



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

Board of Appeals Meeting

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

February 23, 2023 6:00 PM

MINUTES

1. Called to Order at 6:02 p.m.

2. Roll Call

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

3. Election of Officers

3.I. Vice Chairman

MOTION ITEM: Richard Neal made a motion to re-elect Jason Morris as Vice Chairman of the Board of Appeals. Melanie Williams seconded the motion. Motion Carried: 4-0.

3.II. Chairman

MOTION ITEM: Jason Morris made a motion to re-elect Michael Simpson as Chairman of the Board of Appeals. Melanie Williams seconded the motion. Motion Carried: 4-0.

4. Approval of Minutes

4.I. Minutes of December 15, 2022

MOTION ITEM: Melanie Williams made a motion to approve the minutes of December 15, 2022, as submitted. Richard Neal seconded the motion. Motion Carried: 4-0.

5. Public Hearing

5.I. 3166 Dogwood Drive

Variance Request

Background:

Darrell Harris, on behalf of Blake Steward Law, requested variances to reduce the front yard setback, reduce the parking setback and reduce the landscaping requirements at 3166 Dogwood Drive, Parcel Identification Number 14-0094-0002-087-3. The property is zoned V, Village and is subject to the zoning regulations under Sections 93-22.1-1 (Chart of dimensional

requirements), 93-23-3 (Setbacks from property lines), 93-23-18(d)(a) (Perimeter landscape requirements), 93-29-4(2) (General plan requirements), 93-29-4(3) (General plan requirements), and 81-1-6(c)(8)(a) (Supplemental area and fence standards of the City of Hapeville Zoning Ordinance).

Findings:

The proposed project is a 2,944 SF commercial office building with parking to the rear. It is bound by commercial property to the north, a vacant lot to the south, and residential property to the east (rear). The property is zoned V, Village and is located in the Arts District Overlay.

The variances requested are:

- Reduced setback from 15' to 8', Sec. 93-22.1-1
- Increased lot coverage from 70% to 77%, Sec. 93-22.1-1
- Reduced side yard landscape / parking from 5' to 1', Sec. 93-23-3 & Section 93-23-18(d)(a):
- Relief from tree placement in landscape islands, Sec. 93-29-4(2)
- Reduction from 2 landscape islands to 1 landscape island, Sec. 29-4(3)
- Reduction of 20' landscape buffer to 15' landscape buffer. *This was granted by the Design Review Committee contingent upon approval of all other buffers. The proposed project is a 2,944 SF commercial office building with parking to the rear. It is bound by a commercial property to the north, a vacant lot to the south, and residential property to the east (rear). The property is zoned V, Village and is located in the Arts District Overlay.

Recommendation

The proposed law office development project is consistent with permitted uses and desired vision for the development of the Dogwood Gateway Corridor.

The Planning Commission conditionally approved the site plan pending satisfaction of all outstanding items in the Planner's report and Engineer's reports and the following conditions:

- Must meet the impervious surface coverage of 70%. Applicant may consider reducing the parking by using pervious pavers.
- Applicant must provide landscape details for the side and rear buffers. Note this landscaping plan has not been provided to the city for review as of the date of this report.
- Recommend the Board of Appeals approve the following variances:
 - Front yard setback of less than 15'
 - Reduction of the required side buffer

The Design Review Committee approved the project with conditions and recommended the Board of Appeals approve the request for the reduced setback and required setback on southside of building.

Reduced front setback. As the overall intent of the building to create a strong presence in the commercial Dogwood Corridor/Gateway is met with the project, the Planning Commission,

Design Review Committee, and Planner recommend the reduced front setback to accommodate the required site elements.

Increased impervious surface. The Planning Commission required the impervious surface coverage not exceed 70% and recommended pervious pavers be installed for a section of the parking that would assist in meeting the impervious surface coverage. Details for this alternative have not been provided. The Planner's recommendation is consistent with the Planning Commission.

Reduced distance from property line to parking lot and reduction of landscape buffer from 5' to 1'. The property to the north is a commercial use. The property to the south is vacant and a fence is proposed along the property line. This would serve as a buffer from the adjacent property. The Board may consider requiring installation of a similar screening/buffer for the northern property line where relief is being requested. Furthermore, the City is aware the current usage proposed is a law office which may not have intensive parking requirements, however, future use of the property cannot be determined and therefore the requirement for 1 parking space per 200 square feet is recommended to be upheld.

Relief from tree placement in landscape islands. The applicant has not provided a landscape plan to show where the required trees would be placed in lieu of the landscape islands. Should they be accommodated in another area of the site and given the relatively small nature of the parking lot, the spirit of the ordinance is considered addressed and the Planner recommends approval.

Reduction from 2 landscape islands to 1 landscape island. The applicant should provide the landscape plan documenting the size of the proposed single island and how it compares to the requirement of the 2 landscape islands. Per above, given the size of the parking lot, should the landscape island approximate the size of the 2 landscape islands, then the spirit of the ordinance is considered addressed and the Planner recommends approval.

Mr. Harris stated that they would like to move forward with the plan as submitted and try to meet the requirements during construction.

Brittany Williams asked if the variance is contingent upon the landscape plan. Dr. Patterson stated the plan was submitted but still needs to be completed.

Public Comment:

None.

MOTION ITEM: Richard Neal made a motion to table the application for 3166 Dogwood Drive until March 23, 2023. Jason Morris seconded the motion. Motion carried: 4-0.

6. Next Meeting Date – March 23, 2023, at 6:00 p.m.

7. Adjourn

MOTION ITEM: Melanie Williams made a motion to adjourn the meeting at 6:34 p.m. Brittany Williams seconded the motion. Motion Carried: 4-0.

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary