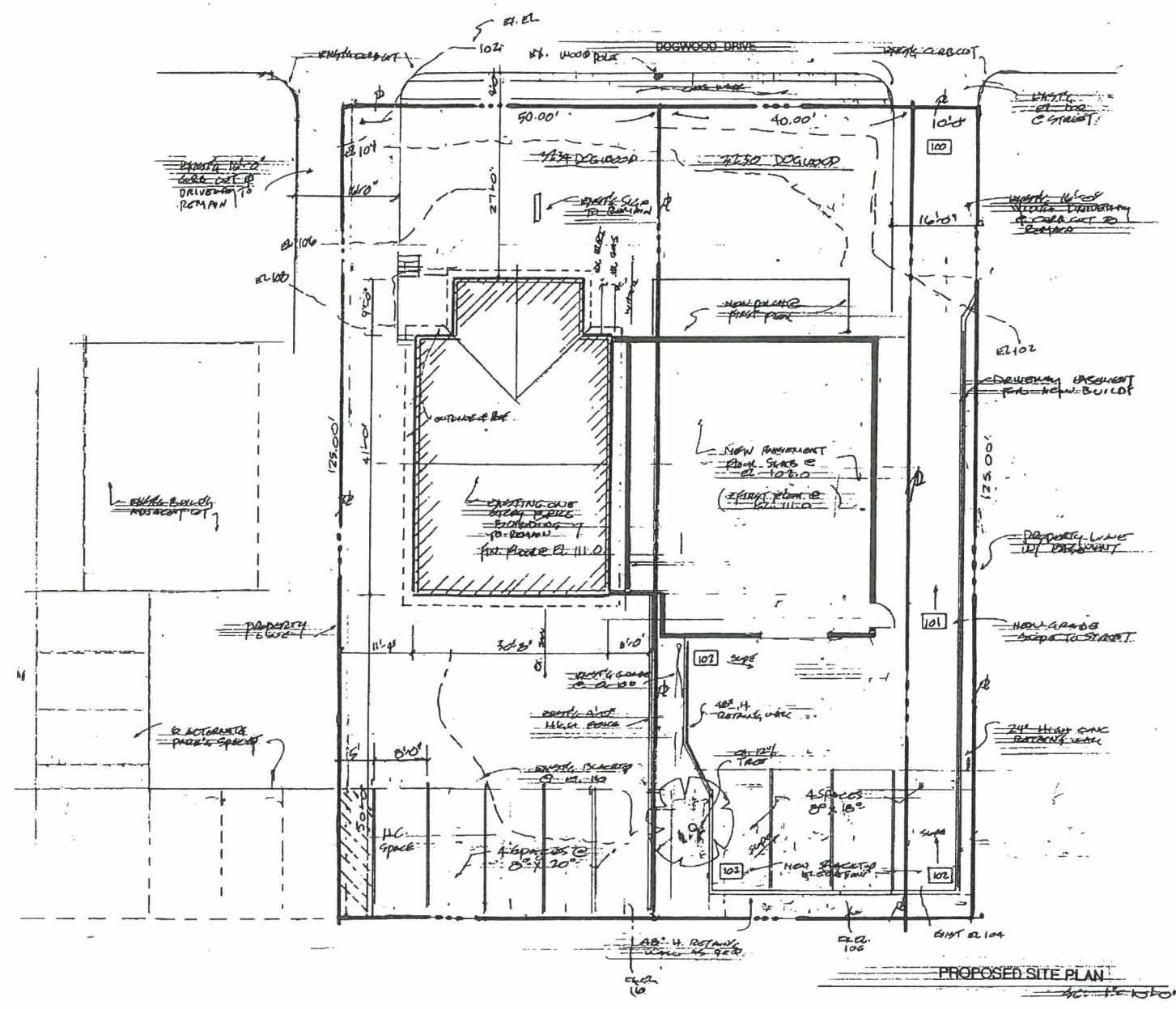
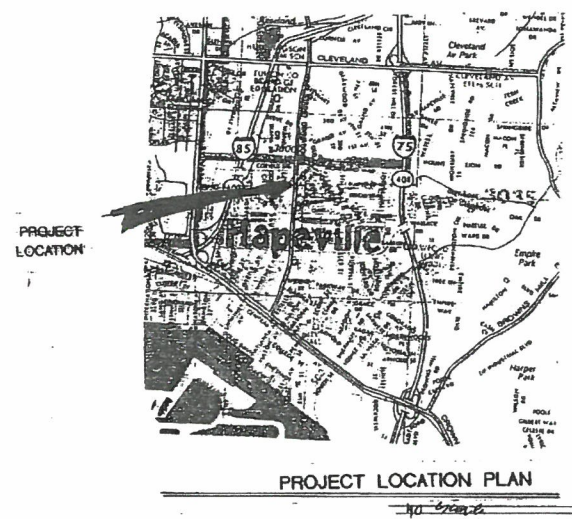
A-02



1 PROPOSED LEVEL 2 FLOOR PLAN
3/16"=1'-0"



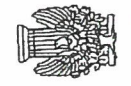
1 PROPOSED LEVEL 1 FLOOR PLAN



PRELIM-2

REVISIONS	BY

Edgar Allen Paul, AIA
Funeral Home Architects
130 Old Farm Road, Marietta, Georgia
404-575-8722 Fax: 770-575-3179



ADDITION FOR
ATLANTA EMBALMING SERVICE
3234 DOGWOOD DRIVE
HAPEVILLE, GEORGIA

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
OF SHEETS



LEGEND

IPS	IRON PIN SET	CMF	CONCRETE MONUMENT FOUND
IPF	IRON PIN FOUND	SMH	SEWER MAN HOLE
OT	OPEN TOP PIN	MHT	MAN HOLE TELEPHONE
CT	CRIMP TOP PIN	CB	CATCH BASIN
RB	REINFORCING BAR	JB	JUNCTION BOX
CL	CENTERLINE	DI	DROP INLET
R/W	RIGHT-OF-WAY	LLL	LAND LOT LINE
LL	LAND LOT	HW	HEAD WALL
L	LINE	CMP	CORRUGATED METAL PIPE
R	RADIUS	RCP	REINFORCED CONCRETE PIPE
CONC	CONCRETE	CD	CROSS DRAIN
C	CURVE	SSE	SANITARY SEWER EASEMENT
PP	POWER POLE	DE	DRAINAGE EASEMENT
GV	GAS VALVE	FH	FIRE HYDRANT
GM	GAS METER	WM	WATER VALVE
LP	LAMP POLE	WM	WATER METER
SS	SANITARY SEWER	POB	POINT OF BEGINNING
TP	TELEPHONE	POC	POINT OF COMMENCEMENT
-X-X-	FENCE	PI	POINT OF INTERSECTION

GENERAL NOTES

1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES NOT SHOWN HEREON MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINGUISHLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. NO VISIBLE EVIDENCE OF A CEMETERY FOUND.
5. BEARINGS BASED ON MAGNETIC NORTH OBSERVATIONS AS NOTED IN DEED BOOK 32969 - PAGE 564-567.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST.
7. FIELD CLOSURE: AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. THE FIELD TRAVERSE WAS CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND FOUND TO HAVE UNADJUSTED FIELD CLOSURE PRECISION THAT EXCEEDS 1' IN 10,000' AND WAS ADJUSTED BY THE LEAST SQUARES METHOD.
8. PLAT CLOSURE: THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A PRECISION OF CLOSURE IN EXCESS OF 1' IN 100,000'.
9. NO STATE PLANE COORDINATE MONUMENT WAS FOUND WITHIN 500' OF THIS PROPERTY.
10. THESE LOTS WERE ORIGINALLY DEEDED AS MULTIPLE PARCELS.
11. NO WATERS OF THE STATE EXIST WITHIN 200 FEET OF THIS PROPERTY. SUBJECT PROPERTY IS NOT SUBJECT TO 75' STREAM BUFFER REQUIREMENT.
12. NO EASEMENTS EXIST ON SUBJECT PROPERTY.
13. SUBJECT PROPERTY CURRENTLY ZONED "C-R" (COMMERCIAL/RESIDENTIAL) CITY OF HAPEVILLE ZONING DEPARTMENT - CHRIS MONTESINOS (404) 669-8269
BUILDING SETBACKS:
FRONT: 15'
SIDE: 15'
REAR: 25'
MINIMUM LOT FRONTAGE: 100'
MINIMUM LOT AREA: 8,500 SQ.FT.
MAXIMUM BUILDING HEIGHT: 40'
MINIMUM PARKING REQUIRED: 1 SPACE FOR EVERY 200' ENCLOSED COMMERCIAL FLOOR AREA.

LEGAL DESCRIPTION

TOTAL TRACT
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 94 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING ALL OF LOTS 9, 10 AND 11 OF THE FOREST HILLS PARK SUBDIVISION, BLOCK 1, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION FORMED BY THE NORTHERN RIGHT OF WAY LINE OF DOGWOOD ROAD (F.K.A. WATERS ROAD) AND THE EASTERN RIGHT OF WAY LINE OF DOGWOOD ROAD (F.K.A. STEWART AVENUE) (50' R/W); THENCE RUN IN A NORTH EASTERLY DIRECTION ALONG SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE A DISTANCE OF 200.00 FEET TO A RAILROAD SPIKE FOUND AND THE TRUE POINT OF BEGINNING.

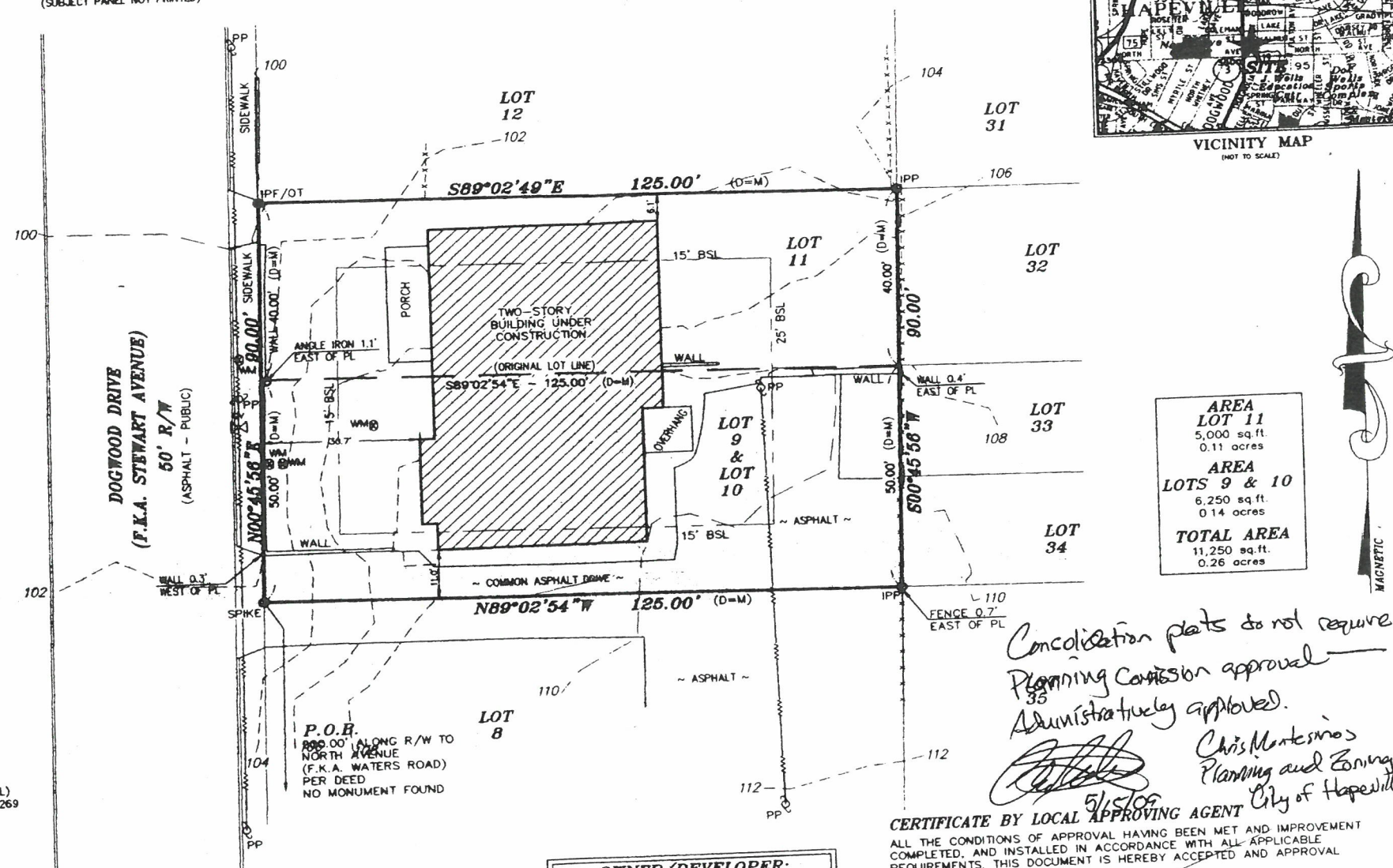
THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED AND CONTINUING ALONG THE EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE NORTH 00 DEGREES 45 MINUTES 56 SECONDS EAST A DISTANCE OF 90.00 FEET TO AN OPEN TOP PIPE FOUND; THENCE LEAVING SAID EASTERN RIGHT OF WAY LINE OF DOGWOOD DRIVE RUN SOUTH 89 DEGREES 02 MINUTES 49 SECONDS EAST A DISTANCE OF 125.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 45 MINUTES 56 SECONDS WEST A DISTANCE OF 90.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 02 MINUTES 54 SECONDS WEST A DISTANCE OF 125.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 11,250 SQUARE FEET.

FLOOD STATEMENT

BY FIELD LOCATION, THE SUBJECT PROPERTY DOES NOT FALL WITHIN A 100 YEAR FEDERALLY DESIGNATED FLOOD HAZARD AREA. THE SUBJECT PROPERTY FALLS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 131210366 E - EFFECTIVE DATE OF JUNE 22, 1996, ZONE "X", AS DESCRIBED BY SAID MAP BEING "AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN." (SUBJECT PANEL NOT PRINTED)

LOT CONSOLIDATION PLAT FOR 3234 DOGWOOD DRIVE LOCATED IN LAND LOT 94 14th DISTRICT FULTON COUNTY, GEORGIA (CITY OF HAPEVILLE)



AREA	LOT 11
	5,000 sq. ft.
	0.11 acres
AREA	LOTS 9 & 10
	6,250 sq. ft.
	0.14 acres
TOTAL AREA	11,250 sq. ft.
	0.26 acres

Consolidation plats do not require
Planning Commission approval
Administratively approved.
Chris Montesinos
Planning and Zoning Manager
City of Hapeville
5/1/09

OWNER/DEVELOPER:
ATLANTA EMBALMING SERVICE
MICHAEL ALDRIDGE (CONTACT)
3234 DOGWOOD DRIVE
ATLANTA, GEORGIA 30354
PHONE 404-4471-5139

CERTIFICATE BY SURVEYOR

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BY: *[Signature]* DATE: 7-15-09
GEORGIA REGISTERED LAND SURVEYOR NO. 2109



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

CERTIFICATE BY LOCAL APPROVING AGENT
ALL THE CONDITIONS OF APPROVAL HAVING BEEN MET AND IMPROVEMENT COMPLETED, AND INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REQUIREMENTS, THIS DOCUMENT IS HEREBY ACCEPTED AND APPROVAL OF IMPROVEMENTS GRANTED.

BY: _____ DATE _____
DIRECTOR OF COMMUNITY SERVICES

CERTIFICATE OF APPROVAL OF THE PLANNING COMMISSION
THIS IS TO CERTIFY THAT THIS REPLATING HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF HAPEVILLE.

CHAIRMAN/SECRETARY _____ DATE _____
CITY OF HAPEVILLE PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP "STATE OF GEORGIA" (CITY OF HAPEVILLE)

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATES TO THE CITY OF HAPEVILLE, THE COMPLETE OWNERSHIP AND USE OF ALL WATER AND SEWER IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED IN ACCORDANCE WITH THIS PLAT, AND DEDICATES TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, DRAINS, EASEMENTS, PARKS AND OPEN SPACES.

OWNER OF RECORD _____

DATE _____

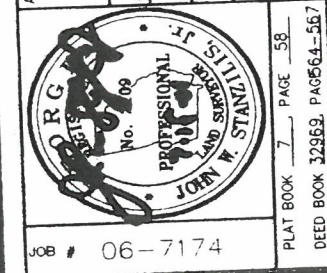
SOLAR LAND SURVEYING COMPANY

P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993
TELEPHONE (770) 794-9055 / FAX (770) 794-9052

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

DATE	07/16/06	SCALE	1" = 20'
REVISION		SECTION	FULTON COUNTY, GEORGIA
UNIT		LOT	LOT 9, 10 & 11
BLOCK	A	SUBDIVISION	FOREST HILLS PARK
DRAFTED		DISC #	
SURVEYED		PLOTTED	
APPROVED		DEED BOOK	32969, PAGE 567
JOB #	06-7174	PLAT BOOK	7, PAGE 58





DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

To: Adrienne Senter
From: Michael Smith
Date: March 5, 2020
RE: **Special Use Permit – 3234 Dogwood Drive**

BACKGROUND

The City of Hapeville received a request for a Special Use Permit from Claudette Eley to operate a personal care home within an existing structure located at 3234 Dogwood Drive. The structure has previously operated as a mortuary and is currently vacant. Per the provided site plan and floor plan, the property has eight regular parking spaces, one handicapped space, and a one-car garage. The building is roughly 3,100 square feet and would have up to ten dwelling units with 24 residents. The property is zoned V, Village, and is within the A-D, Arts District Overlay.

Personal care homes are permitted as a Special Use within the V Zoning District and are subject to the provisions of Article 3.2 below:

CODE

ARTICLE 11.1. - V ZONE (VILLAGE)

Sec. 93-11.1-1. - Intent.

The V district is established in order to:

- (1) Accommodate a mixed-use, urban fabric that preserves neighborhood scale;
- (2) Accommodate residents in the district with pedestrian access to services and employment typical of a live/work community;
- (3) Promotes neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) Discourage land uses, which are automobile or transportation related;
- (6) Exclude industrial uses such as manufacturing, processing and warehousing;
- (7) Promote retail and related commercial uses such as business offices, florists, card shops antiques, apparel and banks; and
- (8) Encourage mixed use with commercial uses on the first floor and residential living above.

Sec. 93-11.1-5. - Special uses.

The following uses require a special use permit, in accordance with sections 93-3.2-5 and 93-3.2-6, in any V zone:

- (2) Personal care homes, subject to the restrictions in section [93-2-21].

ARTICLE 28. - A-D ZONE (ARTS DISTRICT OVERLAY)

Sec. 93-28-7.5. - Residential uses.

The maximum number of dwelling units in a single building shall not be limited, provided that no development shall exceed 50 units. The parking requirement for such uses shall be one space for each dwelling unit. No minimum lot area shall apply in the arts district overlay provided all other development standards of this article are met.

ARTICLE 3.2. - CONDITIONAL USES

Sec. 93-3.2-1. - Permit required.

Zoning districts established herein permit certain uses which are allowable therein provided they meet specified conditions, as set forth therein and here. No such use shall be permitted until a conditional use permit has been issued authorizing such use. The procedures for granting such permits shall be the same as for amendments to the zoning ordinance or zoning map.

Sec. 93-3.2-2. - Review of applications.

Those conditions specified in the zoning district regulations shall be considered to be the minimum standards which must be met before the conditional use application may be considered by the planning commission for review and recommendation and the mayor and council for decision. In deciding upon whether or not a conditional use meets the minimum standards and promotes the health, safety, morals, or general welfare of the city, the mayor and council shall utilize the applicable standards of review of section 93-25-6.

Sec. 93-3.2-3. - Issuance of permit.

If the mayor and council, after applying the evidence to the standards of review, have been convinced that the allowance of the conditional use will promote the health, safety, morals, or general welfare of the city, a conditional use permit may be granted, subject to those provisions that may be imposed by the mayor and council.

Sec. 93-3.2-4. - Procedures regarding delays in use of condition.

If a building permit, grading permit or occupation tax permit has not issued and construction (if any is necessary) begun within a 12-month period after such conditional use is approved, the conditional use may be withdrawn at a meeting of the mayor and council. The mayor and council may then reinstate the prior zoning district and regulations. In the alternative, the mayor and council may extend the conditional use for 12 months and any number of subsequent 12-month periods by only one such period at a time.

Sec. 93-3.2-5. - Special use permit procedures.

Mayor and council may in considering a special use permit following a public hearing impose reasonable conditions deemed necessary to the protection or benefit of owners of adjacent and nearby properties to ensure compatibility of the proposed development or use with surrounding uses. The decision of mayor and council

concerning consideration of a special use shall be given to the applicant in writing, by certified U.S. mail to the address indicated in the application. Aggrieved applicants shall have 30 calendar days from the date of receipt of the notice in which to petition the superior court of Fulton County for writ of certiorari.

REVIEW

Sec. 93-3.2-6. - Special use permit criteria and standards.

- (a) *Special use permit criteria.* Special uses are compatible uses of land or the improvement of structures within a zoning district that reasonably require special consideration and therefore, are not allowed "by right." The following standards shall be considered in evaluating the appropriateness of all proposed special uses of property:

- (1) Impact on the use or development of adjacent properties, or the surrounding area, as concerns public health, safety or general welfare;

Use of the property as a personal care home should have no negative impact on the use or development of adjacent properties or the surrounding area as concerns public health, safety or general welfare.

- (2) Capacity of the lot to accommodate the use and satisfy the dimensional requirements of the ordinance;

The Code does not provide guidance for dimensional requirements placed on personal care homes. The minimum space per dwelling unit for personal care homes is mandated by state law as 80 square feet; the provided floor plan shows that each dwelling unit would have at least 100 square feet of space, which is compliant. The use would occupy an existing structure and as such would not be required to meet the setback requirements of the Village district. The facility would provide 10 parking spaces, which is sufficient to meet the minimum of one parking space per dwelling unit required by the Arts District overlay for residential uses.

- (3) Compatibility with adjacent properties and other land uses in the vicinity;

Personal care homes are a residential use, which are compatible with the Village district and the Arts District Overlay. Further, there is an existing senior living facility at the nearest intersection to the north, approximately 300 feet away.

- (4) Potential nuisance or hazardous characteristics, specifically as concerns the number of individuals projected to use such facility or nature of the activity;

The applicant has suggested up to 24 seniors could use the facility. This would be in addition to at least two staff members at a time. However, the site only provides ten parking spaces and the floor plan indicates the space is only approximately 3,100 square feet in area. Staff recommends the Planning Commission limit the number of total residents to any limits imposed by State law. Further, staff recommends the Planning commission limit all occupants, including guests and staff, to the occupancy load as determined by the fire marshal during his inspection of the facility pursuant to its acquisition of an Occupational Tax Permit.

- (5) Impact on traffic movement, availability of off-street parking, options for buffering or protective screening, hours and manner of operation, lighting, signs and access to the property; and

Sufficient parking is provided off-street for the facility. The applicant has indicated that most residents will not have access to vehicles, and the maximum number of staff present at any time would be limited to two individuals. As the use is primarily residential, no buffers, protective screening, or additional lighting are recommended, nor are restrictions on the hours and manner of operation. Any proposed signs will need to comply with the city's sign ordinance.

- (6) Conformance of the special use to other requirements of the ordinance.

See below

Sec. 93-2-21. - Use regulations regarding personal care homes.

- (a) Personal care homes, as defined herein, may be permitted in any RMU, V, U-V, C-R, N-C, C-1 and C-R zone, subject to special use permit and the following conditions:

- (1) Any exterior modifications to an existing structure or construction of a new structure shall be consistent with the character of the surrounding area;

While the applicant intends to make extensive modifications to the interior of the structure, the exterior will remain unchanged. The structure is similar in appearance to a large single-family dwelling and is compatible in style with the adjacent structures.

- (2) The personal care home provides on-site parking and/or drop-off space adequate to meet the needs of the proposed facility;

Per the provided floor plan and site plan, the site has 10 off-street parking spaces. This is compliant with the requirements of the Arts District overlay for one parking space per dwelling unit. Further, per the applicant, the residents of the personal care home will generally not have their own vehicles, and the provided parking will mainly be used by staff, guests, and deliveries. The provided parking is adequate to meet the needs of the facility.

- (3) The personal care home provides to the Hapeville fire and police departments a current list of residents living in the facility who have disabilities, and information concerning special needs, so as to ensure each resident's safety and evacuation from the premises in the event of a fire or other emergency within the home; and

The applicant must furnish this information to the Hapeville fire and police departments with every new admission to the facility.

- (4) The personal care home has obtained all federal and/or state permits or licenses required for its operation.

The applicant must provide copies of all relevant federal and/or state permits to the Department of Community Services prior to obtaining a Certificate of Occupancy.

RECOMMENDATION

The proposed use of a personal care home is compatible with the Village Zoning District and poses no foreseeable conflict with the intent of the district. The special use application is recommended for approval with the following conditions:

1. The number of total residents should be restricted by the limits imposed by State law.
2. The number of all occupants, including guests and staff, should be restricted by the occupancy load as determined by the fire marshal during his inspection of the facility pursuant to its acquisition of an Occupational Tax Permit.
3. The owner must furnish a list of all residents living in the facility with disabilities and special needs to the Hapeville Police and Fire Departments with every new admission to the facility.
4. The owner must provide copies of all relevant federal and/or state permits to the Department of Community Services prior to obtaining a Certificate of Occupancy.

20-PC-02-03

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

Name of Applicant Wilson Smith

Mailing Address 315 Millidge Ave Atlanta, GA 30312

Telephone [REDACTED] Mobile Same

Email Wilsonsmith@rocketmail.com

Property Owner (s) Wilson & Sally Smith

Mailing Address Same as above

Telephone _____ Mobile _____

Address/Location of Property:

3140 Dogwood Dr Hapeville, GA

Present Zoning Classification: R-5F

Present Land Use: House residential rental with vacant lot

Parcel ID #: 14 009400020055

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I 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 this 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 fully comply with all City of Hapeville Codes and Ordinances. I hereby acknowledge that all requirements of the City of Hapeville shall be met. I am able to read and write in English or this document has been read and explained to me and I have fully and voluntarily completed this application. I also understand that false statements or writings made to the City of Hapeville, Georgia are deemed a felony pursuant to O.C.G.A. 16-10-20 and I/we may be prosecuted for a violation thereof.

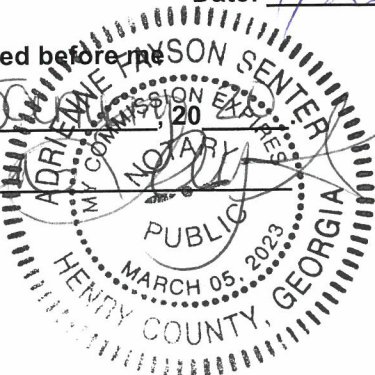
R. Wilson Smith
Applicant's signature

Date: 1/22/2020

Sworn to and subscribed before me

This 22nd day of January

[Signature]
Notary Public



CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

WRITTEN SUMMARY

Provide a detailed summary of the proposed project in the space provided below:

Would like to subdivide vacant lot
for sale.

lot would be for single
family construction.

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION

AUTHORIZATION OF PROPERTY OWNER

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

3140 Dogwood 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 THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant:

Wilson & Sally Smith

Address of Applicant:

315 Milledge Ave
Atlanta, GA 30312

Telephone of Applicant:



L. Wilson Smith

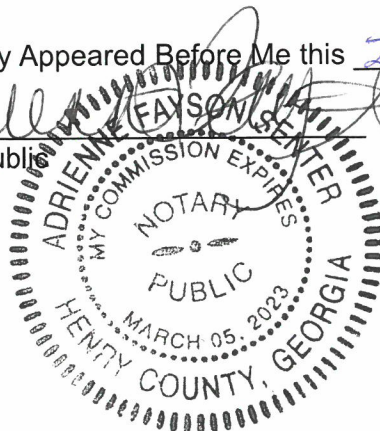
Signature of Owner

L. Wilson Smith

Print Name of Owner

Personally Appeared Before Me this 22 day of January, 2020

Notary Public



Final Plat Checklist

A Final Plat is a legal document, once approved and signed by the Hapeville Planning Commission, can be recorded with Fulton County Superior Court. Only a final plat legally subdivides a parcel. Filing with the County will establish the new deed for the property and assign tax parcel identification information. To be considered, a Final Plat must contain the following information:



The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.



Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.



All dimensions to the nearest 100th of a foot and angles to the nearest minutes.



Location and description of monuments.



The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.

Date, title, name and location of subdivision, graphic scale and true north point.

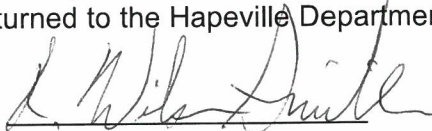
Please initial each item on the list above certifying that all required information has been included on the plat. Sign and submit this form with your Final Plat application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Supplemental Documents for Final Plat:

- Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way and any sites for public use.
- Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
- Certification by the City Engineer that the subdivider has complied with one of the following alternatives:
 1. All improvements have been installed in accord with the requirements of the regulations; or
 2. A security bond has been posted in sufficient amount to ensure the completion of all required improvements.
- Certification of approval to be signed by the secretary of the Planning Commission following the approval of the final plat.

Once a Final Plat has been approved and signed by the Chair of the Hapeville Planning Commission, the applicant may pick up copies of the plat for filing with Fulton County Superior Court at 136 Pryor Street, Atlanta, GA 30303. Once filed and stamped by the recorder's office, a copy should be returned to the Hapeville Department of Economic Development to be held on file.

Applicant Signature:



Date

1/23/2020



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: March 5, 2020
TO: Adrienne Senter
FROM: Michael Smith
RE: **Subdivision/Final Plat for 3140 Dogwood Drive**

BACKGROUND

The City of Hapeville has received a Subdivision application from Wilson Smith to subdivide an existing lot located at 3140 Dogwood Drive (Parcel ID 14 009400020055) into two tracts of land. The overall tract is 0.28 acres (12,511 sq. ft.) in size and contains an existing two-story structure. The parcel is currently zoned R-SF, Residential Single-Family, and is within the A-D, Arts District overlay.

As proposed, Parcel 1 will be 0.17 acres (7,741 sq. ft.) and Parcel 2 will be 0.11 acres (4,769 sq. ft.). Parcel 1 will contain an existing single-family dwelling and detached garage, while Parcel 2 will be vacant and used for residential construction. Both parcels will be zoned R-SF and A-D.

CODE REQUIREMENTS

Sec. 90-1-1. - Purpose, authority and jurisdiction.

(g) Short-cut procedure. Subdivisions that do not involve the creation of new streets or installation or dedication of infrastructure may be submitted as final plats without the necessity of preliminary plat approval.

(h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

Sec. 90-1-2. - Procedure for plat approval.

(f) Final plat.

- (4) Approval of the final plat by the planning commission shall not constitute acceptance by the city of dedication of any streets, easements or other public way, ground or improvements.

The final plat shall show:

- a. The lines of all streets, roads, and allies, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

Street numbers have not been provided for the new parcels.

- b. Sufficient data to readily determine and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including the true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.

Setbacks for the existing structures have not been provided.

- c. All dimensions to the nearest 100th of a foot and angles to the nearest minute.

Compliant

- d. Location and description of monuments.

Compliant

- e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining property.

Compliant

- f. Date, title, name and location of subdivision, graphic scale and true north point.

Compliant

- g. Location map showing site in relation to area.

Location map is not provided on the subdivision survey.

- h. Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way, improvements and any sites for public use.

Compliant

- **Street numbers have not been provided for the new parcels.**
- **Setbacks for the existing structures have not been provided.**
- **Location map is not provided on the subdivision survey.**

Short-cut procedure. Subdivisions that do not involve the creation of new streets or installation or dedication of infrastructure may be submitted as final plats without the necessity of preliminary plat approval.

Sec. 90-1-3. - General requirements and minimum standards of design.

- (a) Streets.
- (1) Conformity to the major street plan. The location and width of all streets and roads shall conform to the official major street plan.

- **No changes proposed.**

- (2) Relation to adjoining street systems. The proposed street system shall extend existing streets or projects at the same or greater width, but in no case less than the required minimum width.

- **No changes proposed.**

- (3) Street widths. The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the major street plan, or if not shown on that plan, shall be not less than as follows:
 - a. For major streets, 70 feet as may be required. Major streets are those regional roads to be used primarily for fast or heavy traffic and will be located on the major street plan.
 - b. For arterial streets, 60 feet. Arterial streets are those which carry traffic from minor streets to the major streets and include the principal streets utilized for local circulation.
 - c. For minor and collector residential streets, 50 feet. Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic. Collector residential streets are those which carry traffic from residential streets to arterial streets.
 - d. For dead-end streets (culs-de-sac), 50 feet. Cul-de-sac are permanent dead-end streets or courts designed so that they cannot be extended in the future. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
 - e. For alleys, ten feet to 16 feet. Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street. In cases where topography or other typical physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed business areas the street widths shall be increased ten feet on each side if needed to provide parking without interference of normal passing traffic.

- **No changes proposed.**

- (4) Additional width on existing streets. Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.
 - a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
 - b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.

- **No changes proposed.**

- (5) Restriction of access. When a tract fronts on an arterial street or highway, the planning commission may require those lots to be provided with frontage on an access street.

- **Not applicable.**

- (6) Street grades. Grades on major streets shall not exceed seven percent. Grades on other streets may exceed seven percent but not ten percent.

- **Not applicable.**

- (7) Horizontal curves. Where a deflection angle of more than ten degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 60 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 100 feet.
- **Not applicable.**
- (8) Vertical curves. All changes in grade shall be connected by vertical curves of minimum length in feet equal to 15 times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one-inch equals 100 feet horizontal, and one-inch equals 20 feet vertical, may be required by the planning commission.
- **Not applicable.**
- (9) Intersections.
 - a. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than 60 degrees.
- **Not applicable.**
- b. Property line radii at street intersections shall not be less than 20 feet and where the angle of street intersection is less than 75 degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.
- **Not applicable.**
- (10) Tangents. A tangent of at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.
- **Not applicable.**
- (11) Street jogs. Street jogs with centerline offsets of less than 125 feet shall be prohibited.
- **Not applicable.**
- (12) Dead-end streets.
 - a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than 400 feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street right-of-way diameter of at least 100 feet. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
 - b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of the property. These dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least 80 feet.
- **Not applicable.**

- (13) Private streets and reserve strips. There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.
- **Not applicable.**
- (14) Street names. Proposed streets in obvious alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court.
- **Not applicable.**
- (15) Alleys. Alleys shall be provided to the rear of lots used for business purposes and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.
- **Not applicable.**
- (b) Blocks.
 - (1) Length. Blocks shall not be less than 400 feet or more than 1,200 feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over 800 feet in length, the planning commission may require one or more public cross walks of not less than ten feet in width to extend entirely across the block and at locations deemed necessary.
 - **Not applicable.**
 - (2) Width. Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.
 - **Not applicable.**
- (c) Lots.
 - (1) Arrangement. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot shall have frontage on a public street.
 - **Complies.**
 - (2) Minimum size. The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Remnant lots, that is, parcels of land that would not comply with the minimum lot area or width following subdividing shall be prohibited. Such remnant parcels shall be added to adjacent lots rather than be platted as unusable parcels.
 - a. The size and widths of lots shall in no case be less than the minimum requirements of the zoning ordinance. No lot shall have a width greater than six times the lot depth at the building setback line without specific approval by the planning commission.
 - **Parcels in R-SF must have a minimum of 40' of street frontage. Parcels 1 and 2 would have 50.07' and 50.06'**

of street frontage, respectively, and are compliant.

- ***Parcels in R-SF must be a minimum of 4,000 sq. ft. Parcels 1 and 2 would have an area of 7,741 sq. ft. and 4,769 sq. ft., respectively, which is compliant.***

- b. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

- ***Not applicable.***

- (3) Minimum depth. The minimum depth of building setback lines from the right-of-way shall not be less than 30 feet and in the case of corner lots 15 feet from the side street right-of-way unless a lower standard is allowed by an existing zoning ordinance.

- ***The existing dwelling on Parcel 1 is set back less than 15' from the Oak Drive right-of-way, which is not compliant with the setback requirements for corner lots and will require a approval from the Planning Commission for a Variance during their review of the plans.***
- ***The setback lines for Parcel 2 will be compliant with R-SF zoning, with front and street-facing side setbacks of 15'.***

- (4) Corner lot dimension. Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning ordinance or building setback lines outlined above.

- ***See above.***

- (5) Lots on a curved street or cul-de-sac. All such lots shall comply with the minimum lot frontage at the building setback line. No lot shall have a lot width less than 35 feet at the street right-of-way.

- ***Not applicable.***

- (6) Lots in more than one municipality. No new lot created subsequent to the effective date of this chapter shall be divided by a city boundary line.

- ***Not applicable.***

- (7) Double frontage lots. No lot, other than a corner lot, shall have frontage on more than one street unless a reserve strip that would prohibit vehicle access is created.

- ***Not applicable.***

- (d) Public use and service areas. Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas. Plats indicating dedication of park and playground areas to the city shall be approved conditionally subject to the written acceptance of the land by mayor and council.

- (1) Public open spaces. Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within

the subdivision up to a total of ten percent of the gross area or water frontage of the lot, for park, school or recreation purposes.

- **Not applicable.**

- (2) Easements for utilities. Except where alleys are permitted for the purpose, the planning commission may require easements, not less than ten feet in width, for wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utility lines, along all rear lot lines, alongside lot lines if necessary, or if, in the opinion of the planning commission, advisable. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities. Easements greater than ten feet in width may be required where additional utilities, utilities larger in size or utilities greater than five feet in depth below grade are proposed in the easement.

- **Not applicable.**

- (3) Community assets. In all subdivisions, due regard shall be shown for all-natural features such as large trees, watercourses, historical resources and similar community assets which, if preserved, will add attractiveness and value to the property.

- **Not applicable.**

(e) Suitability of the land.

- (1) The planning commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.

- ***Parcel 2 would provide the minimum space per the requirements of the Code for viable new single-family construction. However, the applicant and the Planning Commission should be aware that any construction on this lot will be tightly constrained by zoning setback and lot coverage requirements.***

- (2) Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for those uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

- **Parcel 2 will be located in a Zone A (100-Year) Flood Hazard Area. The applicant may still construct a single-family dwelling on the property with a Variance granted by the Planning Commission during their review of the application but said construction must comply with FEMA requirements.**

- (f) Large tracts or parcels. When land is subdivided into larger parcels than ordinary building lots, those parcels shall be arranged so as to allow for the opening of future streets and logical further re-subdivision.

- **Not applicable.**

- (g) Group housing developments. A comprehensive group housing development, including single-family attached developments and the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the planning commission although the design of the project

does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

- **Not applicable.**

- (h) Variances. Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

- **Although setbacks have not been provided, the existing garage may be less than 5' away from the proposed rear property line. If this is the case, staff cannot recommend approval of the subdivision plat.**
- **The existing dwelling on Parcel 1 is set back less than 15' from the Oak Drive right-of-way, which is not compliant with the setback requirements for corner lots and will require a the Planning Commission to authorize a Variance as part of their review.**
- **Although setbacks have not been provided, the existing garage appears to encroach on the minimum 5' setback required for accessory buildings from the north property line, which will require the Planning Commission to authorize a Variance as part of their review.**
- **Parcel 2 will be located in a Zone A (100-Year) Flood Hazard Area. The applicant may still construct a single-family dwelling on the property with a Variance granted by the Planning Commission as part of their review of the plan but said construction must comply with FEMA requirements.**

- (i) Zoning or other regulations.

- (1) No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms to that ordinance.

- **The existing dwelling and garage are not compliant with R-SF setback requirements. Variances granted by the Planning Commission as part of their review of the plan will be required separately for the south and north side setbacks (see above).**

- (2) Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, the building code or other official regulations, the highest standard shall apply.

Sec. 90-1-4. - Development prerequisite to final approval.

- (a) Required improvements. Every subdivision developer shall be required to grade and improve streets and alleys, install curbs and sidewalks, monuments, sewers, stormwater inlets and water mains in accordance with specifications established by the city.

- (1) Monuments.

- a. Concrete monuments four inches in diameter or square, three feet long, with a flat top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curve in each street. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other lot corners shall be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.

- **Concrete monuments four inches in diameter or square, three feet long, with a flat top, must be set at the**

intersection of Dogwood Dr. and Oak Dr. to replace the iron pin.

- **All other lot corners shall, at a minimum, be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.**

- (2) Grading. All streets, roads and alleys shall be graded to their full width by the subdivider so that pavements and sidewalks can be constructed on the same level plane. Due to special topographical conditions, deviation to the above will be allowed only with special approval of planning commission.
 - a. Preparation. Before grading is started, the entire right-of-way area shall be first cleared of all stumps, roots, brush and other objectionable materials and all trees not intended for preservation.
 - b. Cuts. All tree stumps, boulders and other obstructions shall be removed to a depth of two feet below the subgrade. Rock, when encountered, shall be scarified to a depth of 12 inches below the subgrade.
 - c. Fill. All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed 12 inches loose and compacted by a sheep's foot roller. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, but where water is used to assist compaction the water content shall not exceed the optimum of moisture.

- **Not applicable.**

- (3) Storm drainage. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all-natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall the pipe be less than 12 inches. Cross drains shall be built on straight lines and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with the spigot end pointing in the direction of the flow and with the ends fitted and matched to provide tight joints and a smooth uniform invert. They shall be placed at a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one foot below the roadbed. In all cases, drainage improvement plans and the improvements themselves shall be approved by the city engineer.

Drainage system design shall be in accordance with the Georgia Stormwater Management Manual published by ARC, latest update, unless approved otherwise. Drainage systems shall also comply with all other applicable city ordinances and regulations, including the floodplain management ordinance, post development stormwater management regulations and the erosion and sediment control ordinance. Drainage construction shall comply with the state department of transportation standard specifications unless approved otherwise. Storm drain pipe material within city street rights-of-way shall be reinforced concrete pipe in accordance with state department of transportation specifications.

- **Not applicable.**

- (4) Roadway surfacing. After preparation of the subgrade, the roadbed shall be surfaced with material required by local standards, but of no lower classification than crushed rock, stone or gravel. The size of the crushed rock or stone shall be that generally known as crushed rock stone from two and one-half inches down including dust. Spreading of the stone shall be done uniformly over the area to be covered by means of appropriate spreading devices and shall not

be dumped in piles. After spreading, the stone shall be rolled until thoroughly compacted. The compacted thickness of the stone roadway shall be no less than six inches.

Following application of a crushed stone base having a minimum thickness of six inches, contractor shall provide surface paving of local and minor residential streets consisting of two inches of 19 mm Superpave asphalt. Upon issuance of a certificate of occupancy for 90 percent of the dwellings served by the street have been built, or prior to the end of the one-year maintenance period (but after the 11th month), whichever occurs first, contractor shall provide a final wearing course of one and one-half inch of 12.5 mm Superpave asphalt paving. All paving materials shall meet the requirements of the state department of transportation standard specifications.

- ***Not applicable.***

- (5) Minimum pavement widths. Due to the diversity of development in the city, required pavement widths will necessarily vary with the character of building development and the amount of traffic encountered. Minimum pavement widths between curbs shall be as follows:
 - a. For minor residential streets, 30 feet. Most minor streets in residential developments.
 - b. For collector streets, 36 feet. Including minor streets which in the opinion of the planning commission will involve sufficient traffic and/or parking to justify the width.
 - c. For arterial streets and highways, as may be required.

- ***Not applicable.***

- (6) Curbs and gutters. Except on rural streets, the subdivider shall provide permanent six-inch concrete curbs with 24-inch integral concrete gutters or standard rolled curb and gutters.

- ***Not applicable.***

- (7) Sidewalks.
 - a. For the safety of pedestrians and of children at play, installation by the developer of sidewalks on both sides of streets will normally be required. The commission may waive the requirements of sidewalks along streets where a park, railroad or other use on one side of a street makes a sidewalk nonessential.
 - b. Sidewalks shall be located not less than one foot from the property line to prevent interference or encroachment by fencing, walls, hedges or other planting or structures placed on the property line at a later date. In single-family residential areas and multifamily or group housing developments, concrete sidewalks shall be five feet wide and four inches thick. Sidewalks in commercial areas shall be five feet wide and ten feet wide as dictated by adjoining sidewalk widths.

- ***Sidewalks are existing.***

- (8) Installation of utilities. After grading is completed and approved and before any base is applied, all of the work for underground utilities including water mains, gas mains, electrical lines, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained.

- ***The only utilities shown on plat are overhead utility lines.***

- (9) Water supply system.

- a. Water mains properly connected with the city water supply system shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection. Water mains shall be located on public property and not private property.
 - b. The sizes of water mains, the location and types of valves and hydrants, the amount of soil cover over the pipes and other features of the installation shall be approved by the city engineer and fire chief.
- **No existing or proposed water supply system service connections are provided on plat.**
 - (10) Sanitary sewers. Sanitary sewers shall be installed in such a manner as to serve adequately all lots with connection to the public system, according to plans approved by the city engineer.
- **No sanitary sewer main or service connections are provided on plat.**
 - (b) Recommended improvements. The planting of street trees and installation of street name signs is considered a duty of the subdivider as well as good business practice.
 - (1) Street trees.
 - a. Trees adjacent to the sidewalk, in supplemental areas and in landscape strips between the sidewalk and the curb, are a protection against excessive heat and glare and enhance the attractiveness and value of abutting property. All tree plantings shall conform to the requirements of Chapter 93 (Zoning), Article 29 (Tree Conservation Ordinance).
 - b. It is recommended that trees be planted inside the property lines where they are less subject to injury, decrease the chance of motor accidents and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed locations and species to be used must be submitted for the Community Services Department's approval since the public inherits the care and maintenance of such trees.
- **Any new development on Parcel 2 must comply with the requirements of the City's new Tree Conservation Ordinance. Should the existing tree in the supplemental area of Parcel 2 be removed during construction, it must be replaced with a suitable street tree.**
- (c) Guarantees in lieu of completed improvements. No final subdivision plat shall be approved by the planning commission or accepted for record by the clerk of the superior court until the improvements listed shall be constructed in satisfactory manner and approved by the city engineer, or in lieu of such prior construction, the planning commission may accept a security bond in an amount equal to the estimated cost of installation of the required improvements, whereby improvements may be made and utilities installed without cost to the city in the event of default by the subdivider.
- **Not applicable.**

RECOMMENDATION

The applicant has not included any building setbacks and the distance between the existing garage on proposed Parcel 1 and the new property line cannot be determined. Accessory buildings must be set back at least 5' from rear property lines; if the proposed property line is fewer than 5' away from the existing garage, then staff cannot recommend the subdivision plat as proposed. The applicant **must** provide individual building setbacks.

The proposed Parcel 2, which would be used to develop a new single-family dwelling, would provide the minimum space per the requirements of the Code for viable new single-family construction. However, the applicant and the Planning Commission should be aware that any construction on this lot will be tightly constrained by zoning setback and lot coverage requirements.

In addition, the following items have been found to be deficient and must be addressed:

1. Street numbers have not been provided for the new parcels.
2. Setbacks for the existing structures have not been provided.
3. A location map is not provided on the subdivision survey.
4. **The existing dwelling on Parcel 1 is set back less than 15' from the Oak Drive right-of-way, which is not compliant with the setback requirements for corner lots and will require the Planning Commission to grant a Variance as part of their review of this application..**
5. **Although setbacks have not been provided, the existing garage appears to encroach on the minimum 5' setback required for accessory buildings from the north property line, which will require the Planning Commission to grant a Variance as part of their review of this application**
6. **Parcel 2 will be located in a Zone A (100-Year) Flood Hazard Area. The applicant may still construct a single-family dwelling on the property with a Variance granted by the Planning Commission as part of their review of the application but said construction must comply with FEMA requirements.**
7. Concrete monuments four inches in diameter or square, three feet long, with a flat top, must be set at the intersection of Dogwood Dr. and Oak Dr. to replace the iron pin. All other lot corners shall, at a minimum, be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.
8. The only utilities shown on plat are overhead utility lines. Water supply, sanitary sewer mains, any gas lines, and all connections both existing and proposed must be shown on the plans.

Due to the outstanding number of issues with the submitted subdivision plat, Staff cannot recommend approval of the subdivision application at this time.

Map Location



3140 Dogwood Drive

February 27, 2020

Ms. Adrienne Senter
Planning & Development Coordinator
City of Hapeville
3468 N. Fulton Avenue
P.O. Box 82311
Hapeville, Georgia 30354

Re: 3140 Dogwood Drive Subdivision Plat
Final Plat Review No. 1
K&W Ref. No. 201051.00

Dear Ms. Senter:

As requested, I have reviewed the Final Plat of the subdivision at 3140 Dogwood Drive for compliance with the City's Final Plat requirements of the City of Hapeville. The submittal was received electronically on February 19, 2020, and consists of a property subdivision to the overall 0.28 acre parcel (into Parcel 1 of 0.17 acre and Parcel 2 of 0.11 acre) within an R-SF Zoning District. The Final Plat was prepared by David L. Garrison Land Surveying, under the Surveying seal of David L. Garrison. My comments are as follows:

1. The existing accessory structure for parcel 1 encroaches on the minimum 5 feet rear and side setback line for the R-SF zoning criteria.
2. The existing main structure for parcel 1 encroaches on the 15 feet front setback line for the R-SF zoning criteria.
3. The Subdivision Plat submitted did not include a statement as the accuracy of the survey and placement of monuments (Form 2) per Section 90-1-2(f)(4)(j.) of the Code of Ordinances.
4. The Subdivision Plat submitted did not include a certification from the landowner or legally authorized representative and dedication of streets, rights of way, and sites for public use (Form 1) per Section 90-1-2(f)(4)(h.) of the Code of Ordinances.
5. Location sketch map showing site in relation to the area is not shown.
6. The lot numbers and street addresses for the parcels should be shown.
7. The Final Plat does not indicate size or location of water mains, fire hydrants, or valves and the size of the sanitary sewer is not shown. Provisions for proposed water and sanitary sewer service for both lots should be shown.
8. The Owner's name, signature, and date as well as the subdivider signature and date should be shown on the plat.
9. The Subdivision Plat submitted did not include a certification from the landowner that the City assumes no responsibility for overflow or erosion of natural or artificial drains per Section 90-1-2(f)(4)(i.) of the Code of Ordinances.
10. Zoning of adjacent properties should be shown.
11. The Subdivision Plat submitted did not include a final plat approval certification and spaces for signatures and dates by City representatives per Section 90-1-2(f)(4)(k.) of the Code of Ordinances.

Ms. Adrienne Senter
3140 Dogwood Dr Subdivision Plat

February 27, 2020
Page 2

I have retained one copy of the plat provided for review in the event there are questions. The petitioner should be made aware that the review does not constitute a waiver of City Ordinance requirements or assumption of responsibility for full review of City Ordinance requirements. Deviations from Ordinance requirements may be noted at any time during the review, permitting or construction processes. Re-submittals should include a narrative indicating how and where the review comments were addressed.

Very truly yours,

KECK & WOOD, INC.



Michael J. Moffitt, P.E.
Enclosures

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1 **STATE OF GEORGIA**
2 **CITY OF HAPEVILLE**

3
4 **ORDINANCE NO. _____**
5

6 **AN ORDINANCE TO AMEND CHAPTER 93 (“ZONING”), ARTICLE 23 (“OFF-**
7 **STREET PARKING AND LOADING”), SECTION 93-23-2 (“ENTRANCE AND EXIT**
8 **POINTS”) OF THE CODE OF ORDINANCES, CITY OF HAPEVILLE, GEORGIA; TO**
9 **PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO**
10 **PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**
11 **PURPOSES.**

12
13 **WHEREAS**, the Mayor and Council shall have full power and authority to provide for the
14 execution of all powers, functions, rights, privileges, duties and immunities of the city, its officers,
15 agencies, or employees granted by the City of Hapeville’s Charter or by state law; and,
16

17 **WHEREAS**, the municipal government of the City of Hapeville (hereinafter “City”) and
18 all powers of the City shall be vested in the Mayor and Council. The Mayor and Council shall be
19 the legislative body of the City; and,
20

21 **WHEREAS**, amendments to any of the provisions of the City’s Code may be made by
22 amending such provisions by specific reference to the section number of the City’s Code; and,
23

24 **WHEREAS**, existing ordinances, resolutions, rules and regulations of the City and its
25 agencies now lawfully in effect not inconsistent with the provisions of the City’s charter shall
26 remain effective until they have been repealed, modified or amended; and,
27

28 **WHEREAS**, every official act of the Mayor and Council which is to become law shall be
29 by ordinance; and,
30

31 **WHEREAS**, the procedures required for amending the City’s zoning ordinance have been
32 satisfied, including, but not limited to, notice and public hearings; and,
33

34 **WHEREAS**, the governing authority of the City finds it desirable to amend and update the
35 entrance and exit point regulations.
36

37 **BE IT, AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF**
38 **THE CITY OF HAPEVILLE, GEORGIA THAT:**
39

40 **Section One.** Chapter 93 (Zoning), Article 23 (Off-Street Parking and Loading), Section
41 93-23-2 (Entrance and Exit Points) of the City Code of Ordinances is hereby amended by striking
42 the section in its entirety and inserting in lieu thereof the following language:
43

- 44 1. Curb breaks shall not be more than 20 feet for one-way entrances, 24 feet for two way
45 entrances or shared driveways, or 36 feet for entrances with three lanes, unless otherwise

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permitted by the City of Hapeville Community Services department. Aprons may be flared up to an additional two feet on either side.

2. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear area. Other than on driveways serving single-family detached or two-family dwellings, a corresponding interior sign or painted bar on the driveway shall be provided adjacent to the sidewalk paving as it intersects the driveway which shall communicate that vehicles must stop or yield for the intervening sidewalk.
3. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines.
4. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines.
5. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points.
6. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.

Section Two. Codification and Certify. This Ordinance adopted hereby shall be codified and certified in a manner consistent with the laws of the State of Georgia and the City.

Section Three. Severability.

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to

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the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Four. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Five. Effective Date. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this _____ day of _____, 2020.

CITY OF HAPEVILLE, GEORGIA

Alan Hallman, Mayor

ATTEST:

Crystal Griggs-Epps, City Clerk

APPROVED BY:

City Attorney



**Department of Planning and Zoning
Planner's Report**

DATE: January 13, 2020
TO: Adrienne Senter
FROM: Lynn Patterson, Consulting Planner for City of Hapeville
RE: **Text Amendment – Off-Street Parking Entrance & Exit Points**

BACKGROUND

The following text amendment updates the requirements for curb breaks at entrance and exit points for off-street parking access. The proposed changes would eliminate minimum curb break requirements, allow exceptions to maximum widths without the need for a Variance from the Board of Appeals, address three lane entrances and exits, and add safety protections for crossing pedestrians.

CODE

Sec. 93-23-2. - Entrance and exit points.

Change:

Except in districts zoned R-0, R-1, R-2 and R-3, curb breaks shall not be more than 30 feet in width, nor less than 25 feet in width. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.

To:

1. Curb breaks shall not be more than 20 feet for one way entrances, 24 feet for two way entrances or shared driveways, or 36 feet for entrances with three lanes, unless otherwise permitted by the City of Hapeville Community Services department. Aprons may be flared up to an additional two feet on either side.
2. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear area. Other than on driveways

serving single-family detached or two-family dwellings, a corresponding interior sign or painted bar on the driveway shall be provided adjacent to the sidewalk paving as it intersects the driveway which shall communicate that vehicles must stop or yield for the intervening sidewalk.

3. In no case shall there be less than 50 feet from the closest sides of any two-driveway curblines.
4. Curb breaks shall be located at least 25 feet from the nearest intersection of two curblines as measured along one of the curblines.
5. Business establishments on contiguous lots are encouraged to consolidate entrance and exit points.
6. Suitable provisions, including a five-foot-wide planted buffer strip between the right-of-way and parking area shall be made to prevent entrance or exit from other than at designated entrance or exit points.