



**CIVILITY PLEDGE**

*The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.*

Michael Simpson,  
Chairman  
Jason Morris, Vice  
Chairman  
James Jordan  
Meeghan Murray  
Kate Rockett  
Chase Stell  
Melanie Williams

**Board of Appeals Meeting**

700 Doug Davis Drive  
Hapeville, GA 30354

October 23, 2025 6:00 PM

**AGENDA**

**1. Call to Order**

**2. Roll Call**

Michael Simpson, Chairman  
Jason Morris, Vice Chairman  
James Jordan  
Meeghan Murray  
Kate Rockett  
Chase Stell  
Melanie Williams

**3. Approval of Minutes**

3.I. Minutes of August 28, 2025

**Documents:**

1. Mintues - 08-28-2025\_draft

**4. Public Hearing**

4.I. 801 North Central Avenue Variance Request

**Background:**

Matt Vyverberg and Scott Hudson of NCV BCDC Hapeville, LLC request a variance to increase the maximum front yard fence height at 801 North Central Avenue, Parcel Identification Number 14-0098-0011-019-1. The property is zoned V, Village and is subject to the zoning regulations under Section 93-2-5 (Accessory uses, accessory structures, yard requirements of accessory structures, outbuildings and fences) of the City of Hapeville Zoning Ordinance.

**Documents:**

1. Application - 801 North Central Avenue\_Variance\_Fence\_Redacted  
2. Plans - 801 N. Central Avenue\_Variance\_Fence  
3. Planners Report - 801 N Central Avenue\_Fence

4.II. 846 South Central Avenue Variance Request

**Background:**

Abdulsattar Khan is requesting a variance to reduce the required off-street parking space requirements at 846 South Central Avenue, Parcel Identification Number 14-0098-0008-008-9. The property is zoned V, Village and is subject to the zoning regulations under Section 93-22.1-1 (Chart of dimensional requirements) and 93-23-10 (Off-street parking requirements according to district and uses) of the City of Hapeville Zoning Ordinance.

**Documents:**

1. Application - 846 South Central Avenue\_Variance\_Redacted
2. Plans - 846 S. Central Avenue\_Parking Variance
3. Planners Report - 846 South Central Ave\_Parking Variance

**5. New Business**

- 5.1. 2026 Board of Appeals Meeting Schedule

**Background:**

Consideration and action to approve the 2026 Board of Appeals meeting schedule.

**Documents:**

1. 2026 Board of Appeals Meeting Schedule\_draft

**6. Next Meeting Date - Thursday, November 20, 2025 at 6 PM**

**7. Adjourn**



Michael Simpson, Chairman  
Jason Morris, V. Chairman  
James Jordan  
Meeghan Murray  
Kate Rockett  
Chase Stell  
Melanie Williams

## Board of Appeals Meeting

700 Doug Davis Drive  
Hapeville, Georgia 30354

August 28, 2025 6:00 PM

### MINUTES

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

#### 2. Roll Call

Michael Simpson, Chairman  
Jason Morris, Vice Chairman  
James Jordan (absent)  
Meeghan Murray  
Kate Rockett  
Chase Stell  
Melanie Williams

#### 3. Approval of Minutes

##### 3.I. Minutes of July 24, 2025

**MOTION ITEM: Chase Stell made a motion to approve the minutes of July 24, 2025, as submitted. The motion was seconded by Kate Rockett. MOTION CARRIED: 5-0.**

#### 4. Public Hearing

##### 4.I. 651 North Avenue

##### Variance Request

##### Background:

Abdulsattar Khan requested a variance to reduce the required setback at 651 North Avenue, Hapeville, GA 30354, Parcel ID: 14 009900030729. The property is zoned R-1, One Family Residential 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:

The applicant is requesting to expand a non-conforming single-family structure. The 1,200 sf single-family dwelling currently, built in the 1940s, encroaches into the 15' side setback by approximately 7'. The proposed project is a complete renovation and expansion of the existing dwelling. The proposed expansion is along the same plane as the existing dwelling.

**Recommendation:**

The requested variance will allow for the renovation of a vacant single-family dwelling in disrepair, which will not impact the existing encroachment plane. There is no evidence of a detriment to the public good. The proposed variance is recommended for approval.

**Public Comments:**

Cheryl Christopherson, a resident of 3277 North Whitney Avenue, spoke in support of the request.

Katherine Beno Valencia, a resident of 3197 Oakdale Road, submitted a written statement in support of the request.

*End of Public Comments.*

**MOTION ITEM: Melanie Williams made a motion to approve the variance requests to reduce the required side setback at 651 North Avenue, as requested. The motion was seconded by Chase Stell. MOTION CARRIED: 4-0-1; Michael Simpson recused himself.**

**4.II. 3445 Dogwood Drive                      Variance Request**

**Background:**

Maruf Ali requested an off-site parking arrangement at 3445 Dogwood Drive, Hapeville, GA 30354, Parcel ID: 14 009800170310. The property is zoned U-V, Urban Village and is subject to the zoning regulations under section 93-23-12 (Location) of the City of Hapeville Zoning Ordinance.

**Findings:**

CAFÉ BELLI 673 NORTH CENTRAL

**3 spaces with severely restricted hours – likely not usable**

Three spaces are available between 2 and 5pm and after 11pm Sunday, Tuesday through Thursday and after 12am Friday and Saturday nights. The two spaces shown along the eastern property line encroach in the driveway and cannot be used/counted.

METRO PCS 3451 DOGWOOD

**9 spaces restricted hours (after 7pm)**

The spaces located on Parcel ID: 14 009800170310 include eight (8) and one (1) ADA spaces in front of the Metro PCS business located at 3451 Dogwood Drive. This business closes at 7pm. The spaces utilized by this business are available only after 7pm.

675 North Central Ave

**7 spaces – also used by Café Belli**

There are seven spaces that are available for use. They currently serve as informal overflow for 673 North Central (Café Belli).

#### **PUBLIC PARKING**

##### **8 spaces within 400 feet**

The spaces located along North Central west of Dogwood Drive are shared spaces within other businesses in the downtown area.

##### **20 spaces within 700 feet**

The spaces along King Arnold and along North Central east of Dogwood Drive are shared spaces with the latter heavily used by North Central Avenue businesses.

The property, proposed as an event center and as currently developed, cannot accommodate the required parking spaces for an event center (29 required spaces). Seven shared parking spaces (west end of Parcel ID 14 009800170310) are currently unrestricted, however, they are also used by Café Belli.

The applicant should clarify operating hours to the Board of Appeals to determine the feasibility of shared parking.

Nine additional shared parking spaces are available after 7pm (note the shared parking agreement letter states this agreement can be revoked at any time). Shared parking with 673 North Central does not appear to be an option given Café Belli operating hours and required parking. This brings the off-street shared parking total to 16 parking spaces after 7pm.

The Board of Appeals may consider availability of shared public parking for all businesses and the impact of the event center. There are eight (8) public parking spaces within 400 feet available at North Central Avenue west of Dogwood but are not dedicated to this use. As well, another 20 public (non-dedicated) parking spaces are available along King Arnold and along North Central Avenue east of Dogwood.

#### **Discussion Summary**

Commissioner Williams inquired about parking availability for similar businesses in the downtown area.

Commissioner Rockett expressed concerns regarding parking and traffic flow in the neighboring area. She noted that vehicles dropping off or picking up attendees along Dogwood Drive could create congestion and pedestrian safety issues. She suggested implementing limited or staggered arrival times to reduce potential congestion along Dogwood Drive and North Central Avenue.

Chairman Simpson pointed out that Dogwood Drive is a State Highway and suggested that event times begin after 7:00 p.m. with valet services required to help mitigate traffic concerns.

Commissioner Morris asked whether existing shared parking areas could be counted toward the required number of parking spaces.

City Planner, Dr. Lynn Patterson, requested clarification from the applicant regarding the actual number of parking spaces shown on the submitted map and photographs.

The applicant responded that the hours of operation would be 8:00 p.m. to 1:00 a.m., noting that the existing business (Café Beli) closes at 11:00 p.m. The layout can accommodate a maximum of 50–60 people. In addition, the applicant stated that the rear lot is planned to be improved and utilized in the future to accommodate additional parking.

Commissioner Williams requested a staff recommendation.

Dr. Patterson noted that there is parking available on the west side of North Central Avenue, and, given the limited hours of operation and anticipated parking demand, staff believes the proposal is acceptable. She stated that while event centers are considered an intensive use, the scale of this operation should not pose a problem.

Commissioner Morris asked whether the Board could require valet services and restrict hours of operation.

Dr. Patterson responded that the location for valet operations would need to be determined.

Commissioner Stell asked about the anticipated timeline for paving the rear parking lot. The applicant stated that improvements would likely be completed by late 2025.

Commissioner Rockett inquired if the Board could impose a limit on the number of attendees.

Dr. Patterson clarified that the Board cannot restrict business occupancy but should instead consider the site's unique conditions, available on-street parking within 400 feet, and relevant public parking options.

Commissioner Stell noted his appreciation for the applicant's good-faith efforts as both a local business owner and resident.

Public Comment:

None.

*End of Public Comment.*

**MOTION ITEM: Jason Morris made a motion to approve the off-site parking arrangement at 3445 Dogwood Drive, provided that the hours of operation for any events are limited to 7:00 p.m. through closing. The motion was seconded by Chase Stell. MOTION CARRIED: 5-0**

**5. Next Meeting Date – September 25, 2025 at 6:00 p.m.**

**6. Adjourn**

**MOTION ITEM: Kate Rockett made a motion to adjourn the meeting at 6:55 p.m. The motion was seconded by Melanie Williams. MOTION CARRIED: 5-0.**

Respectfully submitted by,

\_\_\_\_\_  
Michael Simpson, Chairman

\_\_\_\_\_  
Adrienne Senter, Secretary

25-BOA-10-07

**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

Name of Applicant NCV BCDC Hapeville, LLC (Matt Vyverberg and Scott Hudson)

Mailing Address 1954 Airport Road, Suite 242, Chamblee, GA 30341

Telephone [REDACTED] Mobile # NA Email [REDACTED]

Property Owner (s) NCV BCDC Hapeville, LLC

Mailing Address 1954 Airport Road, Suite 242, Chamblee, GA 30341

Telephone [REDACTED] Mobile # NA

Property Address/Location: 801 North Central Avenue, Hapeville

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14-0098-0011-019-1

Square Foot of Property 171,694 Building Size 110,000 Zoning V

Present Land Use Residential

Variance Requested Increase of fence height maximum in front yard

Applicable Code Section 93-2-5.4.a.ii.1 - fence height in V zoning district

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 regardless of any action or approval on this application. 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.

[Signature]  
Applicant's signature

Date: September 2, 2025

Sworn to and subscribed before me  
This 02 day of Sept, 2025.

[Signature]  
Notary Public



**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

**WRITTEN SUMMARY**

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

Fence Height

Allowed - 4'-0" height

Proposed - 6'-0" height for two select sections along Sims Street and Stillwood Drive to protect the alley pedestrian entry.

There are a variety of extraordinary and exceptional conditions that dictate an increase in building height.

Given the long length of the block from Sims Street to Stillwood Drive (approximately 600'-0"),

the internal alley at 801 North Central has become a convenient "cut-through" for pedestrians.

The current fencing at the two ends of the alleyway, 4'-0" high maximum, was installed to be a deterrent

to this consistent trespassing. However, the 4'-0" height at the alley ends has proven to be easily scaled by motivated trespassers.

This request is not for all front-yard locations, but just two small lengths that would prevent the hardship.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

The application of this ordinance and related constraints creates an unnecessary hardship for a variety of reasons.

First, the consistent trespassing presents safety concerns to the community's residents who are solicited at times.

Additionally, the gate hardware has been replaced numerous times at a significant costs as trespassers put substantial weight on the top of the gates when being jumped.

Explain how these conditions are peculiar to the particular piece of property involved.

These conditions are peculiar to this property given the alleyway orientation which creates a more convenient path

for the significant number of pedestrians traveling to and from 845 North Central Avenue and other nearby destinations.

There is approximately 1,000 feet of front yard fencing along North Central Avenue, Sims Street and Stillwood Drive. This variance would only be for approximately 50' of this entire length.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

We understand there to be no detriment to the public good if the variance was granted. Additionally, this proposed

fence height change would not have an adverse impact upon adjacent neighborhoods given the transparency the fencing type.

**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

**AUTHORIZATION OF PROPERTY OWNER**

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

801 N. Central Ave., Hapeville, GA  
\_\_\_\_\_

**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 A VARIANCE FOR THE PROPERTY.**

Name of Applicant Scott Hudson


Address of Applicant 1954 Airport Rd., Chamblee, GA 30341

Telephone of Applicant [REDACTED]

  
Signature of Owner

Scott Hudson  
Print Name of Owner

Personally Appeared Before Me this 2 day of September, 2025.

  
Notary Public



## LEGAL DESCRIPTION (BASED ON THIS SURVEY)

All that tract or parcel of land lying and being in Land Lot 98, 14th District, City of Hapeville, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job # 21-033; Drawing/File #21-033-UD), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a 1/2" iron pin set at the intersection of the northeasterly right-of-way line of North Central Avenue (variable width public r/w) and the southeasterly right-of-way line of Stillwood Drive (50' proposed right-of-way at this point, existing 40 ft. public r/w);

THENCE proceeding northeasterly along said proposed 50' right-of-way line of Stillwood Drive the following courses and distances: North 35 degrees 04 minutes 44 seconds East for a distance of 137.78 feet to a computed point;

THENCE North 35 degrees 47 minutes 58 seconds East for a distance of 59.82 feet to a 1/2" iron pin set;

THENCE North 38 degrees 34 minutes 39 seconds East for a distance of 60.11 feet to a 1/2" iron pin set;

THENCE departing said proposed 50' right-of-way line of Stillwood Drive South 54 degrees 03 minutes 22 seconds East for a distance of 222.70 feet to a PK (masonry) nail set;

THENCE North 21 degrees 50 minutes 18 seconds East for a distance of 57.00 feet to a 1/2" iron pin set;

THENCE North 21 degrees 50 minutes 18 seconds East for a distance of 57.30 feet to a PK (masonry) nail set, said PK (masonry) nail set being witnessed by a PK (masonry) nail found located 1.34 feet southwest thereof;

THENCE South 54 degrees 38 minutes 37 seconds East for a distance of 174.01 feet to a PK (masonry) nail set;

THENCE South 21 degrees 30 minutes 17 seconds West for a distance of 52.33 feet to a 1/2" iron pin set, said 1/2" iron pin set being witnessed by a 1/2" rebar found located 1.80 feet southeast thereof (on line with the proceeding course);

THENCE South 55 degrees 54 minutes 32 seconds East for a distance of 142.22 feet to a PK (masonry) nail set on the northwesterly right-of-way line of Sims Street (40' public r/w);

THENCE proceeding southwesterly along said right-of-way line of Sims Street South 25 degrees 47 minutes 58 seconds West for a distance of 320.13 feet to a PK (masonry) nail set at the intersection with the aforesaid northeasterly right-of-way line and the northeasterly right-of-way line of North Central Avenue;

THENCE northwesterly along said northeasterly right-of-way line of North Central Avenue the following course and distance: North 54 degrees 57 minutes 02 seconds West for a distance of 581.03 feet to a 1/2" iron pin set at the intersection of the northeasterly right-of-way line of North Central Avenue and the aforesaid 50' right-of-way line of Stillwood Drive, said 1/2" iron pin set being the POINT OF BEGINNING;

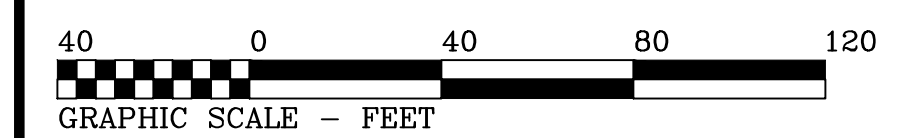
Said tract or parcel of land contains 3.912 acres or 170,406 square feet.

**RESERVED FOR CLERK OF COURT**

**LEGEND**

- BROKEN LINE NOT TO SCALE
- FENCE LINE
- GUARDRAIL
- UNDERGROUND GAS LINE
- OVERHEAD ELECTRIC LINE
- OVERHEAD TELEPHONE LINE
- SANITARY SEWER LINE
- FM SANITARY SEWER FORCEMAIN LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND TELEPHONE LINE
- UNKNOWN UNDERGROUND UTILITY LINE
- WATER LINE
- WETLANDS AREA
- ▲ CATCH BASIN SINGLE WING
- ▲ CATCH BASIN DOUBLE WING
- COMPUTED POINT
- BORING HOLE
- CLEANOUT
- COMMUNICATION BOX
- ELECTRIC BOX
- ELECTRIC LINE MARKER/PANEL
- ELECTRIC MANHOLE
- ELECTRIC METER
- ELECTRIC OUTLET
- ELECTRIC SWITCH
- FIBER OPTIC BOX
- FIBER OPTIC LINE MARKER
- ▲ FIBRE HYDRANT
- ▲ FLARED END SECTION
- GAS LINE MARKER
- GAS METER
- GAS VALVE
- GROUND LIGHT
- GUY POLE
- GUY WIRE
- HEADWALL
- HEATING/AIR CONDITIONING UNIT
- IRRIGATION CONTROL VALVE
- LIGHT POLE
- POST INDICATOR VALVE
- POWER POLE
- SANITARY SEWER MANHOLE
- SIGN POST
- STORM WATER DROP INLET
- STORM WATER JUNCTION BOX
- STORM WATER YARD INLET
- TELEPHONE MANHOLE
- TELEPHONE POLE
- TRAFFIC SIGNAL BOX
- TRAFFIC SIGNAL POLE
- WATER MANHOLE
- WATER METER
- WATER VALVE
- WATER VALVE/LINE MARKER
- BOLLARD
- CMF CONCRETE MONUMENT FOUND
- CTF CRIMPED TOP PIPE FOUND
- ++ FINISHED FLOOR ELEVATION
- IRRIGATION BOX
- IRP IRON PIN FOUND
- IBS 1/2" IRON PIN & CAP SET #2528
- MB MAIL BOX
- OTF OPEN TOP PIPE FOUND
- PKF PK NAIL FOUND
- PKS PK NAIL SET
- RBF REBAR FOUND
- RMF RIGHT-OF-WAY MONUMENT FOUND
- RRSB RAILROAD SIGNAL BOX
- SO STUB OUT
- BSL BUILDING SETBACK LINE
- C&G CURB & GUTTER
- CP CONCRETE PAD
- CLF CHAIN LINK FENCE
- CMP CORRUGATED METAL PIPE
- DB PG DEED BOOK & PAGE
- DIP DUCTILE IRON PIPE
- HC HEADER CURB
- HDPE HIGH DENSITY POLYETHYLENE PIPE
- INV INVERT ELEVATION
- OCS OUTLET CONTROL STRUCTURE
- PB PG PLAT BOOK & PAGE
- PVC PLASTIC PIPE
- RCP REINFORCED CONCRETE PIPE
- TBM TEMPORARY BENCHMARK
- X SPOT ELEVATION
- (C-100.00) DEED CALL FOR DISTANCE

1 A REFERENCE TO TITLE EXCEPTION ITEM  
A REFERENCE TO ENCROACHMENT ITEM



**SPECIAL NOTES**

- 1) CERTIFICATION AND DECLARATION IS MADE TO THE ENTITIES AS LISTED IN THE TITLE BLOCK AND/OR CERTIFICATIONS. THE CERTIFICATIONS AND DECLARATIONS ON THIS PLAT ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- 2) SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
- 3) THE UNDERSIGNED SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 4) PURSUANT TO RULE 180-6-09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS, THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

**GENERAL NOTES**

- 1) THIS SURVEY WAS DONE UNDER MY SUPERVISION USING A GEOMAX 90 TOTAL STATION WITH AN ANGULAR ERROR OF 09 SECONDS PER STATION. THE TRAVERSE UPON WHICH THIS PLAT IS BASED, HAS BEEN CALCULATED FOR CLOSURE BY THE LEAST SQUARE RULE AND THE RELATIVE POSITIONAL ACCURACY IS 0.0230 FEET. FOR THE ADJUSTED ACCURACY OF THIS PLAT SEE MAP CLOSURES.
- 2) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 13121C0366F, DATED 9/18/2013 FOR FULTON COUNTY, GEORGIA A PORTION OF THESE PROPERTIES LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY F.E.M.A.
- 3) CURRENT ZONING ACCORDING TO THE CITY OF HAPEVILLE IS LISTED AS V. VILLAGE DISTRICT WITH A.D. ARTS DISTRICT OVERLAY. THE CITY OF HAPEVILLE ZONING DEPARTMENT MUST BE REFERENCED FOR ALL REQUIREMENTS UNDER THIS ZONING.
- 4) HORIZONTAL AND VERTICAL REFERENCE SHOWN HEREON WAS TAKEN FROM REAL-TIME ADJUSTED GPS OBSERVATIONS. (NAD 83 / NAVD 88)
- 5) ALL DISTANCES SHOWN HEREON ARE "GROUND" DISTANCES, UNLESS OTHERWISE STATED AS "GRID" DISTANCES.
- 6) CONTOUR INTERVALS SHOWN ARE TWO FEET.
- 7) ALL BUILDINGS ARE THREE STORY BRICK BUILDINGS.

**PLAT REFERENCES**

- 1) "VIRGINIA PARK ANNEX" RECORDED IN PLAT BOOK 8, PAGE 101, FULTON COUNTY, GEORGIA RECORDS.
- 2) "PROPERTY OF ALBEMARLE, INC." PREPARED BY RUPPE & GIOMETTI ENGINEERS, DATED 9/29/1959, RECORDED IN PLAT BOOK 67, PAGE 31, FULTON COUNTY, GEORGIA RECORDS.

**ENCROACHMENT NOTE**

- A) 12" CONC. WALL ENCROACHES ONTO SURVEYED PROPERTY BY 4.73" HERE.
- B) 12" CONC. WALL ENCROACHES ONTO SURVEYED PROPERTY BY 1.28" HERE.
- C) 12" CONC. WALL ENCROACHES ONTO SURVEYED PROPERTY BY 0.68" HERE.

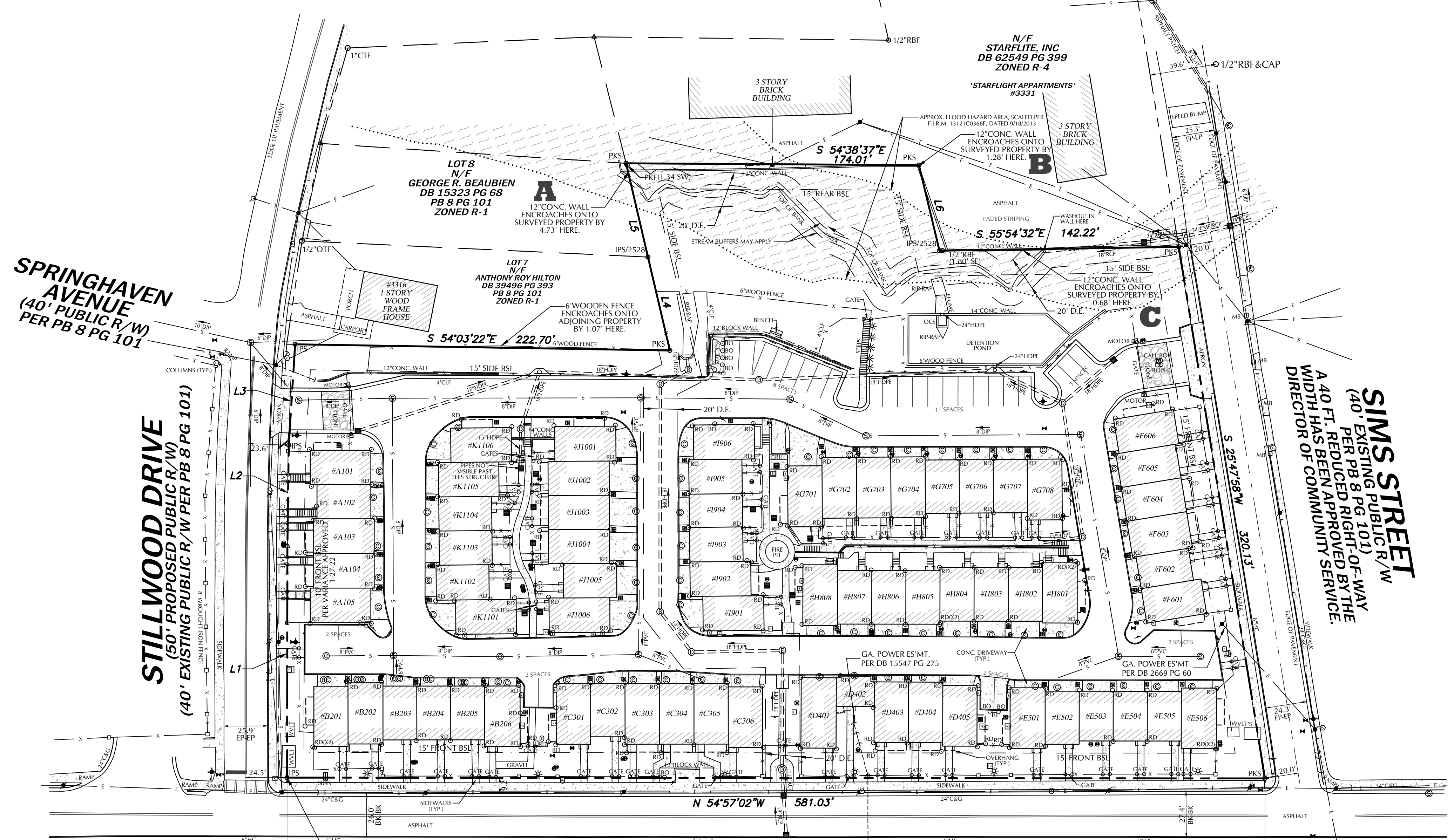
**EQUIPMENT USED**

CARLSON BR7 GNSS RECEIVER (BASE & ROVER)  
GEOMAX ZOOM 90 ROBOTIC TOTAL STATION

**CALL TABLE**

L1	N 35°04'44" E	137.78'
L2	N 35°47'58" E	59.82'
L3	N 38°34'39" E	60.11'
L4	N 21°50'18" E	57.00'
L5	N 21°50'18" E	57.30'
L6	S 21°30'17" W	52.33'

**PROPERTY INFO**  
N/F  
NCV-BCDC HAPEVILLE, LLC  
DB 65843 PG 236  
AREA= 3.912 ACRES OR  
170,406 SQ.FT.  
ZONED "V"  
PARCEL ID# 14 009800110191



**SPRINGHAVEN AVENUE**  
(40' PUBLIC R/W)  
PER PB 8 PG 101

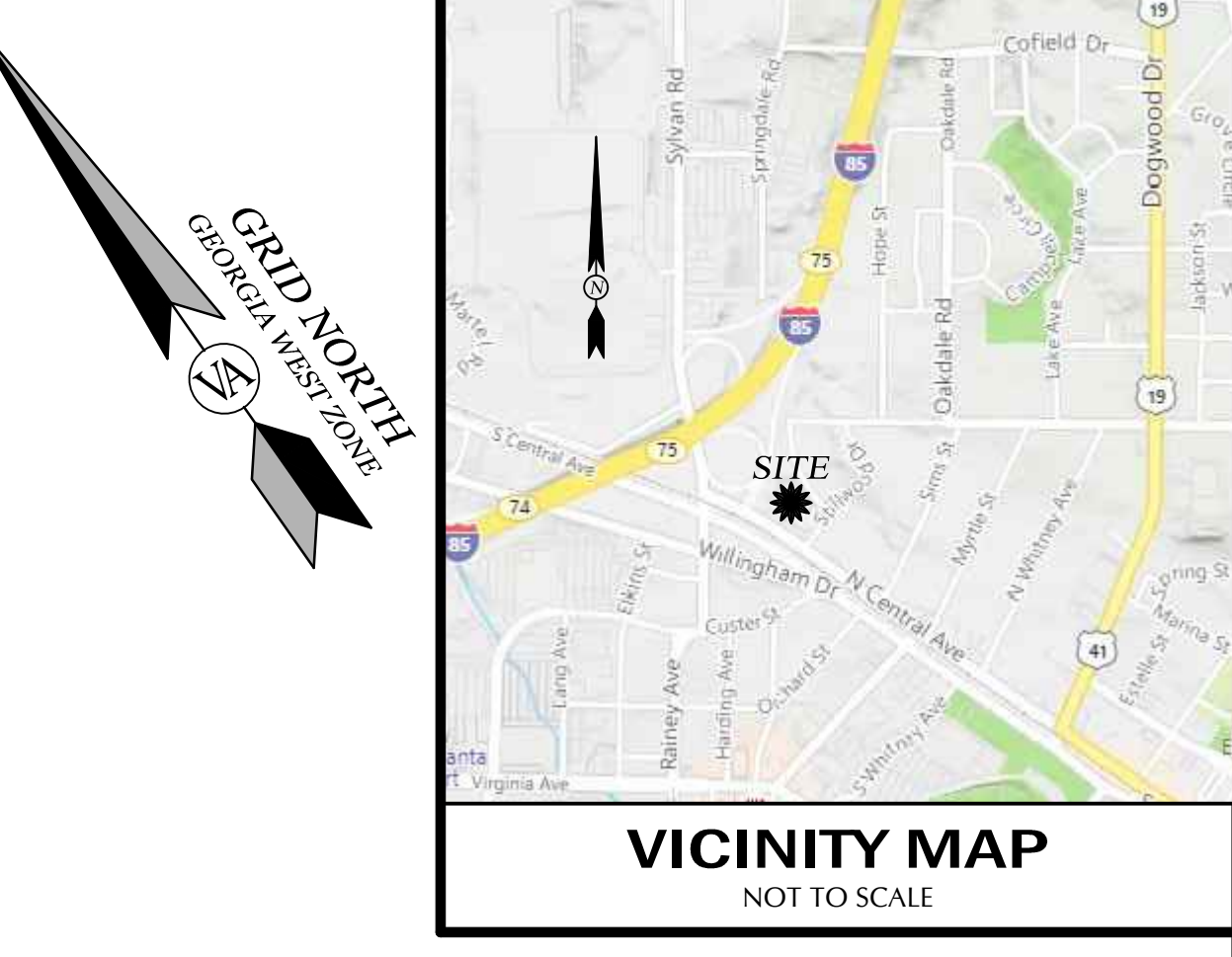
**STILLWOOD DRIVE**  
(50' PROPOSED PUBLIC R/W)  
(40' EXISTING PUBLIC R/W PER PB 8 PG 101)

**SIMS STREET**  
(40' EXISTING PUBLIC R/W)  
PER PB 8 PG 101 OF WAY  
WIDTH HAS BEEN APPROVED BY THE  
DIRECTOR OF COMMUNITY SERVICE.

**NORTH CENTRAL AVENUE**  
(VARIABLE WIDTH PUBLIC R/W)  
**CENTRAL OF GEORGIA RAILROAD**

**UTILITY WARNING**

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 SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER(S), THEIR EMPLOYEES, THEIR CONSULTANTS, THEIR CONTRACTORS, AND/OR THEIR AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON.



**LEGAL DESCRIPTION (BASED ON THIS SURVEY)**  
All that tract or parcel of land lying and being in Lot 98, 14th District, City of Hapeville, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (job #21-033; Drawing File #21-033-UD), bearing the seal of Glenn A. Valentino, G.A. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:  
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THENCE North 21 degrees 50 minutes 18 seconds East for a distance of 57.30 feet to a PK (masonry) nail set, said PK (masonry) nail set being witnessed by a PK (masonry) nail found located 1.34 feet southwest thereof;  
THENCE South 54 degrees 38 minutes 37 seconds East for a distance of 174.01 feet to a PK (masonry) nail set;  
THENCE South 21 degrees 30 minutes 17 seconds West for a distance of 52.33 feet to a 1/2" iron pin set, said 1/2" iron pin set being witnessed by a 1/2" rebar found located 1.80 feet southeast thereof (on line with the preceding course);  
THENCE South 55 degrees 54 minutes 32 seconds East for a distance of 142.22 feet to a PK (masonry) nail set on the northeasterly right-of-way line of Sims Street (40' public r/w);  
THENCE proceeding southwesterly along said right-of-way line of Sims Street South 25 degrees 47 minutes 58 seconds West for a distance of 320.13 feet to a PK (masonry) nail set at the intersection with the aforesaid northeasterly right-of-way line and the northeasterly right-of-way line of North Central Avenue;  
THENCE proceeding southwesterly along said right-of-way line of North Central Avenue the following course and distance: North 54 degrees 57 minutes 02 seconds West for a distance of 581.03 feet to a 1/2" iron pin set at the intersection of the northeasterly right-of-way line of North Central Avenue and the aforesaid 50' right-of-way line of Stillwood Drive, said 1/2" iron pin set being the POINT OF BEGINNING;  
Said tract or parcel of land contains 3.912 acres or 170,406 square feet.

BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY FOR:  
**NCV-BCDC HAPEVILLE, LLC, A GEORGIA LIMITED LIABILITY COMPANY, TREZ FORMAN CAPITAL FLORIDA FUNDING, LLC A DELAWARE LIMITED LIABILITY COMPANY, AS ADMINISTRATIVE AGENT FOR TREZ CAPITAL (FLORIDA) CORPORATION, A BRITISH COLUMBIA CORPORATION, ITS SUCCESSORS AND ASSIGNS & CHICAGO TITLE INSURANCE COMPANY**  
LAND LOT 98 14TH DISTRICT CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA

**VA**  
**VALENTINO & ASSOCIATES, INC.**  
LAND SURVEYORS  
4045 ORCHARD ROAD  
BUILDING 200  
SMYRNA, GEORGIA 30080  
PHONE: (770) 438-0015  
FAX: (770) 435-6050  
WEB: VALENTINOSURVEY.COM  
STATE OF GEORGIA LAND SURVEYING FIRM LICENSE NO. LSF000794

**REVISIONS**

NO.	DATE	DESCRIPTION



**FIELD DATES: 6/17/2024 - 7/1/2024**

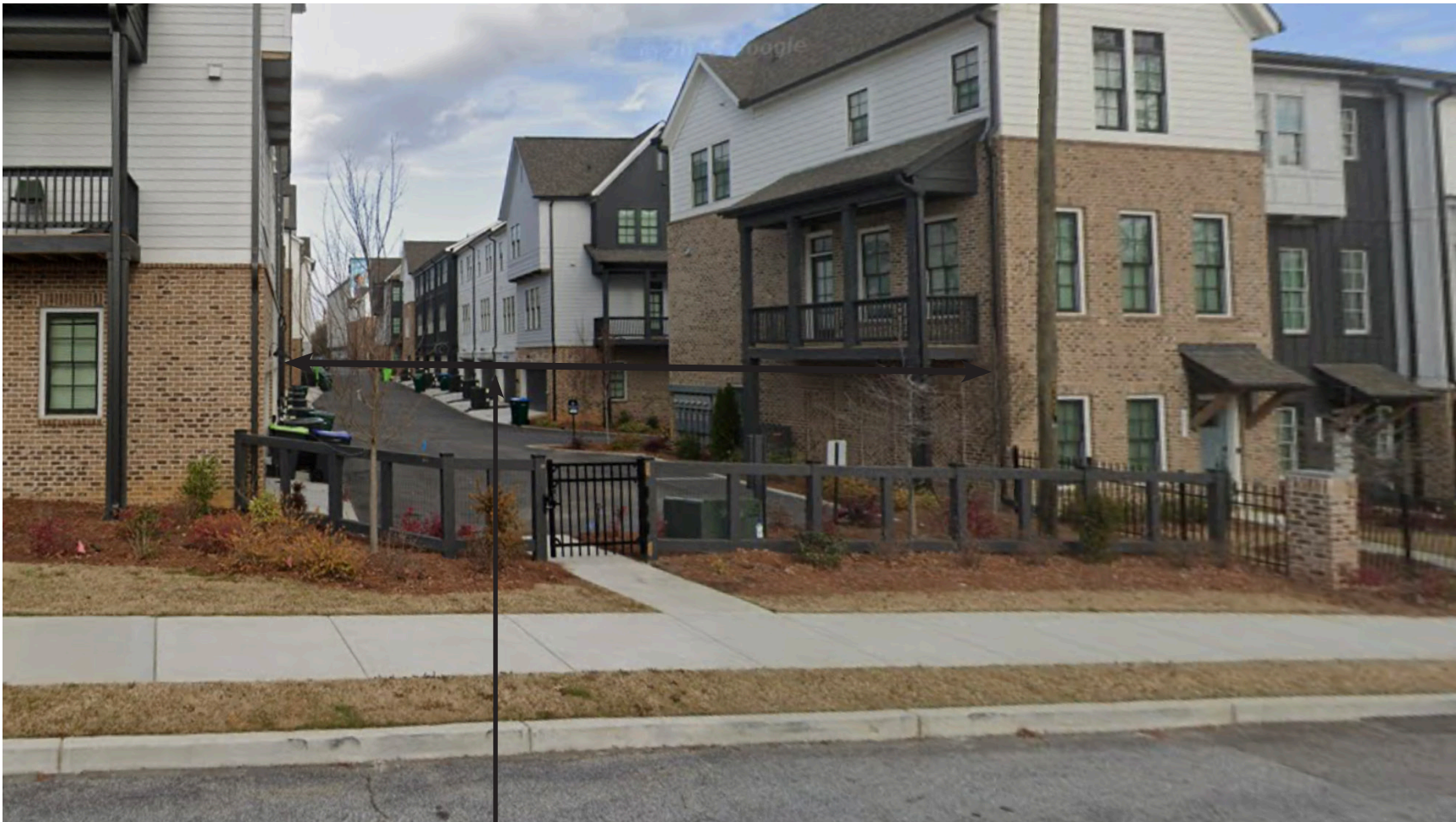
**STATE OF GEORGIA PLAT ACT CERTIFICATION**

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON.  
RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A., SECTION 15-6-67.

Glenn A. Valentino  
GLENN A. VALENTINO G.A. R.L.S. #2528  
DATE OF EXPIRATION: 12/31/2024

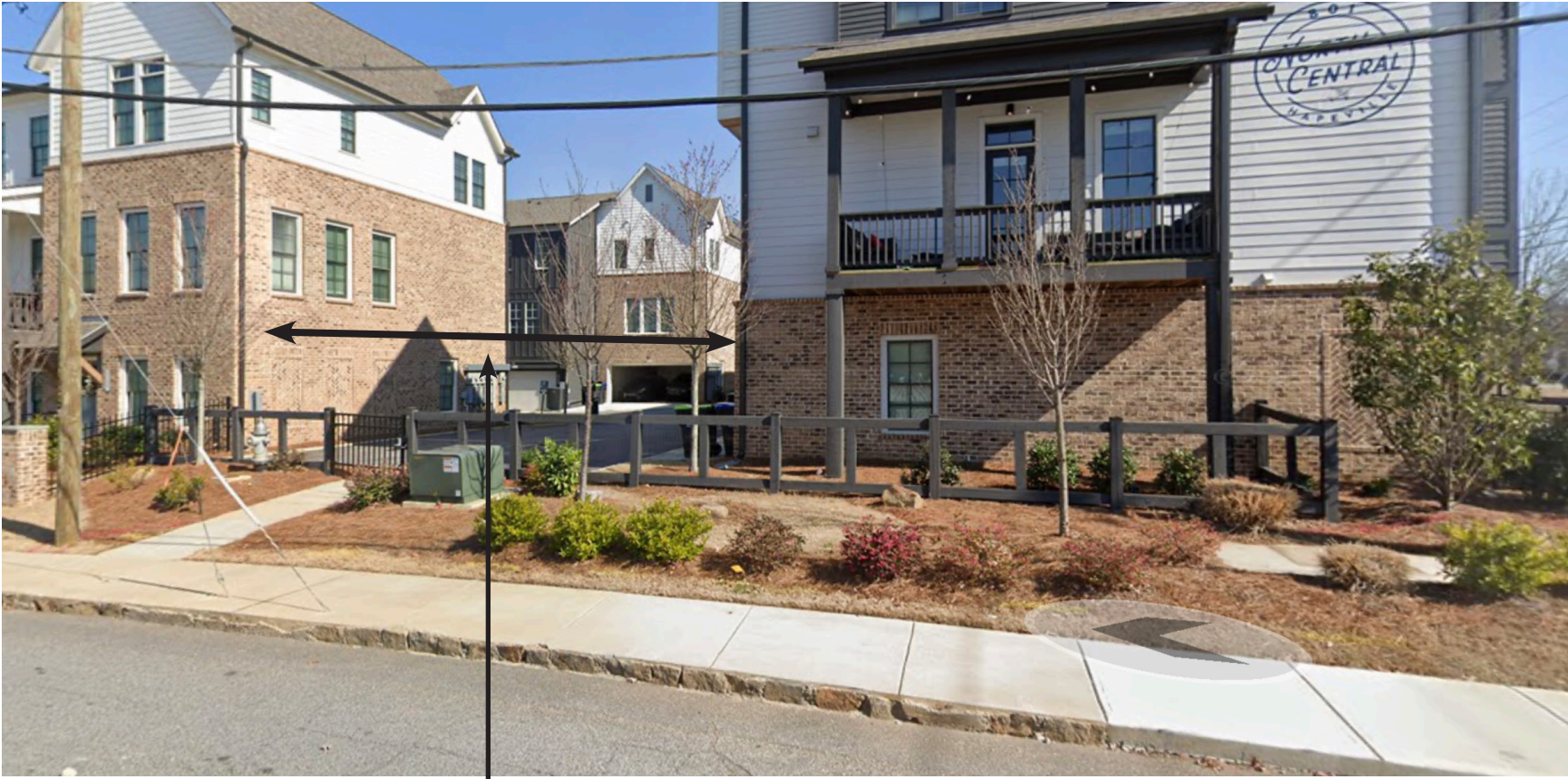
**AS-BUILT SURVEY**

R:\2024\14-033\14-033-UD.DWG 01-033.CRD



**ALLEY USED AS CUT-THROUGH**

## **CURRENT FENCING AT SIMS STREET**



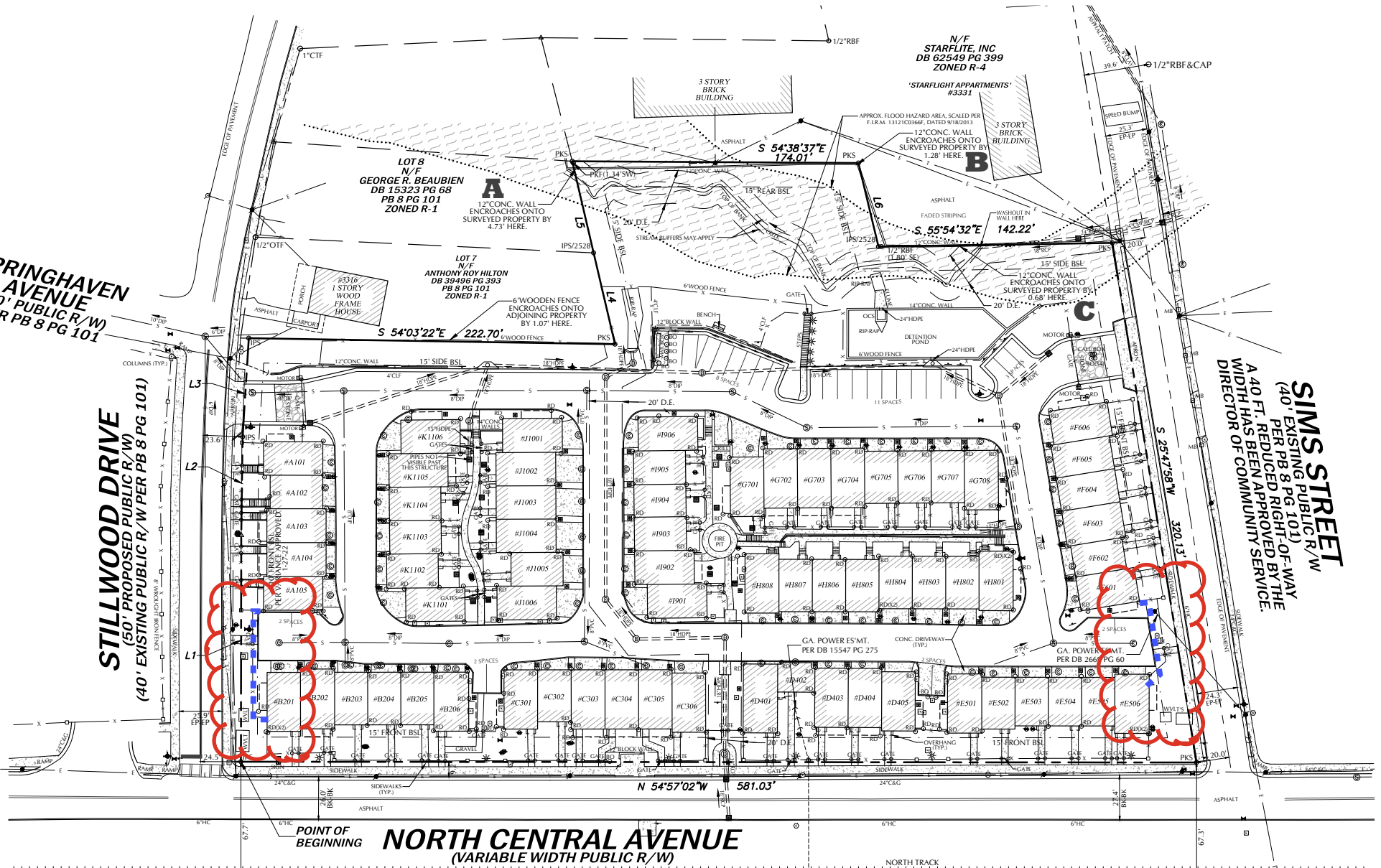
**ALLEY USED AS CUT-THROUGH**

## **CURRENT FENCING AT STILLWOOD DRIVE**

**SPRINGHAVEN AVENUE**  
 (40' PUBLIC R/W)  
 PER PB 8 PG 101

**STILLWOOD DRIVE**  
 (50' PROPOSED PUBLIC R/W)  
 (40' EXISTING PUBLIC R/W PER PB 8 PG 101)

**SIMS STREET**  
 (40' EXISTING PUBLIC R/W)  
 (40' REDUCED RIGHT-OF-WAY  
 PER PB 8 PG 101)  
 WIDTH HAS BEEN APPROVED BY THE  
 DIRECTOR OF COMMUNITY SERVICE.



POINT OF BEGINNING  
**NORTH CENTRAL AVENUE**  
 (VARIABLE WIDTH PUBLIC R/W)

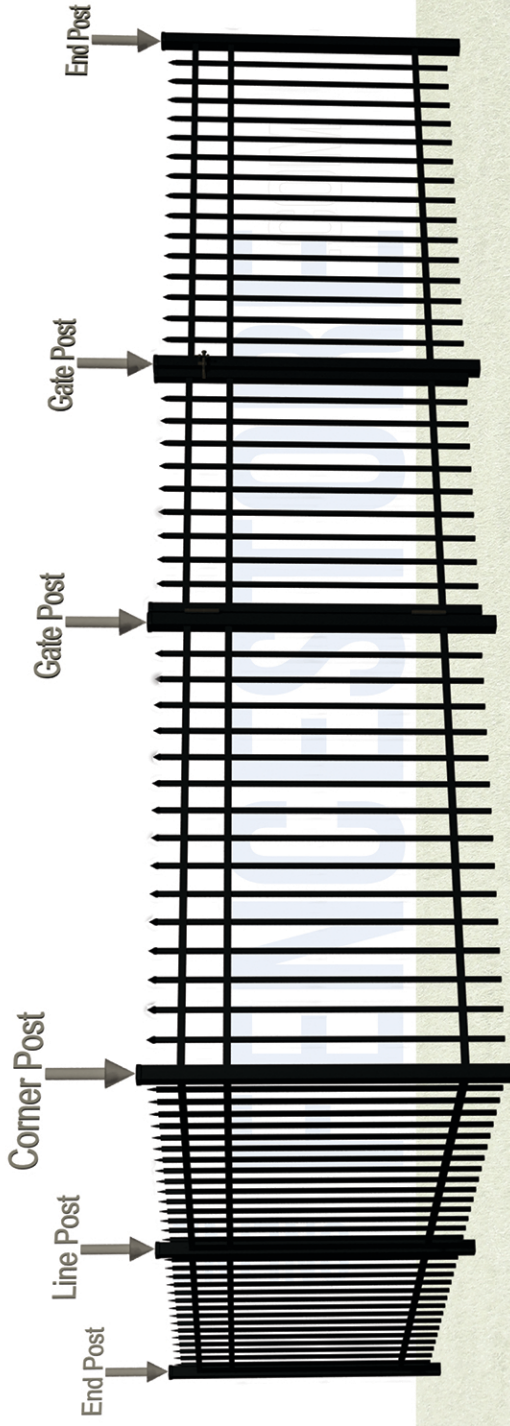
**CENTRAL OF GEORGIA RAILROAD**

**FENCING LENGTH TO BE REPLACED**

## SPEAR POINT TOP - ALUMINUM FENCE POSTS

Post **Includes** Flat Cap and Screws For Mounting Fence Panel Fence Panel, Gates & Hardware Sold Separately

**Routed Post Design.** This design utilizes holes in the post to accept the rails of the fence panel for a strong, stable connection.

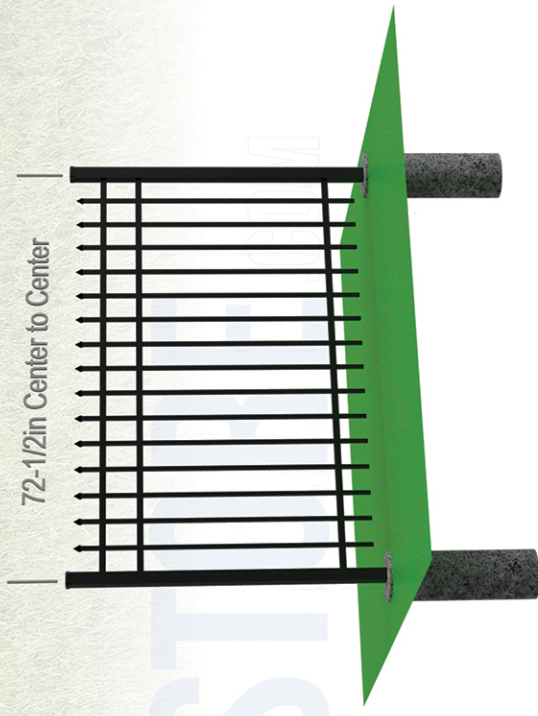


**Line Posts** join fence panels in a straight line. **End Posts** end a fence line. **Corner Posts** connect fence panels together at a 90 degree angle. **Gate Posts** end a fence line and allows the opening for a gate. Gate posts are thicker than the rest of the posts to provide stability for a swinging gate.

### General Post Installation Notes

A 6in diameter hole x 24in deep will require approximately 50lbs of concrete per hole.

The depth of the hole should be a **minimum** of 1/3 of the fence height. For example a 4ft high fence would require a **minimum** hole depth of 16in, 5ft high would require 20in depth and 6ft high would be 24in depth. We also recommend adding a 6in gravel base to the bottom of each hole before adding the concrete. Depths will vary with your location and seasonal temperatures. Be sure to check your local codes and recommendations for depths.



Posts are longer than the fence height for installation into the ground.

Fence Height	Post Length
36in	70in
48in	70in
60in	84in
72in	84in
84in	94in

### Available Colors

**Black**

### Post Specifications

**Material:** 6063-T5 Aluminum

**Coating:** AAMA 2604 Approved Polyester Powder Coat

**Outside Dimensions:** 2in Sq.

**Wall Thickness:** 0.062in for Line, End & Corner Posts

**Screws:** 410 Hardened Stainless Steel With Cr6 Plating



**Department of Planning & Zoning  
PLANNER'S REPORT**

DATE: October 14, 2025  
TO: Adrienne Senter  
FROM: Lynn Patterson  
RE: Variance Application for 801 N Central Avenue Parcel Number 14-0098-0011-019-1

**BACKGROUND**

The City of Hapeville has received a variance application from Matt Vyverberg and Scott of NCV BCDC Hapeville, LLC for an increase in fence height to 6'-0" height for two select sections along Sims Street and Stillwood Drive to protect the alley pedestrian entry.

The properties are zoned V, Village, and are subject to the zoning regulations under Section 93-11.5 of the City of Hapeville Zoning Ordinance.

**CODE**

**Sec. 93-2-5. - Accessory uses, accessory structures, yard requirements of accessory structures, outbuildings and fences.**

**4) Fences and freestanding walls.**

a) *Height limitations.* Fences and freestanding walls (other than retaining walls) cannot be located within any public right-of-way, and must comply with the following height restrictions:

ii) In the C-R, V, and UV zoning districts, the following shall apply:

- (1) A fence in any front yard area shall not exceed four feet in height.
- (2) A fence in any side or rear yard area shall not exceed six feet in height, or eight feet in height on the property line that abuts a residential or C-T zoning district.

**Sec. 87-3-3. - Powers and duties.**

(2) Variances. To authorize, upon appeal in specific cases, those variances from the provisions of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done. A variance may be granted in any individual cases of practical difficulty or unnecessary hardship only upon a finding by the board of appeals that:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

The property, as developed into a 600' wide townhome development, stretches between Sims and Stillwood along N Central with a private driveway across the back. The development has three frontages / front yard areas. The private driveway is desirable to non-residents as a cut-through.

b. The application of this chapter to this particular piece of property would create an unnecessary hardship;

The location of the property is a cut-through for non-resident pedestrians. The 4' fence, while it delineates the private from property space, has not been a deterrent for trespassing individuals. Six foot fences are allowed in side yards but as this property has three frontages, there are no side yards.

c. Such conditions are peculiar to the particular piece of property involved; and

The proposed increase in height is specific to this property as the length and circulation have made it attractive for non-resident pedestrians as a short-cut. The ability of the trespassers to jump the 4' fence potentially creates and liability for the property and a safety concern for residents.

d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.

Relief would not cause substantial detriment to the public.

**RECOMMENDATION**

Staff recommendation is to grant the variance for the increase in the fence height as requested.

25-BDA-10-06

**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

Name of Applicant ABDULSATTAR KHAN

Mailing Address 751 N CENTRAL AVE HAPEVILLE GA 30354

Telephone \_\_\_\_\_ Mobile # [REDACTED] Email [REDACTED]

Property Owner (s) RK SONS & ASSOCIATES INC

Mailing Address 751 N CENTRAL AVE HAPEVILLE GA 30354

Telephone \_\_\_\_\_ Mobile # [REDACTED]

Property Address/Location: 846 SOUTH CENTRAL AVE HAPEVILLE GA 30354

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14009800080089

Square Foot of Property .2262 Building Size 3600 Zoning c-2 (V)

Present Land Use Current structure used as personal storage / vacant

Variance Requested Parking to rent the property

Applicable Code Section n/a

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 regardless of any action or approval on this application. 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 to. 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.

[Signature] [Signature]

Applicant's signature

Date: 09/02/2025

Sworn to and subscribed before me  
This 17 day of September, 2025.  
[Signature]  
Notary Public



**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

**WRITTEN SUMMARY**

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

attached

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Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

attached

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Explain how these conditions are peculiar to the particular piece of property involved.

attached

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What, if any, detriment to the public good would the proposed project have if a variance was granted?

attached

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**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

**AUTHORIZATION OF PROPERTY OWNER**

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

846 south central ave 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 A VARIANCE FOR THE PROPERTY.**

Name of Applicant  
abdulsattar khan

Address of Applicant  
751 north central ave hapeville ga 30354

Telephone of Applicant  
[REDACTED]

  
Signature of Owner

Abdulsattar Khan  
Print Name of Owner

Personally Appeared Before Me this 17 day of September, 2025.

  
Notary Public



**846 South Central Ave Hapeville Ga 30354**  
**Variance Summary**

## **1. Extraordinary and Exceptional Conditions**

The property at 846 South Central Ave measures only 0.2262 acres with a 3,600 sq. ft. commercial building footprint, leaving very limited room for parking. The lot's unusually small size and shallow depth make it impossible to meet today's parking requirements without demolition or land acquisition, which is not feasible.

In addition, in September 2005 the property was severely flooded due to a water line break caused by the City of Hapeville's failure to maintain its water system, as documented in a formal claim letter submitted by the late Rehan Khan, the father of the current property owner. Despite notice, the City never made repairs or offered compensation. Since that event, the property has primarily been used as storage rather than for commercial use.

These conditions—an undersized lot, restrictive geometry, and long-term damage from municipal infrastructure failure—are extraordinary and exceptional and directly affect the reasonable use of this parcel.

## **2. Unnecessary Hardship**

Strict enforcement of parking requirements creates an unnecessary hardship because it deprives the property of all reasonable commercial use. Given the small parcel size and the existing 3,600 sq. ft. structure, there is no practical way to add the number of parking spaces required under current ordinances. Without a variance, the property would remain vacant or underutilized, as it has been since the September 2005 flooding, despite the owner's intent to restore it to productive use.

## **3. Peculiar Conditions**

The hardship is peculiar to this property due to its combination of (1) undersized lot dimensions, (2) an existing building footprint that covers most of the parcel, and (3) flooding history from September 2005 caused by municipal infrastructure failure. These conditions do not apply to most other properties in the area, many of which have larger parcels or shared parking opportunities. The peculiarities of this parcel make compliance uniquely burdensome.

## **4. Detriment to Public Good**

There would be no detriment to the public good. In fact, granting the variance would bring a long-vacant property back into commercial use, reduce blight, and generate new tax revenue for the City. The property's activation would support small business activity, create jobs, and improve the South Central Ave corridor.

We also wish to note that we have a tenant interested in the property, and their business model is appointment-based rather than high-volume. This means customer traffic would be limited and predictable, resulting in much lower parking demand compared to typical retail or restaurant uses. This supports the case that the variance can be granted without negative impact to the public good.



**RK & Associate**  
731 North Central Ave.  
Hapeville, GA 30354  
Ph: (404) 761-8306 Cell: (404) 391-2064

March 21, 2006

To: City of Hapeville  
P.O. Box 82311  
Hapeville, GA 30354

This letter will serve as anti-intern notice to the city of Hapeville, Pursuant to **O.C.G.A. 36-33-5**, in reference to claims that I have for Nuisance and inverse condemnation against the **City of Hapeville** as described below.

I am the owner located at 846 South Central Ave., Hapeville, GA 30354. On September 24<sup>th</sup>, 2005, my property was flooded due to a water main break that resulted from the City of Hapeville's failure to maintain this water main and drainage system in a reasonable state of repair.

The City of Hapeville's failure to maintain its water main and drainage system in a reasonable state of repair is a nuisance upon my property, causing me ongoing and continued injury, annoyance and harm. Specifically, this water main break and the inadequate drainage system has interfered with the use and enjoyment of my property. As a result of the City of Hapeville's failure to maintain its water main and drainage system in a reasonable state, my property has not been repaired, nor have I received any compensation for this property.

Should the City of Hapeville wish to discuss resolving the claim, I look forward to receiving such a response. In the event that my claim cannot be resolved without litigation, I am providing notice to the City of Hapeville that I may have no choice but to pursue legal action, seeking any damages that I am entitled to by law.

**The City of Hapeville has thirty days from the presentation of these claims to decide whether these claims can be settled without litigation.**

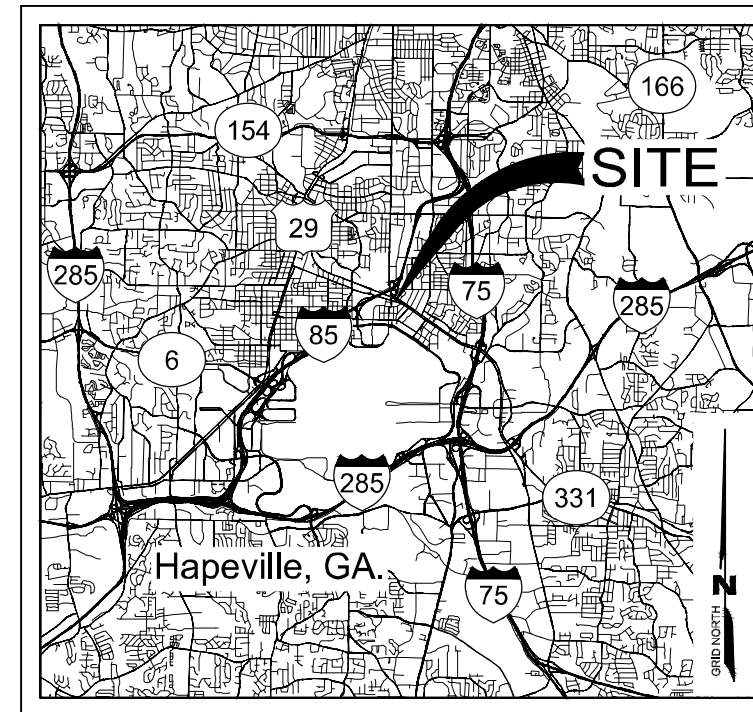
**Please contact me if I can provide any further information regarding this matter.**

Rehan A. Khan  
Abdul Rashid Khan

Received by  
Date: 3/21/06 Time: 1:15pm

*Ali Shepard*

BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT



VICINITY MAP (NOT TO SCALE)

**SURVEYOR'S NOTES**

1. THIS SURVEY, PREPARED FOR CLIENT AS SHOWN ON THIS PLAT, REPRESENTS A SPECIFIC SCOPE OF SERVICES. THERE MAY BE OTHER MATTERS OF TITLE, BURDENING OR FAVORING THE SUBJECT PROPERTY, THAT ARE NOT SHOWN HEREON.
2. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED CONVENTIONAL SURVEY MEASUREMENTS WERE OBTAINED WITH A GEOMAX ZOOM95. GNSS SURVEY MEASUREMENTS WERE OBTAINED WITH A EGPS 20T GNSS RECEIVER
3. THE FIELD MEASUREMENTS FOR THE ESTABLISHMENT OF PROJECT CONTROL WAS BASED ON A GNSS SURVEY WITH A EGPS 20T GNSS RECEIVER. THE COORDINATES WERE COMPUTED BY USING EGPS VRS NETWORK
4. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A RELATIVE POSITIONAL PRECISION OF 2 CM (0.07 FEET) PLUS 50 PARTS PER MILLION.
5. THIS PLAT HAS A CLOSURE PRECISION OF ONE FOOT IN 199,940 FEET.
6. NO 811 DESIGN TICKET WAS ORDERED FOR THIS SURVEY.
7. LAST FIELD DATE: 09/10/2025
8. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEY IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

**VESTING PARCEL NUMBER**

14 009800080089

**FEE AREA**

0.211 ACRES (9,190 SQ.FT.), MORE OR LESS

**ZONING**

C2  
 MINIMUM LOT AREA : 18,000 SQ. FT.  
 MINIMUM LOT WIDTH: 35'  
 FRONT SETBACK: 40'  
 SIDE SETBACK: N/A  
 REAR SETBACK: 25'  
 MAXIMUM BUILDING HEIGHT: 60'  
 MAXIMUM STORIES: 4  
 MAXIMUM LOT DENSITY: N/A

**SURVEYOR'S REFERENCES**

1. DEED BOOK 46909, PAGE 529

**SURVEY DATA:**

1. HORIZONTAL DATUM - BASED UPON THE GEORGIA WEST STATE PLANE COORDINATE SYSTEM, NAD83 (2011), IN FEET. BEARINGS ARE BASED ON SAID COORDINATE SYSTEM AND ESTABLISHED BY GPS OBSERVATIONS AND OBSERVATIONS OF SELECTED STATIONS IN THE NATIONAL GEODETIC SURVEY CONTINUOUSLY OPERATING REFERENCE STATION (NGS CORS) NETWORK.
2. VERTICAL DATUM - NAVD88, IN FEET. ELEVATIONS OBTAINED VIA GNSS DETERMINED FROM GEOID18
3. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SURVEYED UNLESS OTHERWISE NOTED.

**FLOOD INFORMATION**

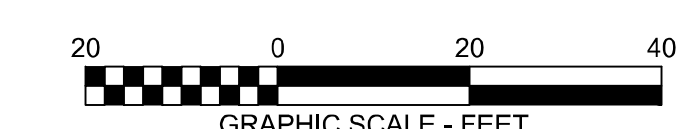
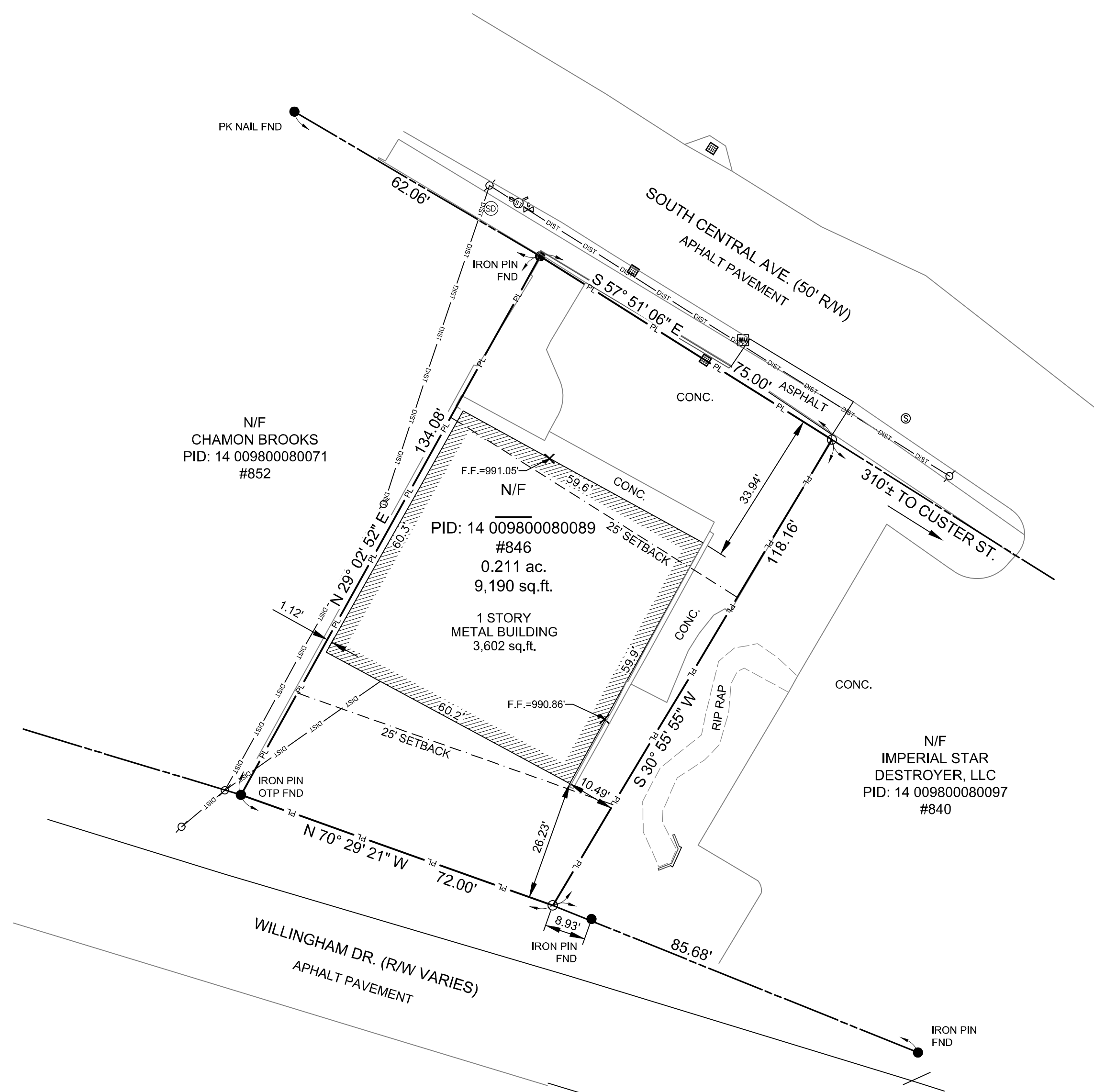
THIS PROPERTY IS LOCATED WITHIN AREAS HAVING FLOOD ZONE DESIGNATIONS OF "A" & "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NUMBER: 13121C0366F WITH AN EFFECTIVE DATE OF 09/18/2013.

**ABBREVIATION LEGEND**

Δ	DELTA ANGLE
CB	CHORD BEARING AND DISTANCE
CTP	CRIMPED TOP PIPE
A	ARC LENGTH
LLL	LAND LOT LINE
N/F	NOW OR FORMERLY
OTP	OPEN TOP PIPE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PL	PROPERTY LINE
R	RADIUS
RB	REBAR
RBC	REBAR WITH CAP
R/W	RIGHT OF WAY
TL	TRANSMISSION LINE
FND	FOUND
TW	TOP OF WALL
BW	BOTTOM OF WALL

**SYMBOL LEGEND**

⊕	BENCH MARK
●	MONUMENT FOUND
■	CONCRETE MONUMENT FOUND
○	MONUMENT SET
□	CONCRETE MONUMENT SET
X 917.3	EXISTING SPOT ELEVATION
△	COMPUTED POINT (NOT MONUMENTED)
⊗	UTILITY POLE
⊕	FIRE HYDRANT
⊕	WATER VALVE
⊕	GAS MARKER
⊕	ELECTRIC MANHOLE
⊕	SANITARY SEWER MANHOLE
⊕	STORM MANHOLE
⊕	STORM WATER CURB INLET
⊕	SANITARY SEWER MANHOLE FOUND
⊕	STORM WATER JUNCTION BOX
⊕	TELEPHONE PEDESTAL/BOX
⊕	GUY ANCHOR
⊕	SIGN
⊕	FIBER OPTIC MARKER
⊕	GRATE STORM INLET
⊕	TELEPHONE MANHOLE
⊕	WATER METER
⊕	AIR CONDITIONER
⊕	GAS METER
⊕	MAIL BOX
⊕	SANITARY CLEAN OUT
⊕	HAND HOLE
⊕	TRAFFIC CONTROL BOX
⊕	GAS VALVE
⊕	IRRIGATION CONTROL VALE
⊕	TREE
⊕	ELECTRIC TRANSFORMER
— PL —	SUBJECT PROPERTY LINE
— AD —	ADJOINER PROPERTY LINE
— RW —	RIGHT OF WAY LINE
— X — X — X	EXISTING FENCE (TYP)
— 115KV — 115KV — 115KV	EXISTING 115KV TRANSMISSION LINE
— 46KV — 46KV — 46KV	EXISTING 46KV TRANSMISSION LINE
— DIST — DIST — DIST	OVERHEAD DISTRIBUTION LINE
— — — — —	EXISTING EASEMENT
— LLL —	LAND LOT LINE
— UNK — UNK — UNK	UNDERGROUND UNKOWN UTILITY
— TREE —	TREE LINE
— COM — COM — COM	UNDERGROUND COMMUNICATION LINE
— WAT — WAT — WAT	UNDERGROUND WATER LINE
— GAS — GAS — GAS	UNDERGROUND GAS LINE
— ASP —	ABOVEGROUND GAS LINE
— DIST — DIST — DIST	OVERHEAD DISTRIBUTION LINE
— D — D — D	UNDERGROUND DISTRIBUTION LINE
— SAN — SAN — SAN	SANITARY SEWER LINE
— — — — —	STORM PIPE
— — — — —	ASPHALT
— — — — —	GRAVEL
— — — — —	CONCRETE
— — — — —	DRAINAGE DITCH



LAND LOT 89, DISTRICT 14, FULTON COUNTY, GEORGIA



**CERTIFICATION:**  
 THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

NORTH SURVEYING AND MAPPING, LLC.

SCOTT C. NORTH  
 GEORGIA REGISTERED LAND SURVEYOR  
 STATE OF GEORGIA LICENSE NO. 3176

DATE 09/16/2025

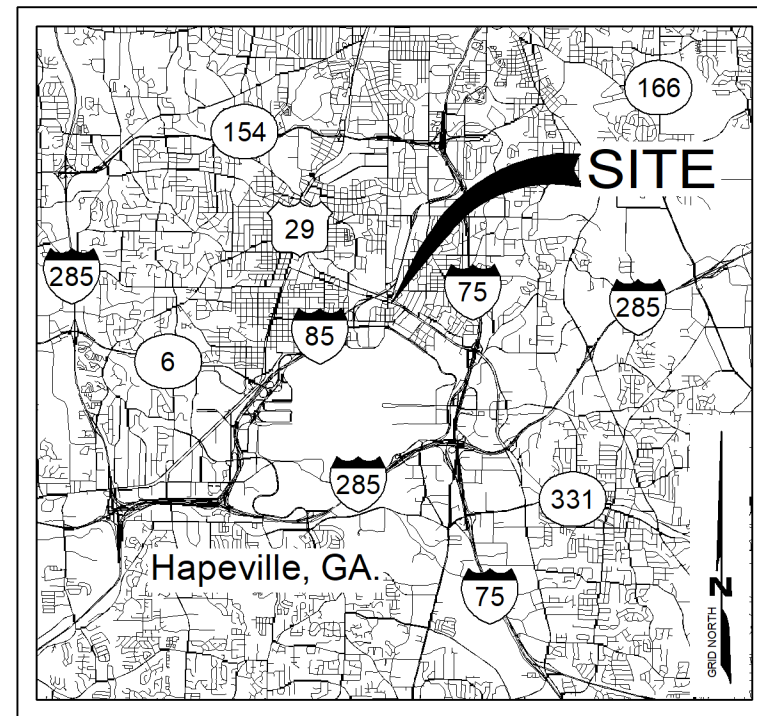
BOUNDARY SURVEY OF  
 PID 14 009800080089  
 846 SOUTH CENTRAL AVENUE,  
 FULTON COUNTY, HAPEVILLE, GEORGIA 30354  
 FOR  
 ABDULSATTAR KHAN, RK SONS DEVELOPMENT

PROJECT NAME: 2500351 846 South Central Avenue  
 PROJECT #: 2500351  
 DATE: 09/16/2025  
 SCALE: 1" = 20'  
 SURVEYOR: SCOTT NORTH  
 TECHNICIAN: KENNETH AYDELL  
 CREW CHIEF: SCOTT NORTH  
 FIELD BOOK: 2590

1071 DEAN DRIVE NW  
 ATLANTA GEORGIA 30318  
 404-203-1147  
 GEORGIA COA: LCF001411



BLOCK IS RESERVED FOR THE CLERK OF THE SUPERIOR COURT



VICINITY MAP (NOT TO SCALE)

**SURVEYOR'S NOTES**

1. THIS SURVEY, PREPARED FOR CLIENT AS SHOWN ON THIS PLAT, REPRESENTS A SPECIFIC SCOPE OF SERVICES. THERE MAY BE OTHER MATTERS OF TITLE, BURDENING OR FAVORING THE SUBJECT PROPERTY, THAT ARE NOT SHOWN HEREON.
2. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED CONVENTIONAL SURVEY MEASUREMENTS WERE OBTAINED WITH A GEOMAX ZOOM95. GNSS SURVEY MEASUREMENTS WERE OBTAINED WITH A EGPS 20T GNSS RECEIVER
3. THE FIELD MEASUREMENTS FOR THE ESTABLISHMENT OF PROJECT CONTROL WAS BASED ON A GNSS SURVEY WITH A EGPS 20T GNSS RECEIVER. THE COORDINATES WERE COMPUTED BY USING EGPS VRS NETWORK
4. THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A RELATIVE POSITIONAL PRECISION OF 2 CM (0.07 FEET) PLUS 50 PARTS PER MILLION.
5. THIS PLAT HAS A CLOSURE PRECISION OF ONE FOOT IN 199,940 FEET.
6. NO 811 DESIGN TICKET WAS ORDERED FOR THIS SURVEY.
7. LAST FIELD DATE: 09/10/2025
8. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEY IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

**VESTING PARCEL NUMBER**

14 009800080089

**FEE AREA**

0.211 ACRES (9,190 SQ.FT.), MORE OR LESS

**ZONING**

C2  
 MINIMUM LOT AREA : 18,000 SQ. FT.  
 MINIMUM LOT WIDTH: 35'  
 FRONT SETBACK: 40'  
 SIDE SETBACK: N/A  
 REAR SETBACK: 25'  
 MAXIMUM BUILDING HEIGHT: 60'  
 MAXIMUM STORIES: 4  
 MAXIMUM LOT DENSITY: N/A

**SURVEYOR'S REFERENCES**

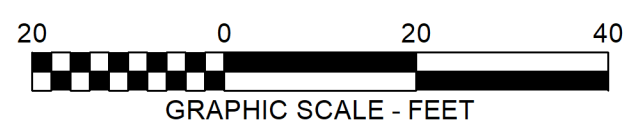
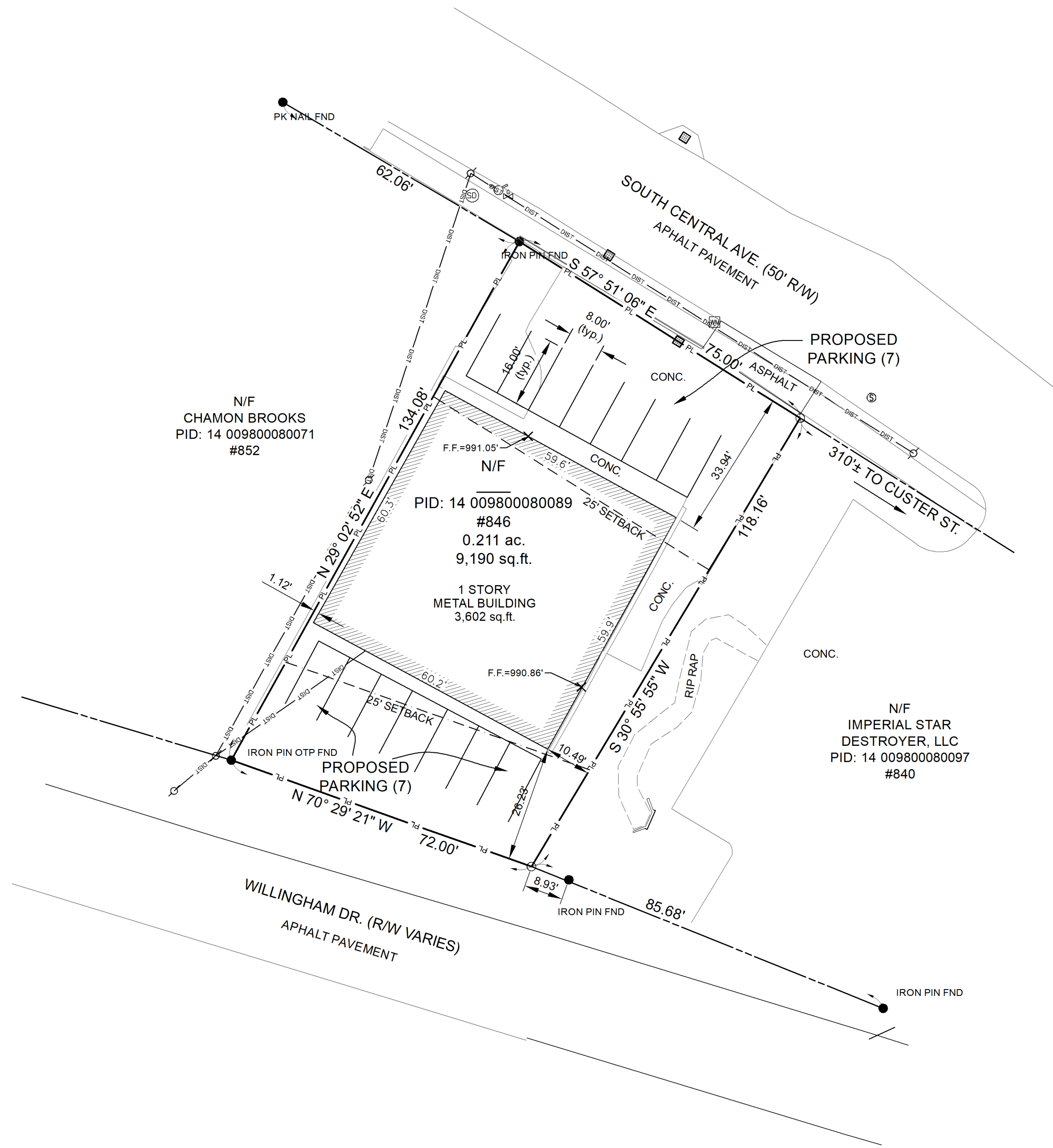
1. DEED BOOK 46909, PAGE 529

**SURVEY DATA:**

1. HORIZONTAL DATUM - BASED UPON THE GEORGIA WEST STATE PLANE COORDINATE SYSTEM, NAD83 (2011), IN FEET. BEARINGS ARE BASED ON SAID COORDINATE SYSTEM AND ESTABLISHED BY GPS OBSERVATIONS AND OBSERVATIONS OF SELECTED STATIONS IN THE NATIONAL GEODETIC SURVEY CONTINUOUSLY OPERATING REFERENCE STATION (NGS CORS) NETWORK.
2. VERTICAL DATUM - NAVD88, IN FEET, ELEVATIONS OBTAINED VIA GNSS DETERMINED FROM GEOID18
3. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE SURVEYED UNLESS OTHERWISE NOTED.

**FLOOD INFORMATION**

THIS PROPERTY IS LOCATED WITHIN AREAS HAVING FLOOD ZONE DESIGNATIONS OF "A" & "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NUMBER: 13121C0366F WITH AN EFFECTIVE DATE OF 09/18/2013.



LAND LOT 89, DISTRICT 14, FULTON COUNTY, GEORGIA

**ABBREVIATION LEGEND**

- Δ DELTA ANGLE
- CB CHORD BEARING AND DISTANCE
- CTP CRIMPED TOP PIPE
- A ARC LENGTH
- LLL LAND LOT LINE
- N/F NOW OR FORMERLY
- OTP OPEN TOP PIPE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- PL PROPERTY LINE
- R RADIUS
- RB REBAR
- RBC REBAR WITH CAP
- R/W RIGHT OF WAY
- T/L TRANSMISSION LINE
- FND FOUND
- TW TOP OF WALL
- BW BOTTOM OF WALL

**SYMBOL LEGEND**

- ⊕ BENCH MARK
- MONUMENT FOUND
- CONCRETE MONUMENT FOUND
- MONUMENT SET
- CONCRETE MONUMENT SET
- x 917.3 EXISTING SPOT ELEVATION
- △ COMPUTED POINT (NOT MONUMENTED)
- UTILITY POLE
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ GAS MARKER
- ⊕ ELECTRIC MANHOLE
- ⊕ SANITARY SEWER MANHOLE
- ⊕ STORM MANHOLE
- ⊕ STORM WATER CURB INLET
- ⊕ SANITARY SEWER MANHOLE
- ⊕ STORM WATER JUNCTION BOX
- ⊕ TELEPHONE PEDESTAL/BOX
- ⊕ GUY ANCHOR
- ⊕ SIGN
- ⊕ FIBER OPTIC MARKER
- ⊕ GRATE STORM INLET
- ⊕ TELEPHONE MANHOLE
- ⊕ WATER METER
- ⊕ AIR CONDITIONER
- ⊕ GAS METER
- ⊕ MAIL BOX
- ⊕ SANITARY CLEAN OUT
- ⊕ HAND HOLE
- ⊕ TRAFFIC CONTROL BOX
- ⊕ GAS VALVE
- ⊕ IRRIGATION CONTROL VALE
- ⊕ TREE
- ⊕ ELECTRIC TRANSFORMER
- PL — SUBJECT PROPERTY LINE
- ADJOINER PROPERTY LINE
- RIGHT OF WAY LINE
- x — x — x — EXISTING FENCE (TYP)
- 115KV — 115KV — 115KV — EXISTING 115KV TRANSMISSION LINE
- 46KV — 46KV — 46KV — EXISTING 46KV TRANSMISSION LINE
- DIST — DIST — DIST — OVERHEAD DISTRIBUTION LINE
- — — — — EXISTING EASEMENT
- — — — — LAND LOT LINE
- UNK — UNK — UNK — UNDERGROUND UNKOWN UTILITY
- — — — — TREE LINE
- COM — COM — COM — UNDERGROUND COMMUNICATION LINE
- WAT — WAT — WAT — UNDERGROUND WATER LINE
- GAS — GAS — GAS — UNDERGROUND GAS LINE
- — — — — ABOVEGROUND GAS LINE
- DIST — DIST — DIST — OVERHEAD DISTRIBUTION LINE
- D — D — D — UNDERGROUND DISTRIBUTION LINE
- SAN — SAN — SAN — SANITARY SEWER LINE
- — — — — STORM PIPE
- — — — — ASPHALT
- — — — — GRAVEL
- — — — — CONCRETE
- — — — — DRAINAGE DITCH



**CERTIFICATION:**

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

NORTH SURVEYING AND MAPPING, LLC.

*Scott C. North*

SCOTT C. NORTH  
 GEORGIA REGISTERED LAND SURVEYOR  
 STATE OF GEORGIA LICENSE NO. 3176  
 DATE 09/18/2025

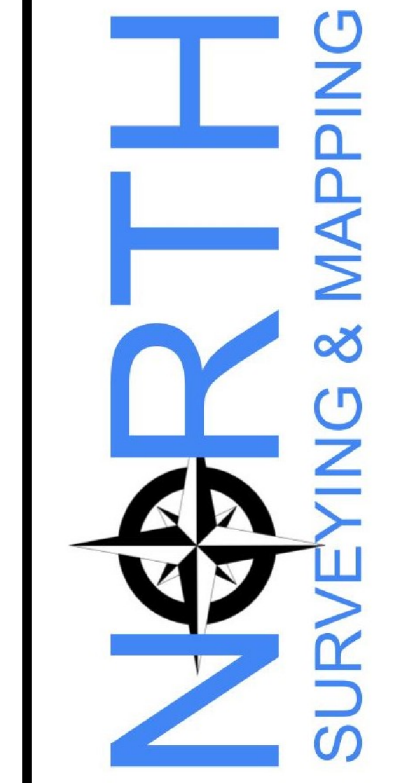


SHEET 1 OF 1

PLOT PLAN OF  
 PID 14 009800080089  
 846 SOUTH CENTRAL AVENUE,  
 FULTON COUNTY, HAPEVILLE, GEORGIA 30354  
 FOR  
 ABDULSATTAR KHAN, RK SONS DEVELOPMENT

PROJECT NAME: 2500351 846 South Central Avenue  
 PROJECT #: 2500351  
 DATE: 09/18/2025  
 SCALE: 1" = 20'  
 SURVEYOR: SCOTT NORTH  
 TECHNICIAN: KENNETH AYDELL  
 CREW CHIEF: SCOTT NORTH  
 FIELD BOOK: 25-00

1071 DEAN DRIVE NW  
 ATLANTA GEORGIA 30318  
 404-203-1147  
 GEORGIA COA: LCF001411





# Hapeville georgia

## PLANNER'S REPORT

DATE: October 14, 2025  
TO: Adrienne Senter  
FROM: Lynn Patterson  
RE: Variance Application for 846 S Central Ave Parcel ID 14 009800080089, Parking requirement reduction

### **BACKGROUND**

The City of Hapeville has received a Variance application from Abdulsattar Khan to allow for an unspecified reduction in required parking for 846 South Central Avenue, Parcel ID 14 009800080089. There is a 3,600 SF building located on the property. Required parking per Code Sec. 93-22.1 is 1 space per 200 SF or 18 spaces.

There is parking available in the supplemental area, though it is not clearly demarcated. It is estimated that the front area may accommodate 4 to 5 spaces. There is a driveway to the back of the building; however, during a previous site visit with the owner, the distance between the building and the back of the property was approximately 23', which is not sufficient to accommodate additional commercial parking beyond 1 or 2 spaces. The closest public parking spaces are located along S Central Ave to the east between 660' and 1030'. These are shared spaces with other businesses along South Central Avenue. There is a private parking lot adjacent to this property; however, the hours are similar to this use, and there have been ongoing issues between the two property owners regarding patrons for 816 S Central parking at 846 S Central.

The subject tract is located within the V, Village Zoning District, and the A-D Arts District Overlay. Though mentioned at the end of the Variance summary, no specific details for a proposed use, the timing, and intensity of customer traffic have been provided with the application.

### **CODE**

#### **Sec. 87-3-3. - Powers and duties.**

(2) Variances. To authorize, upon appeal in specific cases, those variances from the provisions of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done. A variance may be granted in any individual cases of practical difficulty or unnecessary hardship only upon a finding by the board of appeals that:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

The property is 0.2262 acres, measuring 75' across the front, 132' and 140' on the east and west sides, and 72' across the back. Access is only provided from South Central Avenue. There is a parking area in the front with poorly maintained concrete and not well-demarcated parking spaces. The driveway width is approximately 8' to 10', which is very narrow for commercial use.

b. The application of this chapter to this particular piece of property would create an unnecessary hardship;

The application of this chapter is to ensure that the property can sustain any proposed use. As the parking is limited to possibly 5 onsite spaces, any proposed use would need to be limited with respect to staff/visitors to the site.

c. Such conditions are peculiar to the particular piece of property involved; and

The site was previously developed with a 3,600 SF building. As the application states, commercial use has been abandoned since at least 2005, with previous uses unknown. The parking lot and driveway have not been maintained.

d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.

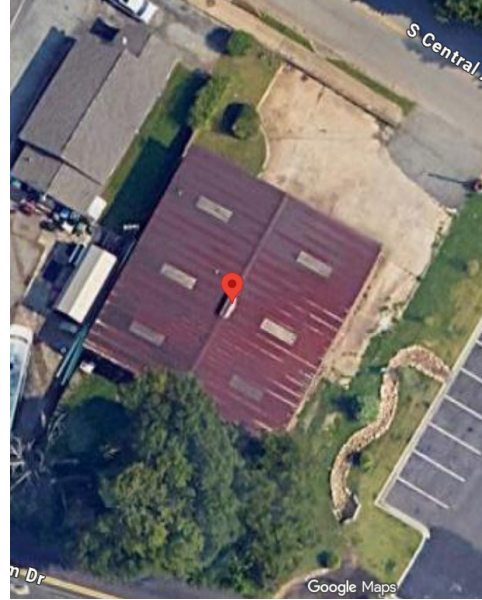
There are likely only 5 available parking spaces on the property. Any use that would require more than 5 parking spaces could negatively impact surrounding property owners with customers parking on neighboring private property. The public parking that is available is in excess of 660' from the property.

### **RECOMMENDATION**

As discussed through email and phone conversations with the applicant and his realtors, the Board of Appeals may consider a reduction in required parking; however, more details for a proposed use would be relevant to inform their decision. For example, any use that had a number of customers coming to the site (e.g., restaurant) would far exceed the available parking on site.

The applicant should provide a dimensioned site plan showing the layout of all proposed parking spaces, including dimensions of driveways and turnarounds. The applicant should provide a dimensioned site plan showing the layout of all proposed parking spaces, including dimensions of driveways and turnarounds.

Given the limitation of publicly accessible parking in the area, Staff does not believe a blanket reduction in parking requirements is advisable. Staff recommends one of two options: a limitation on the customer accessible square footage that meets parking requirements available at the front of the building, given the narrow driveway to the back (e.g., 1000 SF) or a reduction in parking requirements for a specific use that demonstrates limited parking demand to what can reasonably be accommodated on the site. Staff recommends the applicant provide details for any proposed use, including specific operation times, capacities, activities, etc., that would demonstrate the property could accommodate parking needs. Any change in use or expansion of proposed activities, times, etc., would be in violation of the proposed variance, and any change would require Board of Appeals review and approval.



**Project Location – 846 S Central Ave**



## City of Hapeville 2026 Meeting Schedule

### Hapeville Board of Appeals 2026

All Board of Appeals meetings are scheduled for 6:00 PM at the Municipal Annex located at 700 Doug Davis Drive unless otherwise posted.

	<b>Submittal Deadline</b>	<b>Meeting Date</b>
<b>January</b>	December 1, 2025	Thursday, January 22, 2026
<b>February</b>	January 2, 2026	Thursday, February 26, 2026
<b>March</b>	February 2, 2026	Thursday, March 26, 2026
<b>April</b>	March 2, 2026	Thursday, April 23, 2026
<b>May</b>	April 1, 2026	Thursday, May 22, 2026
<b>June</b>	May 1, 2026	Thursday, June 25, 2026
<b>July</b>	June 1, 2026	Thursday, July 23, 2026
<b>August</b>	July 1, 2026	Thursday, August 27, 2026
<b>September</b>	August 3, 2026	Thursday, September 24, 2026
<b>October</b>	September 1, 2026	Thursday, October 22, 2026
<b>November</b>	October 1, 2026	Thursday, November 19, 2026
<b>December</b>	November 2, 2026	Thursday, December 17, 2026

Submittal of partial or incomplete applications will not be considered for placement on the Board of Appeals agenda until the application is accepted as complete. Meeting dates and deadlines are subject to final review and approval by the Planning & Economic Development Manager.