



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**

March 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 - Absent
Kelly Singleton
Brittany Williams
Melanie Williams

3. Approval of Minutes

3.1. Minutes of February 23, 2023

MOTION ITEM: Jason Morris made a motion to approve the minutes of February 23, 2023, as submitted. Melanie Williams seconded the motion. Motion Carried: 4-0.

5. Public Hearing

5.1. 3166 Dogwood Drive

Variance Request

Background:

Darrell Harris, on behalf of Blake Steward Law, requested variances to reduce the front yard setback, reduce the side yard parking, 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. *This item was tabled at the February 23, 2023 meeting.*

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
- 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)

As the following variances are not required or no longer required, Mr. Harris verbally requested to withdraw the subsequent requests:

- Relief from tree placement in landscape islands, Sec. 93-29-4(2)
- Reduction of 20' landscape buffer to 15' landscape buffer. *This was granted by the Design Review Committee contingent upon approval of all other buffers.
- Increased lot coverage from 70% to 77%, Sec. 93-22.1-1. The lot coverage was reduced with the proposal of the pervious pavers for the rear parking row.

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%. The 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. The Planner recommends approval of the variance with the use of silva cells for the plantings required as shown to guide the root system.

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. This is shown in the landscape plan. Variance is no longer required.

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 landscape plan shows a fence and Alabama Crimson to buffer the side property line. The variance for the parking from 5' to 1' and the reduction in the landscape buffer is recommended with the installation and maintenance of all elements of the submitted landscape plan.

Relief from tree placement in landscape islands. The landscape plan shows tree placement in the one landscape island and along the buffer, including trees. The variance is no longer required.

Reduction from 2 landscape islands to 1 landscape island less than 200 square feet.

The intent of the landscape islands is to break up parking lots and allow for required landscaping. The landscaping, including the required trees shown on the plan, including the silva cells to guide the root systems achieves this intent. The variance is recommended for approval with installation and maintenance of all elements of the landscape plan.

In addition, the applicant must submit a lighting plan for final approval.

Public Comment:

Miguel Mayo, 3176 Dogwood Drive, supported the requested variances.

MOTION ITEM: Jason Morris made a motion to grant variances to reduced setback from 15' to 8', reduced side yard landscape/parking from 5' to 1', relief from tree placement in landscape islands, reduction from 2 landscape islands to 1 landscape island at 3166 Dogwood Drive, as requested. Kelly Singleton seconded the motion. Motion carried: 4-0.

6. Next Meeting Date – April 27, 2023, at 6:00 p.m.

7. Adjourn

MOTION ITEM: Melanie Williams made a motion to adjourn the meeting at 6:19 p.m. Kelly Singleton seconded the motion. Motion Carried: 4-0.

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary