



Chairman, Michael Simpson
Vice Chairman, John Stalvey
Rod Mack
Jason Morris
Martha Revelo
William Slocumb
Melanie Williams

Board of Appeals Meeting

700 Doug Davis Drive
Hapeville, Georgia 30354
May 27, 2021 6:00 PM

MINUTES

1. Called to Order at 6:01 PM.

2. Roll Call

Michael Simpson, Chairman
John Stalvey, Vice Chairman – teleconference
Rod Mack
Jason Morris
Martha Revelo – absent
William Slocumb – absent
Melanie Williams

3. Approval of Minutes

3.I. Minutes of April 22, 2021

MOTION ITEM: Rod Mack made a motion, Melanie Williams seconded to approve the minutes of April 22, 2021 as submitted.

John Stalvey recused himself from the following item:

4. Public Hearing

4.I. 748 Virginia Avenue

Variance Request

Background:

Audrey Plummer of Source Urbanism and representative for the Hapeville Development Authority requested variances to reduce the setback from 15' to 1- 6" on Virginia Avenue, reduce the setback along the east property line from 15' to 5'6", and reduce the parking requirement from 16 spaces to 11 spaces, increase the lot coverage from 70% to 81%, allow for reduced parking buffer to less than 5' and reduction in the sidewalk width for the property located at 748 Virginia Avenue, Parcel Identification Number 14-0098-0006-001-6. The property is zoned V, Village and is subject to the zoning regulations under Sections 93-11.1-6 (Area, placement, and buffering requirements) and 93-22.1-1 (Chart of dimensional requirements) and 93-23-2 (Entrance and exit points) of the City of Hapeville Zoning Ordinance.

Staff Comments:

City Planner, Dr. Lynn Patterson, stated the project is a redevelopment of an existing historic gas station to an arts center with a renovation of and addition to the existing building and an

open space in the supplemental area. The site conditions include almost 100% lot coverage, an existing building, and encroachment of the existing building on the east side.

The applicant received conditional approval for the Site Plan from the Planning Commission on April 13, 2021 and conditional approval from the Design Review Committee on April 21, 2021 with recommendations from both Boards to grant the requested variances.

Per 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 located at the intersection of Virginia Avenue and South Central Avenue.

The existing building encroaches into the west side setback. This condition will not change.

The site currently consists of the building and asphalt. The 81% would be a reduction in the existing coverage, but still allow for a hardscaped open space gathering, parking and the building.

The location of the building limits the location of the parking to the rear of the site or in the supplemental area, which is not allowed by the City's Architectural Design Standards*. The Design Review Committee granted an exception for supplemental parking to allow for handicapped space.

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

Renovating the existing historic building limits some of what can be accomplished on the site thereby created an unnecessary hardship or violating other parts of the Code.

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

This particular property, because of its location on a prominent intersection, proximity to the downtown area, and the desire to bring back the historical elements of the existing building create unique conditions to support the requested variances.

- 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:

The Design Review Committee, Planning Commission and staff recommendation is to grant the five variances as requested.

Rod Mack asked if the plan included preserving the existing trees. Ms. Plummer stated they will preserve the existing trees, however because they are impacted by the existing asphalt they do not count towards the required density. They will be adding three trees within the plaza and six street trees. Mr. Mack asked if there was a plan for overflow parking. Ms. Plummer stated the plan includes signage to address any anticipated parking issues and directs visitors to the public on street parking along S. Central Avenue.

Jason Morris asked if bollards would be placed within the open plaza area. Ms. Plummer stated bollards will be installed around the plaza area. Mr. Morris also asked if the sidewalk is ADA compliant. Ms. Plummer stated the width, and the sloop of the sidewalk is ADA compliant. Mr. Morris stated there is a handicap parking space located to the left of the loading zone. Mr. Morris asked if the applicant would consider adding a right loading zone. Ms. Plummer stated due to site constraints reconfiguring the loading zones would encroach into the required buffer or eliminate a parking space.

Public Comments: None.

MOTION ITEM: Rod Mack made a motion, Melanie Williams seconded to approve the variance request to reduce the setback from 15' to 1-6" along Virginia Avenue for the property located at 748 Virginia Avenue. Motion Carried: 3-0-1; John Stalvey recused himself.

MOTION ITEM: Jason Morris made a motion, Melanie Williams seconded to grant the variance request to reduce the setback along the east property line from 15' to 5'6" for the property located at 748 Virginia Avenue. Motion Carried: 3-0-1; John Stalvey recused himself.

MOTION ITEM: Melanie Williams made a motion, Jason Morris seconded to grant the variance request to reduce the parking requirement from 16 spaces to 11 spaces for the property located at 748 Virginia Avenue. Motion Carried: 3-0-1; John Stalvey recused himself.

MOTION ITEM: Melanie Williams made a motion, Jason Morris seconded to grant the variance request to increase the lot coverage from 70% to 81% for the property located at 748 Virginia Avenue. Motion Carried: 3-0-1; John Stalvey recused himself.

MOTION ITEM: Jason Morris made a motion, Rod Mack seconded to grant the variance request to allow for a reduced parking buffer to less than 5' and reduce the sidewalk width for the property located at 748 Virginia Avenue. Motion Carried: 3-0-1; John Stalvey recused himself.

5. Next Meeting Date – June 24, 2021 at 6 PM

6. Adjourn

MOTION ITEM: John Stalvey made a motion, Jason Morris seconded to adjourn the meeting at 6:24 p.m. Motion Carried: 4-0.

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary