



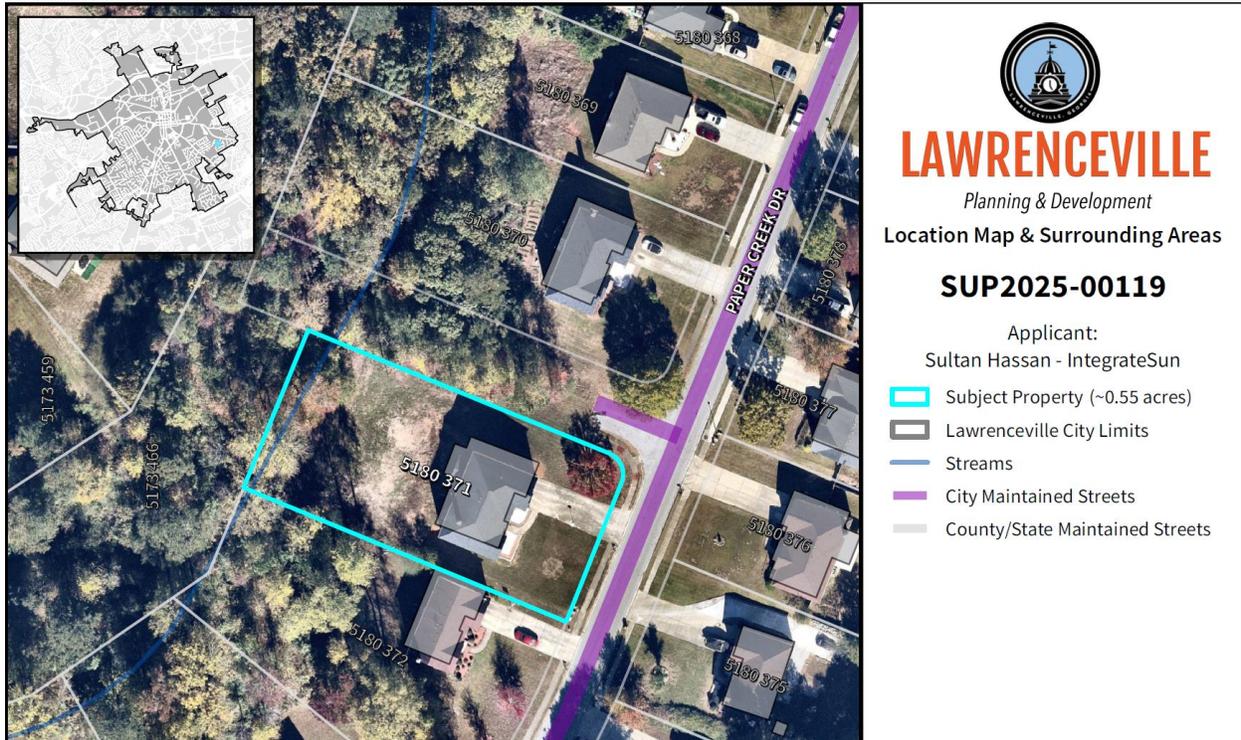
LAWRENCEVILLE

Planning & Development

SPECIAL USE PERMIT

CASE NUMBER(S):	SUP2025-00119
APPLICANT(S):	SULTAN HASSAN
PROPERTY OWNER(S):	DAVID PHUNG
LOCATION(S):	715 PAPER CREEK DRIVE
PARCEL IDENTIFICATION NUMBER(S):	R5180 371
APPROXIMATE ACREAGE:	0.56 ACRES
CURRENT ZONING:	RS-150 (SINGLE-FAMILY RESIDENTIAL DISTRICT)
PROPOSED DEVELOPMENT:	ALLOW ACCESSORY STRUCTURE (FREESTANDING SOLAR PANEL SYSTEM) TO BE LOCATED IN A FRONT YARD AREA
DEPARTMENT RECOMMENDATION:	DENIAL

