



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**

May 25, 2023 6:00 PM

MINUTES

1. Called to Order at 6:00 p.m.

2. Roll Call

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

3. Approval of Minutes

3.I. Minutes of April 27, 2023

MOTION ITEM: Kelly Singleton made a motion to approve the minutes of April 27, 2023, as submitted. Brittany Williams seconded the motion. Motion Carried: 5-0.

4. Public Hearing

4.I. 522 Oak Drive

Variance Request

Background:

Beaty Capital Group requested a variance to reduce the setback at 522 Oak Drive, Parcel Identification Number 14-0094-0005-011-0. The property is zoned R-SF, Residential Single-Family and is subject to the zoning regulations under Section 93-22.1-1 (Chart of dimensional requirements) of the City of Hapeville Zoning Ordinance.

Findings:

According to the provided survey, single-family dwelling encroaches into the 15' front setback by an indeterminate amount. The site plan (not overlaid onto the survey) shows the structure encroaches into the 5' setback by 1' 4" with further encroachment (dimension not provided) from new construction to a rear addition. The proposed project is a rear addition (shown on the site plan) to accommodate a master bathroom and kitchen. A variance is required as per Code a non-conforming use may not expand its building footprint in any way.

Recommendation

The requested variance will allow for the addition of a rear addition (master bathroom and kitchen) on an existing wall plane. There is no evidence of a detriment to the public good. The proposed variance is recommended for approval.

Public Comment:

None.

MOTION ITEM: Kelly Singleton made a motion to grant the variance to reduce the setback at 522 Oak Drive, as requested. Melanie Williams seconded the motion. Motion carried: 5-0.

4.II. 3558 Elm Street

Variance Request

Background:

Phil Carson of MCRT Investments, LLC requested variances to increase the maximum parking allowance from 110% to 120% of the required parking and reduce the full-size parking stall minimum width from 10' to 9' at 3558-3668 Elm St. (Parcel ID's: 14-0096- 0005-002-7, 14-0096-0005- 003-5, 14-0096-0005-023-3, 14-0096-0005-002-7, 14-0096-0005-006-8, 14-0096-0005-007-6, 14-0096-0005-017-5, 14-0096-0005-022-5), 522-530 Porsche Ave. (Henry Ford II Ave.), (Parcel ID's: 14-0095-0001-009-7 and 14-0095-0001- 028-7), 543-573 College St. (Parcel ID's: 14-0095-0001-031-1, 14-0095-0001-015-4, 14-0095-0001-014-7, 14-0095-0001-013-9, 14-0095-0001-012-1) 3560 and 3572 Perkins St., 0 Perkins St. (Parcel ID's: 14-0095-0001-011-3, 14-0095-0001-018-8, 14-0095-0001-033-4). The properties are zoned RMU, Residential Mixed Use and are subject to the zoning regulations under Section 93-23-10 (Off-street parking requirements according to district and uses) and 93-23-11 (Size of off-street parking spaces, including parking spaces for compact automobiles, and parking spaces for automobiles of the physically handicapped) of the City of Hapeville Zoning Ordinance.

Findings:

The proposed project is a mixed-use, multi-family and retail development with 302 apartments and 7,629 SF of retail sited on 8.31 acres along Elm Avenue and Porsche Drive/South Central. There will be six (6) residential buildings and one (1) mixed use building and a clubhouse. The site includes a large pool, and greenspace.

The parcels are zoned RMU, Residential Mixed Use.

Code requirements are 1 parking space per residential unit and 3 spaces per thousand for commercial/retail space. The provided on-site residential parking totals 338 spaces (332 allowed maximum). This exceeds the allowed 110% maximum by 6 spaces (Sec 93-23-10).

The plan shows the minimum of 30% of parking spaces as compact (9' x 15'). The applicant is also requesting that 70% of the parking spaces be sized 9' x 18' instead of 10' x 18' (full size).

Recommendation:

Variance 1: Additional parking above 110% minimum. Parking in the RMU district is limited to 1 parking space per multi-family dwelling unit. The request is to increase this to 1.2 spaces per unit. While there is shared parking with the retail, the additional 6 spaces (over the 110% maximum) will minimize competition for the residential and retail users. Other communities such as Chamblee (1.5 spaces per unit) and East Point (1.75 spaces per unit) have more generous allowances. The variance is recommended to support the mixed-use concept.

Variance 2: Reduction in width of parking spaces. Parking spaces in East Point and Chamblee minimums measure 120 SF for compact (8' x 15') and 153 SF for Full size (8.5 x 18).

The variances requested are minimal and reflect the complexity of ensuring adequate parking for retail and residential uses while meeting the intent of the zoning code. The Planning Commission and Staff both recommend approval of the variances.

Public Comment:

None.

MOTION ITEM: Richard Neal made a motion to approve the variances to increase the maximum parking allowance from 110% to 120% of the required parking and reduce the full-size parking stall minimum width from 10' to 9' at 3558-3668 Elm St., 522-530 Porsche Ave. (Henry Ford II Ave.), 543-573 College St., 3560 and 3572 Perkins St., 0 Perkins St. Jason Morris seconded the motion. Motion carried: 5-0.

6. Next Meeting Date –June 22, 2023, at 6:00 p.m.

7. Adjourn

MOTION ITEM: Melanie Williams made a motion to adjourn the meeting at 6:13 p.m. Brittany Williams seconded the motion. Motion Carried: 5-0.

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary