



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
Simon Hardt
James Jordan
Meeghan Murray
Kate Rockett
Melanie Williams

Board of Appeals Meeting

700 Doug Davis Drive
Hapeville, GA 30354

July 23, 2026 6:00 PM

AGENDA

1. Call to Order

2. Roll Call

Michael Simpson, Chairman
Jason Morris, Vice Chairman
Simon Hardt
James Jordan
Meeghan Murray
Kate Rockett
Melanie Williams

3. Approval of Minutes

3.I. Minutes of January 22, 2026

Documents:

1. Minutes - 1-22-2026_draft

4. New Business

4.I. 274 Maple Street Variance Request

Background:

Katelin Colburn is requesting a variance to reduce the required setback for a corner lot at 274 Maple Street (Parcel ID: 14 009400090819). The property is zoned R-1, One-Family Residential, and is subject to the zoning regulations outlined in Article 2 (General Provisions), Section 93-2-8 (Frontage on corner lots and double frontage lots) of the City of Hapeville Zoning Ordinance.

Documents:

1. Application - 274 Maple Street_Variance_Redacted
2. Plans - 274 Maple Street_Variance
3. Planners Report - 274 Maple Street_Variance_Stoop
4. Legal Ad - 274 Maple Street_AFF560997

5. Next Meeting Date - August 27, 2026 at 6:00 PM

6. Adjourn



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

Board of Appeals Meeting

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

January 22, 2026 6:00 PM

MINUTES

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

2. Roll Call

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

3. Election of Officers

3.I. Election of Vice Chairman

MOTION ITEM: Mike Simpson made a motion to reelect Jason Morris as Vice Chairman. The motion was seconded by Melanie Williams. MOTION CARRIED: 5-0.

3.II. Election of Chairman

MOTION ITEM: Jason Morris made a motion to reelect Mike Simpson as Chairman. The motion was seconded by James Jordan. MOTION CARRIED: 5-0.

4. Approval of Minutes

4.I. Minutes of November 20, 2025

MOTION ITEM: Kate Rockett made a motion to approve the minutes of November 20, 2025, as submitted. The motion was seconded by Meeghan Murray. MOTION CARRIED: 5-0.

5. Public Hearing

5.I. 3046 Gordon Circle

Variance Request

Background:

Philip B. Belt, Jr. requested a variance to reduce the required setback, increase the allowable lot coverage from 40% to 45%, and grant relief from the Tree Conservation Ordinance for the

property located at 3046 Gordon Circle (Parcel ID: 14 009900020506). The property is zoned R-1, One-Family Residential, and is subject to the zoning regulations outlined in Article 29 (Tree Conservation), Article 22.1 (Dimensional Requirements), and Section 93-22.1-1 (Chart of Dimensional Requirements) of the City of Hapeville Zoning Ordinance.

The applicant explained that the request is based on a plat, which reflects the lot as being approximately 10% larger than previously indicated. The proposal would allow for an extension of the lower corner of the porch, enabling the house to be shifted approximately four feet. Additionally, there is a nine-foot dogwood tree located near the property line, and the applicant is requesting to move the house farther away to avoid impacting the tree.

Findings:

Dr. Lynn Patterson, City Planner, explained that the proposed development is for the construction of a single-family dwelling on a corner lot. The request stems from the unique conditions associated with the recording of the metes and bounds of the property when it was originally platted in 1944 and subsequent documents. The right-of-way is extremely large, given the radius of the property line and subsequent road construction. Though the property appears much larger because of the significant right-of-way (grassed), discrepancies with metes and bounds suggest the property is actually smaller. The requested variances would allow the single-story single-family dwelling to be moved to the east, allowing for construction away from a rock wall. This would also minimize impact on the existing trees that would be affected by development of the property. The request for the increase in lot coverage is based on the corner lot and resultant driveway layout. The applicant is working with the City to determine if additional trees can be planted in the oversized right-of-way.

Recommendation:

The right-of-way for this residential street is extremely large and arguably “encroaches” on what would normally be private property. Given the likelihood that the street will not be expanded, perhaps a sidewalk would be installed at some point, or utilities may be installed; nothing precludes or necessitates the distance from the street that would apply in other cases. The requested variances are all impacted by the right-of-way condition. Staff recommended approval of the three variances.

Board Member Discussion:

None.

Public Comment:

None.

End of Public Comment.

MOTION ITEM: James Jordan made a motion to approve the variance requests to reduce the required setback, increase the allowable lot coverage from 40% to 45%, and grant relief from the Tree Conservation Ordinance for the property located at 3046 Gordon Circle, as requested. The motion was seconded by Kate Rockett. MOTION CARRIED: 5-0.

5.II. 3165 Dogwood Drive

Variance Request

Background:

Barry Dunlap, authorized representative for Ehud (Udi) Goldstein requested a variance to increase the height of a fence, increase the allowable size of a sign and reduce the setback of a sign at 3165 Dogwood Drive, Parcel ID: 14-0099-0003-112-3. The property is zoned V, Village and is subject to the zoning regulations under Article 3.3 (Signs and Murals), Section 93-3.3-21 (Sign standards by sign district), Section 93-2-5 (Accessory uses, accessory structures, yard requirements of accessory structures, outbuildings and fences), Section 93-2-7 (Vision clearance at corners), Section 93-3.3-8 (General sign regulations), and Section 93-3.3-11 (Prohibited signs) of the City of Hapeville Zoning Ordinance.

Mr. Dunlap explained the requested variances as it relates to the height of the fence and the size/location of the sign.

Board Member Kate Rockett stated that the sign is obstructing the visibility of traffic traveling north on Dogwood Drive. Ms. Rockett asked the applicant to explain the stated detriment of removing the sign, as indicated in the variance application. The applicant responded that he did not prepare the application; however, he explained that the sign was placed in its current location to maximize space for the front units.

Board Member Melanie Williams asked whether the request applied to the fence along the side yard or only to the fence in the front yard. Dr. Patterson stated that the side yard fence is six feet in height and is compliant with the code, and that the applicant is only requesting relief from the fence regulations for the front yard. Ms. Williams clarified that her mother's property is adjacent to the subject property and wanted to ensure there would be no conflict.

Findings:

The request is for two variances: (1) to allow for a 6' sign 5' from the curb within 20' of the intersection of the driveway and within 6' of the curb and (2) to allow for a 5' tall fence in the front yard of the driveway/ supplemental area and within the vision triangle at 3165 Dogwood Drive. The property is the site of 23 townhomes.

The sign was installed prior to obtaining a permit. If the sign permit application had been submitted, it would have been denied for the location – averting the necessity to request a variance. Though fences do not require a permit, the fence was installed without consultation with the City or review of the Code by the applicant. The fence height would have been flagged as non-compliant.

Per a December site visit, the property currently has the following Code Violations:

- Parking spaces are not demarcated
- Not all trees and landscaping planted (only 4 trees planted)
- Retention pond in the back left corner not properly installed
- No sufficient lamp posts on the property
- Missing HVAC units
- Sign too tall and in vision triangle
- Fence too high at Dogwood Drive and too close to the street (in the vision triangle)
- Missing tile in front of doors
- Wrong doors (grids between glass)
- Not all back fence panels installed
- Overgrown grass/weeds/Kudzu
- Bent and misaligned metal fence panels
- Downspouts coming out on sidewalk
- Two units are rented out and not individually owned. There is also a now leasing sign (sign not compliant). The units were approved and permitted as 'fee simple' properties. A rental townhome project would not have been allowed.

Recommendation:

As the sign and fence create safety concerns and were installed without a permit (which would have identified non-compliance), the requested variances are not recommended for approval.

The applicant should also address all Code Violations as indicated above.

Public Comment

None.

End of Public Comment.

Board Discussion:

Vice Chairman Jason Morris asked if the height of the fence was lowered would that be sufficient. Dr. Patterson stated that the fence would be fine if it was lowered, but the sign could not be within 20' of the intersection. In addition, Mr. Morris asked if the sign could be located in the middle of the property as to not block visibility. Dr. Patterson stated that would be up to the developer and the individual property owners.

Vice Chairman Morris asked whether there was an alternative location on the property where the proposed sign could be installed. Dr. Patterson responded that, based on her review, there does not appear to be another feasible location on the site that would accommodate the sign.

James Jordan referenced the vicinity map and the location of the property, noting that he was not surprised by the issues under discussion because he had experienced similar impacts during the development of the property. He expressed his opposition to the requested variances.

MOTION: James Jordan moved to deny the variance requests for the property located at 3165 Dogwood Drive, including requests to increase the maximum permitted fence height, increase the allowable sign area, and reduce the required sign setback. Kate Rockett seconded the motion. MOTION CARRIED: 4-0-1, with Melanie Williams abstaining.

Mr. Dunlap asked how much time would be allowed to correct the code violations related to the fence and sign. Dr. Patterson stated that 30 days would be a reasonable compliance period and noted that promptly removing the sign would demonstrate good faith, particularly given the associated safety concerns.

6. Next Meeting Date – February 26, 2026, at 6:00 p.m.

7. Adjourn

MOTION ITEM: Melanie Williams made a motion to adjourn the meeting at 6:56 p.m. The motion was seconded by Meeghan Murray. MOTION CARRIED: 5-0.

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary

CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT

Date Received: 5/28/2026
Application # 26-BOA-07-02
Fees: \$350.-

BOARD OF APPEALS APPLICATION

Name of Applicant KATELIN COLBURN
Mailing Address [REDACTED]
Telephone [REDACTED] Mobile # [REDACTED] Email [REDACTED]
Property Owner (s) DALTON AND KATELIN COLBURN
Mailing Address [REDACTED]
Telephone [REDACTED] Mobile # [REDACTED] Email [REDACTED]
Address/Location of Property: 274 MAPLE ST HAPEVILLE GA 30354
Parcel I.D. # (Information must be provided) 14009400090819
Square foot of Property 8,000 FT Building Size 1,140 FT Zoning R-1
Present Land Use RESIDENTIAL SINGLE FAMILY HOME
Variance Requested CORNER LOT SETBACK VARIANCE FOR "NONCONFORMING STRUCTURE"
Application Code Section 93-2-8

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. 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.

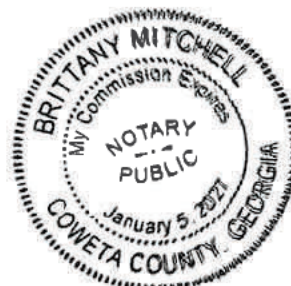
[REDACTED]
Applicant's Signature

Date: May 26, 2026

Sworn to and subscribed before me

This 26th day of May, 20 26.

[REDACTED]
Notary Public



BOARD OF APPEALS 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. (Please type or print legibly.)

The property 274 Maple Street, Hapeville GA 30354 was built in 1950, which was previous to the current set back variance requirements for homes on corner lots. The west side of the home (facing Fifth street) sits 8 feet and 4 inches from the property line, while the requirement currently is 15 feet. This home was built before variance laws were put in place.

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

It is impossible for the home to abide by the current setback variance standards.

To make the home compliant, the home would have to be moved.

"NON CONFORMING STRUCTURE" / GRANDFATHERED

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

The proposed attached stoop would be located flush with the original west side of the home (8 feet 4 inches). The stoop addition does not encroach any further to the property line than the home currently sits.

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

Allowing front door access to the home. Stoop addition would be beautifying the home and further beautifying the community as a whole.

BOARD OF APPEALS APPLICATION

AUTHORIZATION OF PROPERTY OWNER

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

274 MAPPLE STREET

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 Kateelin Colburn

Adress of Applicant [REDACTED]

Telephone of Applicant [REDACTED]

Signature of Owner

KATELIN COLBURN

Print Name of Owner

Personaly Appeared Before Me

This 21st **day of** May, 20 20

Notary Public

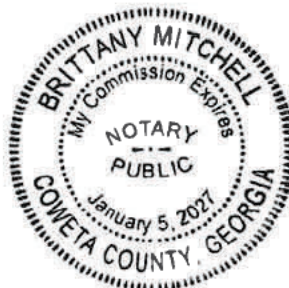


EXHIBIT "A"

LEGAL DESCRIPTION

All that tract parcel of land lying and being in Land Lot 94 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point formed by the intersection of the Southern side of Maple Street, with the Eastern side of 5th Street, running thence East along the Southern side of Maple Street, 50 feet to an iron pin; running thence South 149.1 feet East to an iron pin located on the Northern side of a 10 foot alley; running thence West along the Northern side of said alley 50 feet to an Iron pin located on the Eastern side of 5th Street; running thence North along the Eastern side of 5th Street 149.5 feet to the point of beginning; and being Lot 1, Block F of Emma A. Moore Subdivision.

Subject Property Address: 274 Maple Street, Hapeville, GA 30354

Parcel ID: 14 -0094-0009-081-9

→ BIRCH 51

51

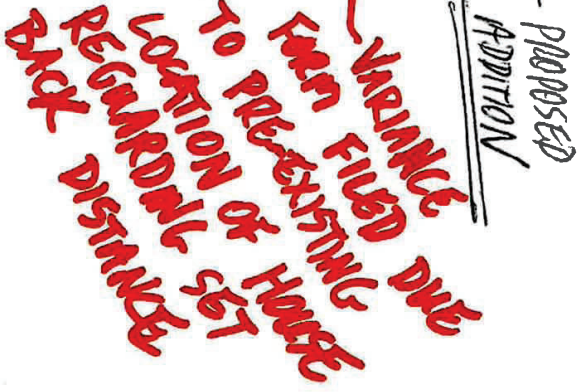
~~XXXXXX~~ PROPERTY LINE

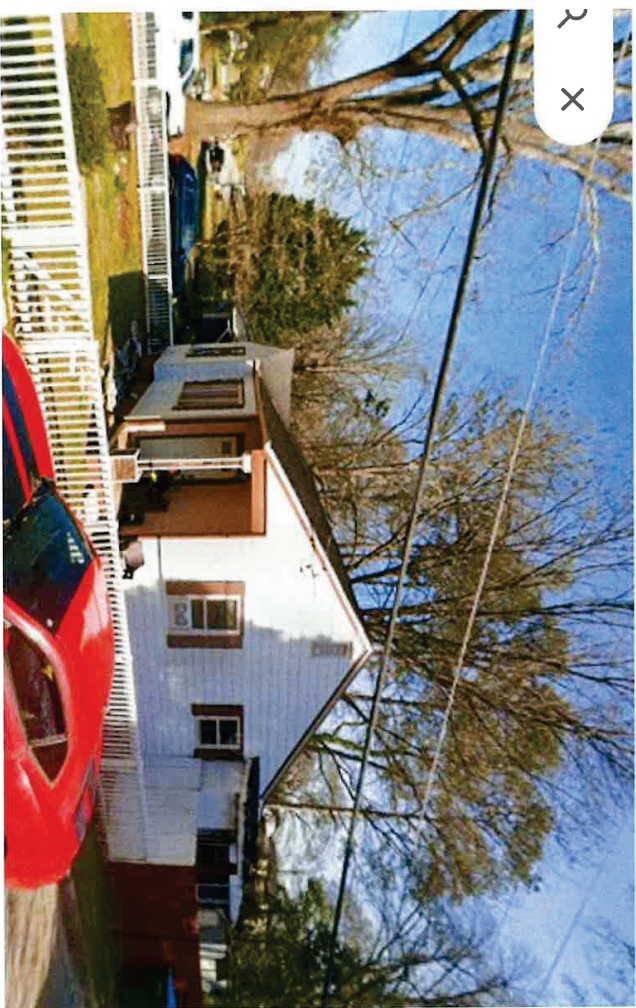
165

4172

WASH

144





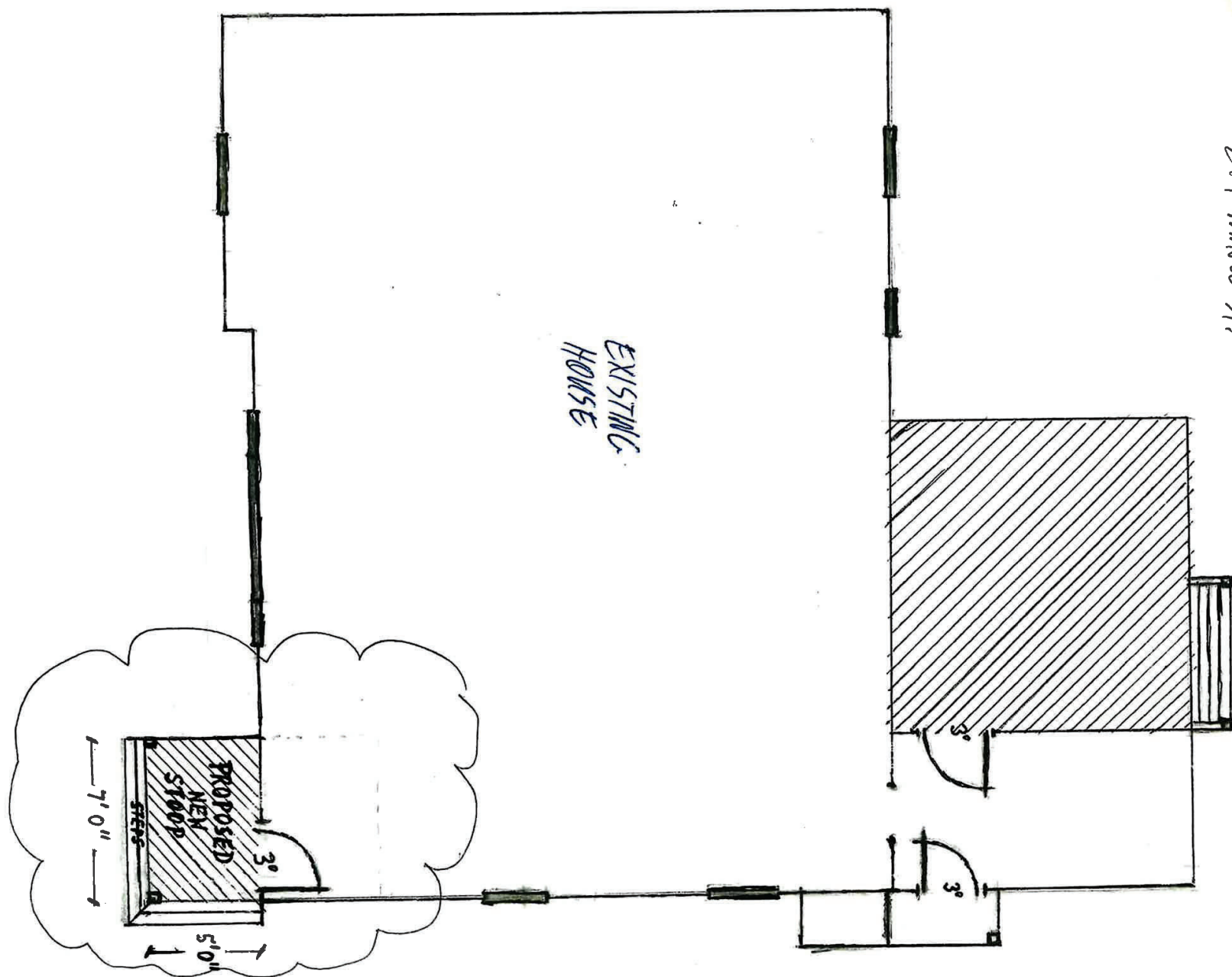
274 MAPLE ST.

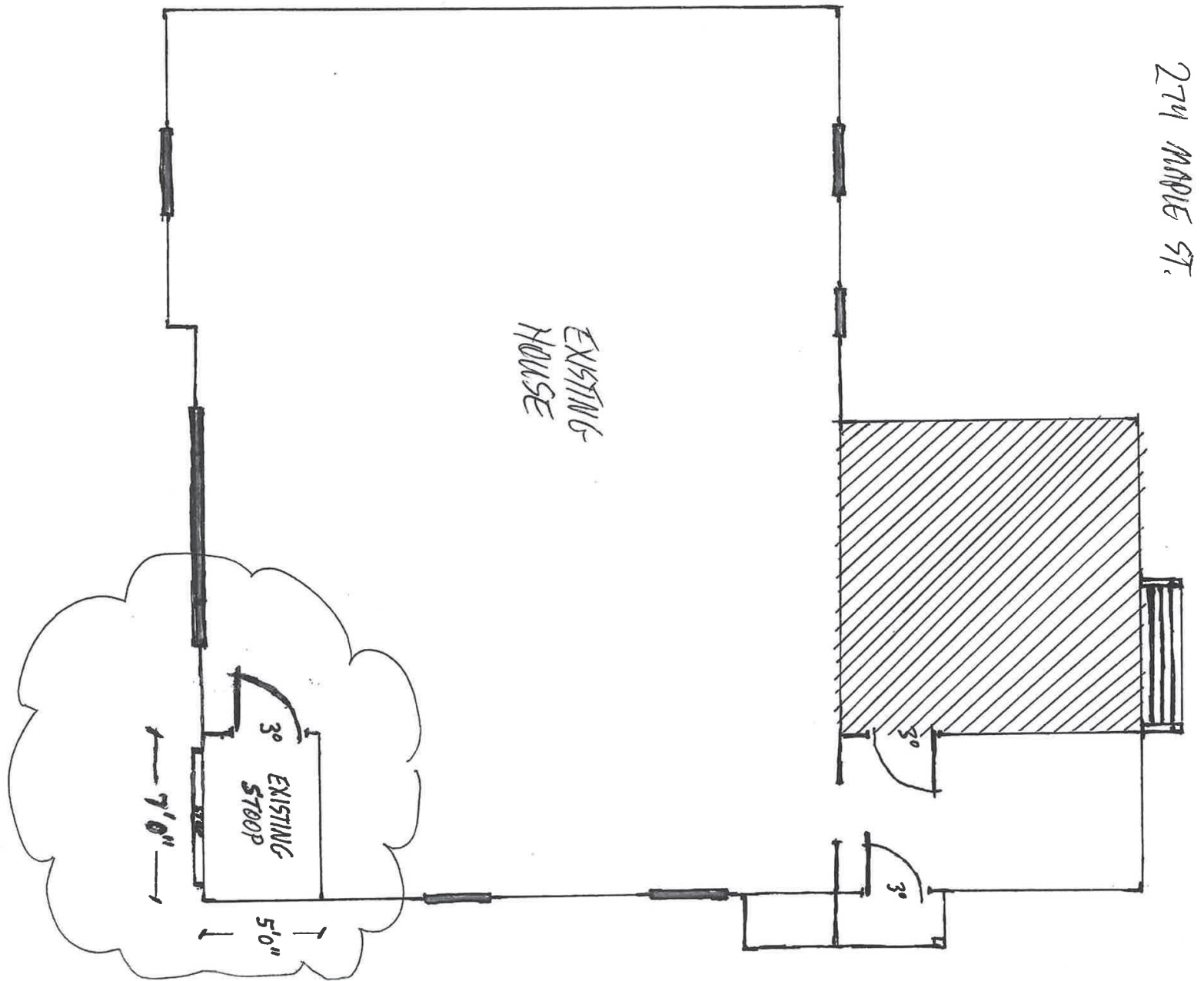


274 MAPLE ST.



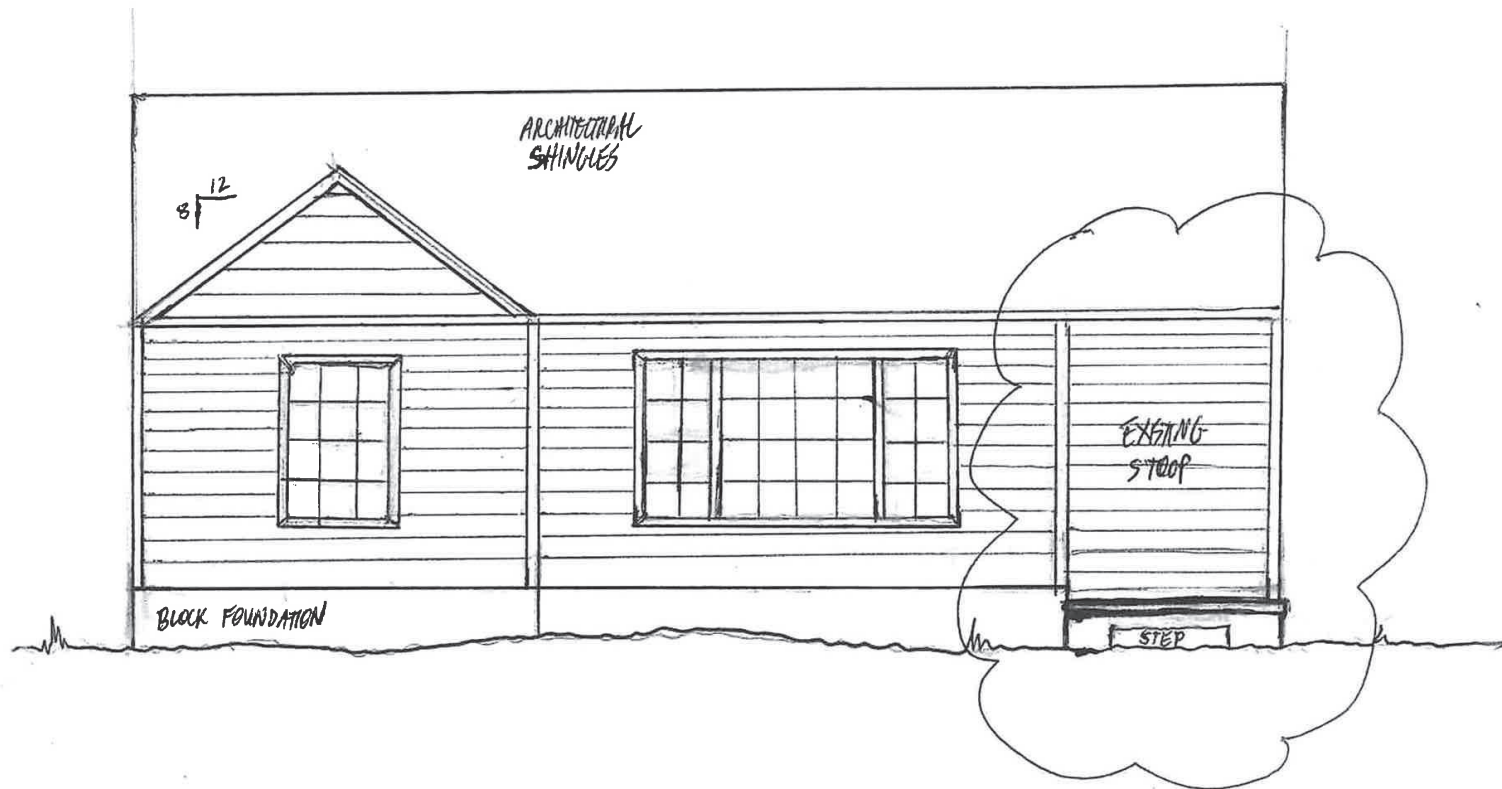
274 MARLE ST.





274 MAPLE ST.

EXISTING
FRONT ELEVATION



274 MAPLE ST.

EXISTING
RIGHT ELEVATION



274 MARLE ST.

PROPOSED
FRONT ELEVATION

**NO OVERHANG AS TO
MATCH EXISTING CONDITIONS**

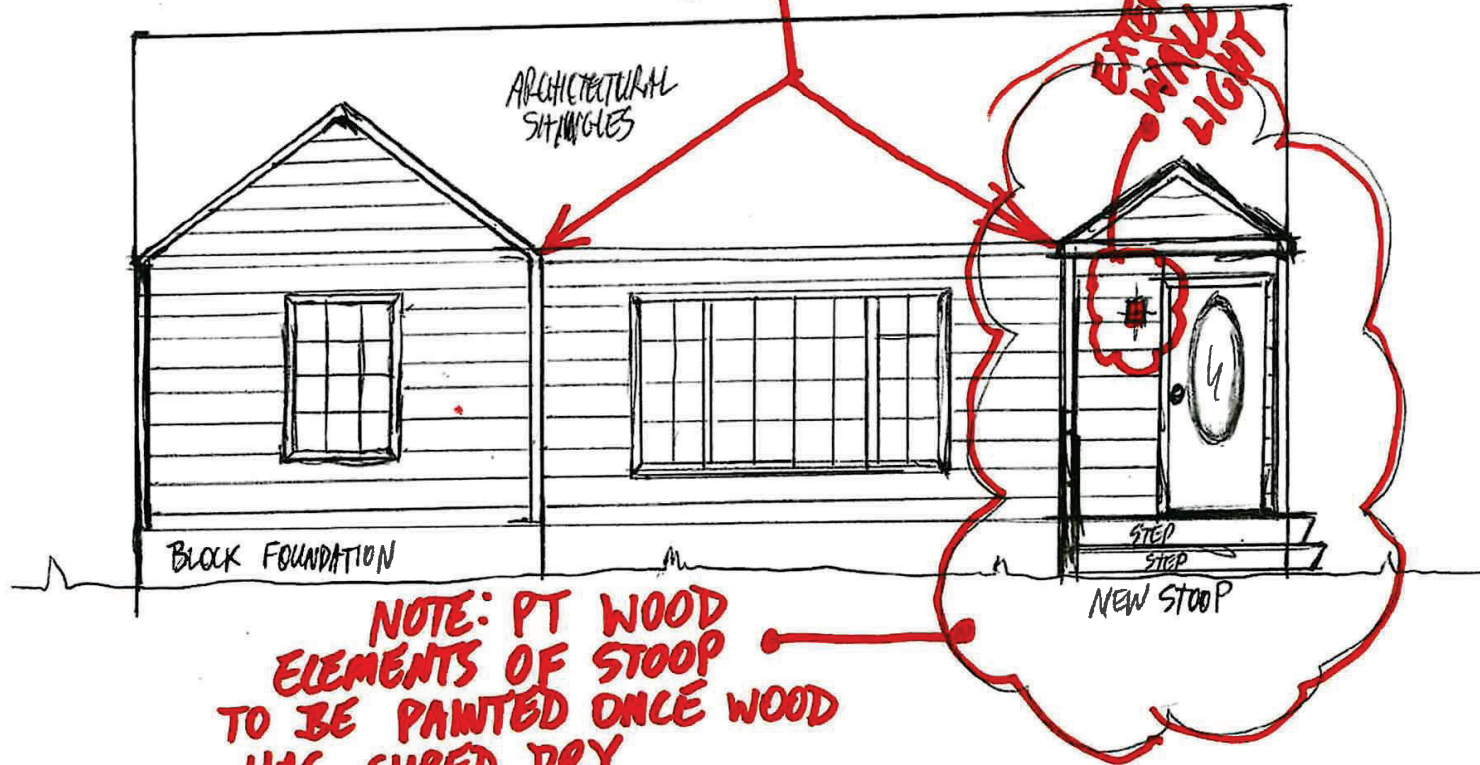
**EXTERIOR
WALL
LIGHT**

ARCHITECTURAL
SHINGLES

BLOCK FOUNDATION

STEP
STEP
NEW STOOP

**NOTE: PT WOOD
ELEMENTS OF STOOP
TO BE PAINTED ONCE WOOD
HAS CURED DRY.**



274 MAPLE ST.

PROPOSED
RIGHT ELEVATION





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

DATE: July 16, 2026
 TO: Adrienne Senter
 FROM: Lynn M. Patterson
 RE: Variance Application for 274 Maple Street , Parcel ID 14 009400090819

BACKGROUND

The City of Hapeville has received a variance application from Katelin Colburn to allow the reconfiguration of the door and addition of a front stop onto a non-conforming single-family structure located at 274 Maple Street, Hapeville, Ga 30354. The single family dwelling, built in 1950, is located in the side setback along Fifth Street. The proposed front stoop follows the existing plane of the house and will be located in the side setback. 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.

CODE

ARTICLE 6. - R-1 ZONE (ONE-FAMILY RESIDENTIAL)

Sec. 93-6-1. - Intent.

By virtue of its location within the comprehensive land development plan for the city, the R-1 zone is established in order to protect residential areas now predominantly developed with one-family detached dwellings and a few adjoining areas likely to be developed for such purposes. Only a few additional and compatible uses are permitted. The regulations of this zone are intended to:

- (1) Protect the present predominantly one-family use of the land.
- (2) Encourage the discontinuance of existing incompatible uses, and insure the ultimate stabilization of the land in one-family usage.
- (3) Protect and promote a suitable environment for family life.
- (4) Discourage any use which would generate other than normal residential traffic on minor streets.
- (5) Discourage any use which, because of its character or size, would create excessive requirements and costs for public services.

Sec. 93-22.1-1 Dimensional Requirements

R-1 Zoning dimensional requirements for single-family detached structures are as follows:

					Minimum Front Yard		Minimum		Maximum			
Lot Frontage (Feet)	Min. Lot Area Sq. Ft.	Lot Area/DU Square Feet	Floor Area/DU Sq. Ft.	Max Lot Coverage	Minor Col.	Maj. Arterial	Side	Rear	Stories	Feet	Min. Parking Spaces	Max. Unit Per Bldg. Lot
50	6,750	6,750	1,000	40	15	15	5	25	2 ½	35	2 DU	1

FINDINGS

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 house was built in 1950 prior to the establishment of the City's Zoning Ordinance. The property is unremarkable in terms of size, shape, or topography.

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

The existing dwelling footprint (built in 1950) sits within the side yard setback and therefore is non-conforming. The proposed stoop addition follows the existing plane. While the expansion could not be added without a variance, there is no hardship created by the 15' side setback.

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

As stated above, the existing dwelling is a non-conforming condition of the developed site. The house is situated with the front door already existing in the side setback.

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

Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Code. Rather, it allows for the improvement of an existing single-family dwelling.

RECOMMENDATION

The requested variance will allow for the improvement of an existing single-family dwelling along the existing building plane. As this dwelling was built in the 1950s which was prior to the existing zoning regulations (likely 1981) and the proposed stoop addition is consistent with the character of the existing dwelling, there is no evidence of a detriment to the public good. The proposed variance is recommended for approval.



274 Maple Street

South Fulton Neighbor

136 Pryor Street, Suite CB14
Atlanta, Ga. 30303
470-990-4415

AFFIDAVIT OF PUBLICATION

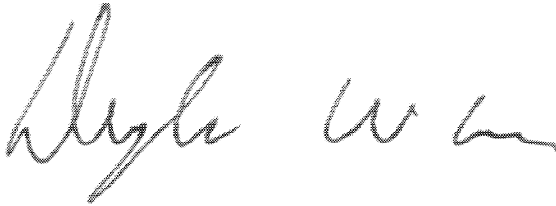
STATE OF GEORGIA
COUNTY OF FULTON

I, Douglas W. Crow, do solemnly swear that I am the Vice President of Operations, Times Journal Inc., of the South Fulton Neighbor printed and published at South Fulton in the State of Georgia and that from my own personal knowledge and reference to the files of said publication, the advertisements for: **FN9646 JULY 23, 2026** was published in the South Fulton Neighbor on the following date(s):

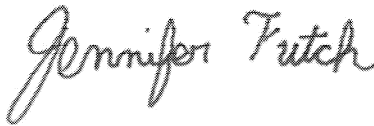
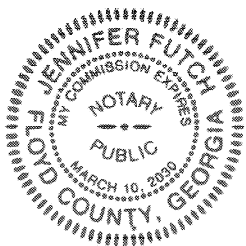
06/17/2026

Ad No.: **560997**

Subscribed and sworn to before me this 17th day of June, 2026



Douglas W. Crow, Vice President of Operations, Times Journal Inc.



Notary Public

Ad text :
FN9646
gpn14
NOTICE
City of Hapeville

A Public Hearing will be held by the City of Hapeville Board of Appeals on Thursday, July 23, 2026 at 6:00 p.m. at the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. The meeting will be made available to the public by live streaming only via teleconference/ videoconference in accordance with O.C.G.A. ? 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/Agendas-and-Minutes> to consider the following:

Variance Request:

Variance request to reduce the required setback for a corner lot at 274 Maple Street (Parcel ID: 14 009400090819). The property is zoned R-1, One-Family Residential, and is subject to the zoning regulations outlined in Article 2 (General Provisions), Section 93-2-8 (Frontage on corner lots and double frontage lots) of the City of Hapeville Zoning Ordinance.
Applicant: Katelin Colburn

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the Planning and Economic Development Director, Adrienne Senter at asenter@hapeville.org or called in at 404-669-8269 no later than 5:00 p.m. on July 22, 2026. When emailing or verbally delivering your comment to the Planning and Economic Development Director, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the Planning and Economic Development Director will be read into the record during the meeting. Citizens may not make comments on public hearing agenda items via teleconference/videoconference.

6:17,2026
#560997-EP