



Chairman, Michael Simpson
Vice Chairman, John Stalvey
Gabriel Cojocarescu
Rod Mack
Larry Martin
Martha Revelo
William Slocumb

**Board of Appeals Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354**

December 17, 2020 6:00 PM

MINUTES

1. Call to Order

The meeting was called to order at 6:01 p.m.

2. Roll Call

Michael Simpson, Chairman
John Stalvey, V. Chairman
Gabriel Cojocarescu
Rod Mack
Larry Martin
Martha Revelo
William Slocumb

3. Approval of Minutes

3.I. Minutes of November 19, 2020

MOTION ITEM: Larry Martin made a motion, William Slocumb seconded to approve the minutes of November 19, 2020 as submitted. Motion Carried: 6-0.

4. Public Hearing

4.I. 461 North Central Avenue

Variance Request

Background:

Joseph Latimer of Dwarf House Group is requesting variances to allow parking in the supplemental area and increase the maximum restaurant size of 6,000 square feet to 11,326 square feet at 461 North Central Avenue, Parcel Identification Number 140095-00030152. The property is zoned UV, Urban Village and is subject to the zoning regulations under Sections 9311.28 and 9311.23 of the City of Hapeville Zoning Ordinance.

Mr. Latimer requested the following:

- 1) Variance request to allow parking in the supplemental area at 461 North Central Avenue, Parcel Identification Number 14-0096-0003-01-2. There are 12 spaces along the North Central Avenue frontage between the setback line and the

sidewalk.

Sec. 93-11.2-8. - Supplemental area requirements.

Supplemental areas shall meet the following requirements:

- (1) The following may not be located in the supplemental area:
 - e. Parking.

Definition - Supplemental area: The privately held area between the back of the required sidewalk clear zone and the build-to line. Supplemental zones shall only be required along existing public streets.

- 2) Variance request to increase the maximum restaurant size of 6,000 square feet to 11,326 square feet at 461 North Central Avenue, Parcel Identification Number 14-0096- 0003-01-2.

Section 93-11.2-3 Permitted uses

The following are permitted within the U-V zone:

- (9) Restaurants or carry-out restaurants but not including drive-through/drive-in restaurants with a maximum size of 6,000 square feet. Such restaurants shall be allowed to operate no more than six billiard tables upon the premises. Drive-through or drive-in restaurants may be allowed through special permit. The desired configuration for a drive-through or drive-in restaurant in this district is not a stand-alone building but rather part of a larger development and the site plan specifically addresses pedestrian orientation and safety.

The applicant is developing the property as a rebuilt and expanded Dwarf House/Chick-fil-A restaurant. As this is the site of the original Dwarf House, the proposed project incorporates historic elements, "a museum within a restaurant". With these added elements, the building is larger than the 6,000 SF. The project is anticipated to draw customers beyond a typical restaurant and therefore is requesting the parking along North Central (a variance for parking in excess of 110% was approved at the November 2020 Board of Appeals meeting).

The applicant received conditional approval for the Site Plan from the Planning Commission on November 10, 2020 and a recommendation to grant the aforementioned requested variances.

Staff Recommendation:

Planning Commission and staff recommendation is to grant the variances as requested.

Public Comments: None.

MOTION ITEM: John Stalvey made a motion, Martha Revelo seconded to grant the variance request to allow parking in the supplemental area and increase the maximum restaurant size of 6,000 square feet to 11,326 square feet at 461 N. Central Avenue as requested. Motion Carried: 6-0.

6. Next Meeting Date - Thursday, January 28, 2021 at 6PM

7. Adjourn

There being no further discussion, the following action is taken:

MOTION ITEM: John Stalvey made a motion, Martha Revelo seconded to adjourn the meeting at 6:10 p.m. Motion Carried: 6-0.

Respectfully submitted,

Michael Simpson, Chairman

Adrienne Senter, Secretary