VICINITY MAP



ZONING HISTORY

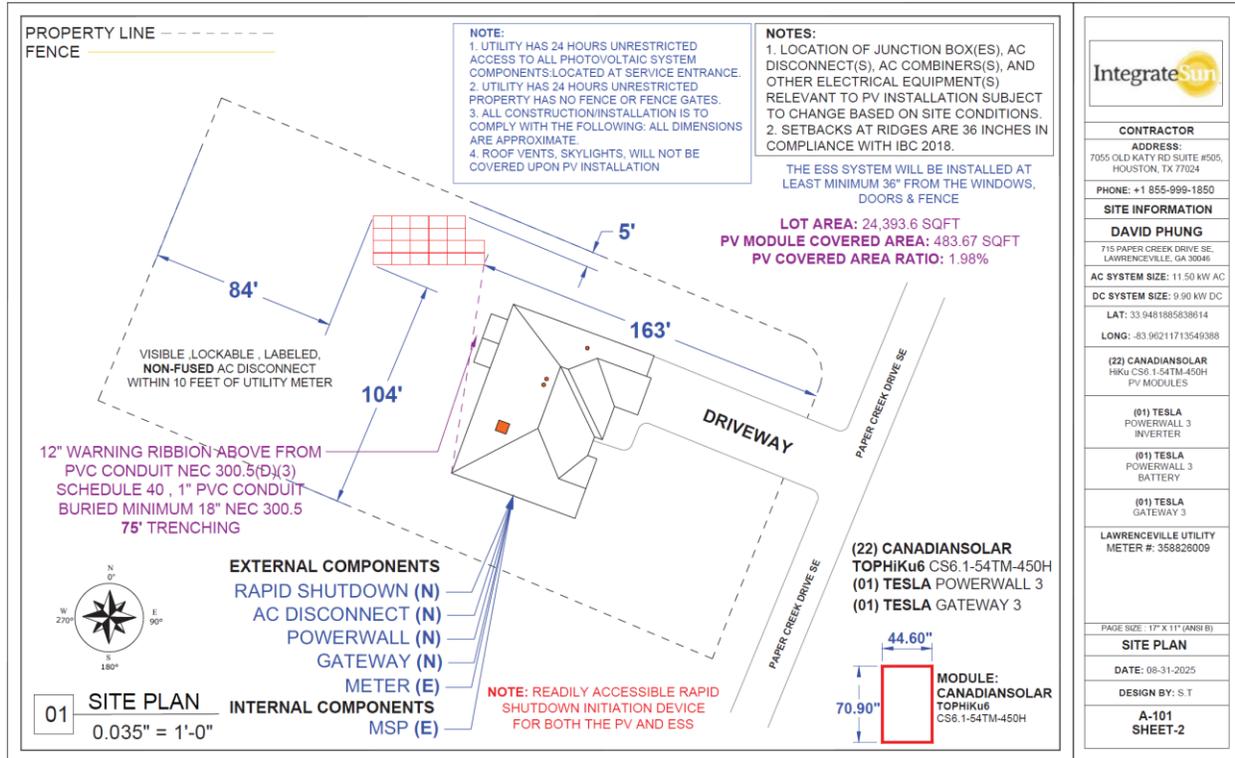
The earliest zoning records on file for the subject property circa 1960 show the property zoned RS-120 (Single-Family Residential District). It was reclassified to its current zoning district (RS-150 - Single-Family Residential) in a citywide rezoning between the years 1987 and 2002.

PROJECT SUMMARY

The applicant requests a Special Use Permit to allow an Accessory Structure (Freestanding Solar Panel System) exceeding 400 square feet in area; the applicant intends to install a ground-mounted solar system approximately 484 square feet in area. The subject property is an approximately 0.56-acre parcel zoned RS-150 (Single-Family Residential District) located at the southwestern right-of-way of Paper Creek Drive and Paper Creek Court, identified as Lot 39 of the Paper Mill Subdivision, Unit 3.

PROPOSED SITE PLAN

The applicant proposes locating the Accessory Structure (Freestanding Solar Panel System) in the front yard area along the right-of-way of Paper Creek Court.



ZONING AND DEVELOPMENT STANDARDS

The subject property consists of a 3,703 square-foot two-story single-family dwelling, constructed in 2003.

Article 2, Section 200.3., Subsection 200.3.1. – Accessory Buildings and Structures reads as follows:

A. Limited to one Accessory Building or Structure per zoning lot, provided that each of the following conditions is met:

- 1. A Principal Permitted Use has already been permitted and constructed on the zoning lot.*
- 2. It has a maximum height of 18 feet.*
- 3. No Accessory Building or Structure can cover more than 400 square feet and shall be limited to one Accessory Building/Structure on the same zoning lot. Accessory buildings/structures over 400 square feet shall require the approval of a Special Use Permit.*
- 4. It is located in the Rear Yard; and*
- 5. The Accessory Building or Structure shall be constructed from a wood frame with wood siding, including hardy plank style siding, masonry, stucco, or some combination thereof and shall be constructed to match the primary structure in percentage and type of materials. 6. A permit for the Accessory Building or Structure is required.*

Article 2, Section 200.3., Subsection 200.3.72.A.3. - Solar Panel reads as follows:

If freestanding, the solar panel system shall:

- a. Not extend more than 10 feet above the existing grade in residential districts. In all other districts, the maximum height of a solar panel system will be determined on a case-by-case basis upon plan review.*
- b. Not be located in a front yard.*
- c. Not be located in any required side or rear yard setback areas for accessory uses.*

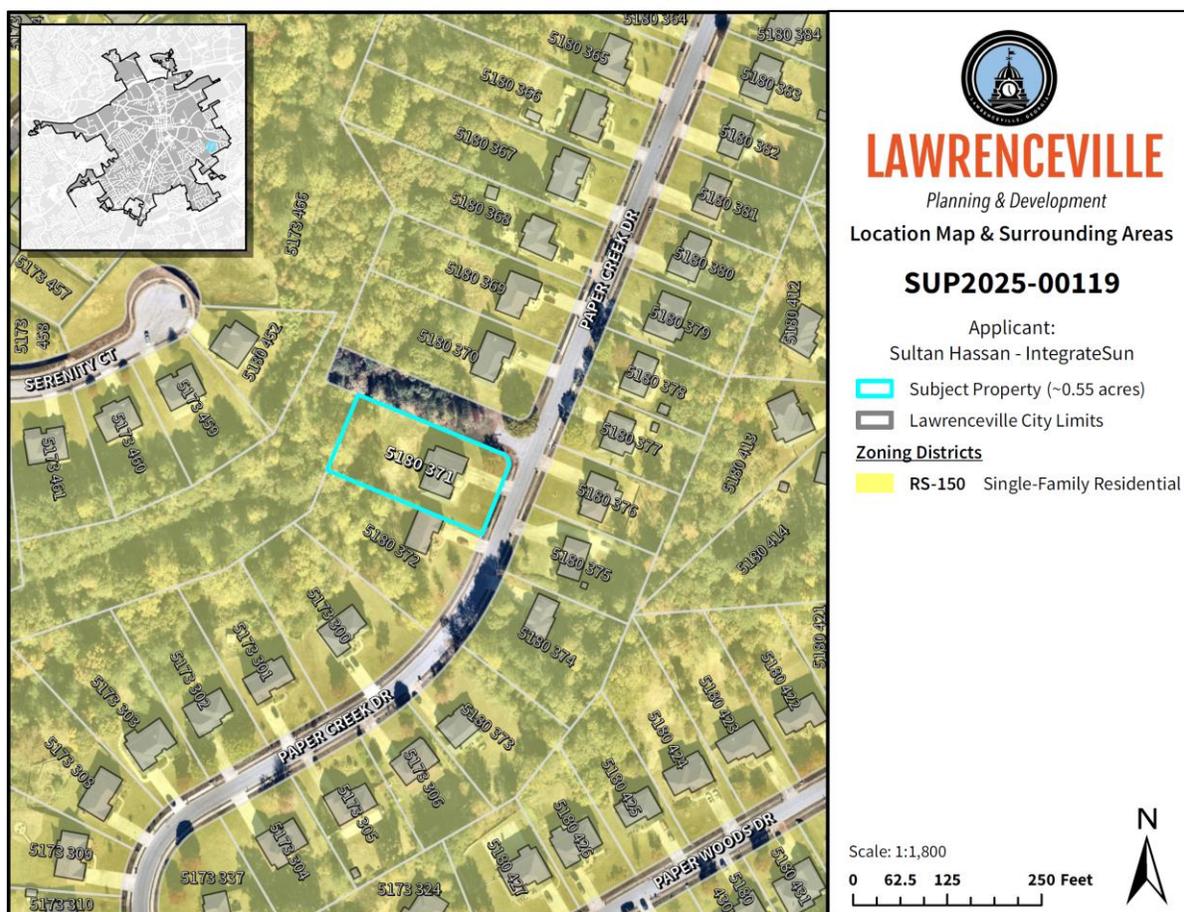
- d. Not be positioned so as to reflect sunlight onto neighboring property, public streets or sidewalks, including onto any neighboring structures.*
- e. Be landscaped at the base and the back of the panel structure if the structure is visible from neighboring property.*

CURRENT SITE CONDITIONS

Staff identified potential zoning and development nonconformities near stream areas during review of the property. Aerial imagery indicates that substantial tree clearing occurred on the property between approximately 2020 and 2021. Based on the recorded subdivision plat and available geographic data, a stream appears to be located generally coincident with the rear property line. If confirmed, these conditions may indicate disturbance within the required fifty-foot (50') undisturbed stream buffer and potential encroachment into a FEMA-designated flood hazard area. These findings were preliminarily corroborated through an on-site inspection.

Final determination of the stream location, buffer limits, and floodplain boundaries shall be established through a certified survey and appropriate environmental review, and any required restoration or remediation shall be completed prior to the issuance of land disturbance or building permits.

CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP

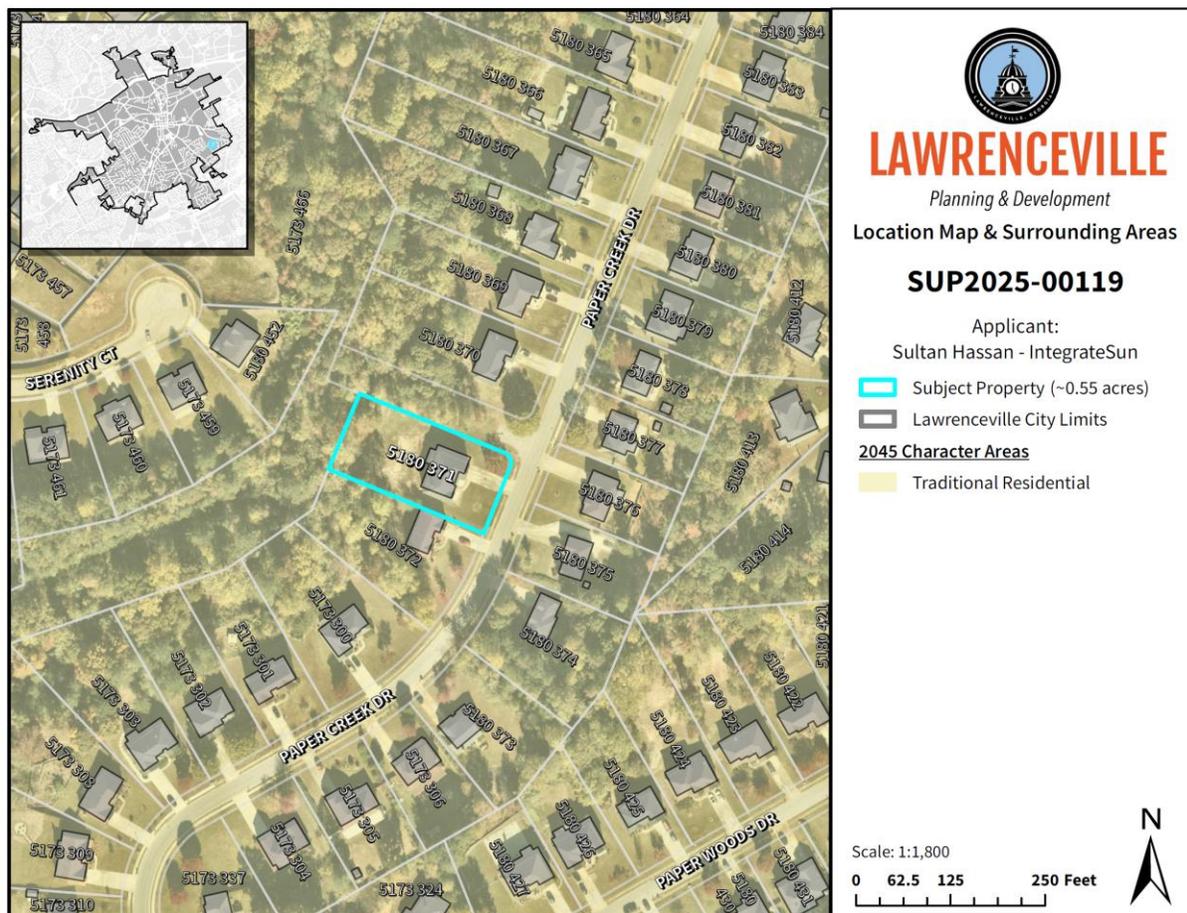


SURROUNDING ZONING AND USE

The area around the subject property is characterized entirely by single-family land uses and zoning districts (RS-150) comprising the residential subdivisions of Paper Mill, Arlington Point, and Saddle Shoals.

An Accessory Building or Structure (Freestanding Solar Panel System) are generally compatible with single-family uses but must meet location requirements to protect neighborhood character.

LAWRENCEVILLE 2045 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



2045 COMPREHENSIVE PLAN

The 2045 Comprehensive Plan and Future Development Map indicate the property lies within the Traditional Residential character area, defined as such:

Traditional Residential character areas preserve the charm of Lawrenceville’s housing aesthetics and neighborhood design. This area offers a sense of community and suburban characteristics.

The 2045 Comprehensive Plan emphasizes the preservation of neighborhood aesthetics and suburban design. Front-yard installation of an Accessory Building or Structure (Freestanding Solar Panel System) would be inconsistent with the visual character of the area.

STAFF RECOMMENDATION

Accessory Buildings and Structures (Freestanding Solar Panel Systems) are not allowed in front yards under the City's Zoning Ordinance. The applicant's request for a Special Use Permit to install a Accessory Building or Structure (Freestanding Solar Panel System) in the front yard area would therefore violate the ordinance. While the system is a low-impact accessory use that supports renewable energy and is generally compatible with RS-150 zoning and surrounding residential development, approval in this front-yard location would conflict with the established residential character of the neighborhood. The property's corner-lot configuration and lack of a functional rear yard do not provide sufficient grounds to override this ordinance requirement. Additionally, potential environmental constraints would need to be addressed for future installations, including stream buffers and FEMA-designated flood hazard areas at the rear of the property, would need to be addressed for any future installation. The applicant may consider relocating the system to a side or rear yard, which could allow SUP review for the size exceedance, provided all height, setback, screening, and environmental requirements are met. Therefore, Staff recommends **DENIAL** of the Special Use Permit for the proposed Accessory Building and Structure (Freestanding Solar Panel System).

CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:

ENGINEERING DEPARTMENT

No comment

PUBLIC WORKS

No comment

ELECTRIC DEPARTMENT

This location is served by Lawrenceville Power.

GAS DEPARTMENT

This location is served by Lawrenceville Gas.

DAMAGE PREVENTION DEPARTMENT

No comment

CODE ENFORCEMENT

No comment

STREET AND SANITATION DEPARTMENT

No comment

STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

- 1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

While an Accessory Building or Structure (Freestanding Solar Panel System) is generally a low-impact accessory use compatible with single-family neighborhoods, its proposed front-yard location is not permitted under Article 2 of the Zoning Ordinance. Therefore, the proposed location is not suitable in view of the use and development of adjacent and nearby properties and would be inconsistent with the established residential character.

- 2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

The proposed front-yard placement could negatively impact the visual character of the neighborhood, conflicting with the streetscape and design standards of the surrounding RS-150 residential development. Although the system itself generates no noise or traffic, its location in the front yard would adversely affect the aesthetic compatibility with neighboring properties.

- 3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

The property has reasonable economic use under its current RS-150 zoning designation. Denial of the Special Use Permit does not prevent the property owner from pursuing other compliant Accessory Building And Structures or relocating the Freestanding Solar Panel System to a side or rear yard.

- 4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

The proposed freestanding solar panel system would not create excessive or burdensome demands on streets, utilities, schools, or other public infrastructure. The denial is based solely on location and zoning compliance, not service impacts.

5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

The proposal is inconsistent with the 2045 Comprehensive Plan's Traditional Residential character area, which emphasizes preservation of neighborhood aesthetics and front-yard uniformity. Front-yard placement of an Accessory Building or Structure (Freestanding Solar Panel System) would conflict with the intent and policy of the Comprehensive Plan.

6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;

The subject property's corner-lot configuration and lack of a functional rear yard present a site-specific condition; however, this does not justify front-yard placement, which is expressly prohibited by the Zoning Ordinance. Additionally, potential environmental constraints, including stream buffers and FEMA-designated flood hazard areas near the rear of the property, further reinforce the need to deny front-yard placement and require any future installation to meet all applicable environmental regulations.