



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**

April 27, 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
Brittany Williams - Teleconference
Melanie Williams

3. Approval of Minutes

3.I. Minutes of March 23, 2023

MOTION ITEM: Melanie Williams made a motion to approve the minutes of March 23, 2023, as submitted. Kelly Singleton seconded the motion. Motion Carried: 5-0.

4. Public Hearing

4.I. 3400 North Whitney Avenue

Variance Request

Background:

Arthur Baker requested a variance to increase the allowable square footage of an accessory structure at 3400 North Whitney Avenue, Parcel Identification Number 14-0098- 001-7002-1. The property is zoned R-1, One-Family Residential and is subject to the zoning regulations under section 93-2-5 (Accessory uses, accessory buildings, yard requirements of accessory buildings, outbuildings and fences) of the City of Hapeville Zoning Ordinance.

The applicant requested to allow for a covered balcony with an extended gable roofline (90SF) and the replacement of a landing/stairs with an expanded side porch now covered with a shed roof (128SF) to be added to an existing two-story 960 sf accessory structure. The existing accessory building is considered non-conforming as it has been in existence for over 20 years. The lot size is 11.245 SF, the primary dwelling size is 1,989 SF.

The applicant received conditional approval from the Design Review Committee in March 2023.

Recommendation

As this was an existing non-conforming structure, the Design Review Committee recommended the variance be approved for the 960 SF plus balcony and extended side porch accessory structure/ADU.

Public Comment:

None.

MOTION ITEM: Jason Morris made a motion to grant the variance to increase the allowable square footage of an accessory structure at 3400 North Whitney Avenue, as requested. Richard Neal seconded the motion. Motion carried: 5-0.

4.II. 3259 Dogwood Drive Off-Site Parking Arrangement

Loraine Patterson requested an off-site parking arrangement at 3259 Dogwood Drive, Parcel Identification Number 14-0098-0016-004-8. The property is zoned V, Village and is subject to the zoning regulations under Section 93-23-12 (Location) of the City of Hapeville Zoning Ordinance.

Per the Applicant's occupational tax permit submittal, the square footage of the building is 2,268 SF not including the outdoor dining space. The Tax Assessor's office and a previous occupational tax application list the square footage as 2,868. The required parking for the building is 12 spaces for 2,268 SF or 15 spaces for 2,868 SF.

The plan is showing six parking spaces on-site. The business will have 20 employees. Operating hours are listed as 11 a.m. – 11 p.m. Monday through Friday, 11 a.m. – 1 a.m. Saturday and Sunday 11 a.m. – midnight.

The Applicant is seeking a shared parking arrangement with the adjacent property, 3273 Dogwood Drive, to utilize its seven parking spaces and an undetermined number of parking spaces at 3266 Dogwood and has included two agreements with this application. The hours of operation were not provided for The Green Bug Store, seven parking spaces were indicated in the agreement but no site plan has been provided. An aerial photo shows four parking spaces. Super A Mart business hours are listed as 8am to 10pm. The number of parking spaces has not been listed nor can be determined from the aerial photo.

The agreement submitted from Green Bugs (3273 Dogwood Drive) indicates seven parking spaces, the occupational tax permit application for The Green Bugs indicated five parking spaces, and an aerial photo shows four parking spaces.

Findings:

The Code requires that joint use of parking may not occur during the periods of usage for the granting property. 3273 Dogwood / Green Bugs has not provided operating hours. The building located at 3273 Dogwood is estimated at 1,050 SF and would require 6 parking spaces per

Code. There are no excess spaces during business hours for shared usage. A previous report (January 2023) requested a site plan showing demarcated spaces for 3273 Dogwood and business hours. Neither have been provided. The agreement between the Green Bug Store and the applicant is not compliant with the Code.

The property located at 3266 Dogwood / Super A Mart is approximately 9,170 SF (per Tax Assessor) and requires 46 parking spaces per Code. The number of parking spaces has not been provided. Business hours for Super A Mart are 8am to 10pm. Business hours for Convo Tapas Lounge are 11am to 11pm (1am on Saturday, 12am on Sunday). The applicant should provide the number of total parking spaces at 3266 Dogwood Drive to determine the number available during overlapping business hours. Once this information is provided, the application may be considered for compliance with the Code.

Ms. Patterson indicated that the hours of operation will be Monday – Sunday, 7 a.m. – 2 p.m. and reopen from 5 p.m. – 9 p.m. Ms. Patterson also agreed to have Green Bugs modify the submitted letter to reflect that no parking will be allowed during periods of usage.

Public Comment:

None.

MOTION ITEM: Jason Morris made a motion to approve the off-site parking arrangement request at 3259 Dogwood Drive, provided that the applicant modify the parking agreement with Green Bug Store (3273 Dogwood Drive) to reflect no parking during periods of usage and the applicant must submit documentation of sufficient parking at Super A Mart (3266 Dogwood Drive). Brittany Williams seconded the motion. Motion carried: 5-0.

6. Next Meeting Date – May 25, 2023, at 6:00 p.m.

7. Adjourn

MOTION ITEM: Brittany Williams made a motion to adjourn the meeting at 6:29 p.m. Kelly Singleton seconded the motion. Motion Carried: 5-0.

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary