



Planning & Development
4303 Lawrenceville Rd.
Loganville, GA 30052
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STAFF APPLICATION ANALYSIS REPORT

ZONING CASE #: V24-022

LANDOWNERS: VPAMH Claude Brewer LB LLC

APPLICANT: AMH Development LLC

PROPERTY ADDRESS: 2467 Claude Brewer Road

MAP/PARCEL #: LG160005

PARCEL DESCRIPTION: Residential subdivision

AREA: 101.78

EXISTING ZONING: R-22 CSO

PROPOSED ZONING: R-22 CSO

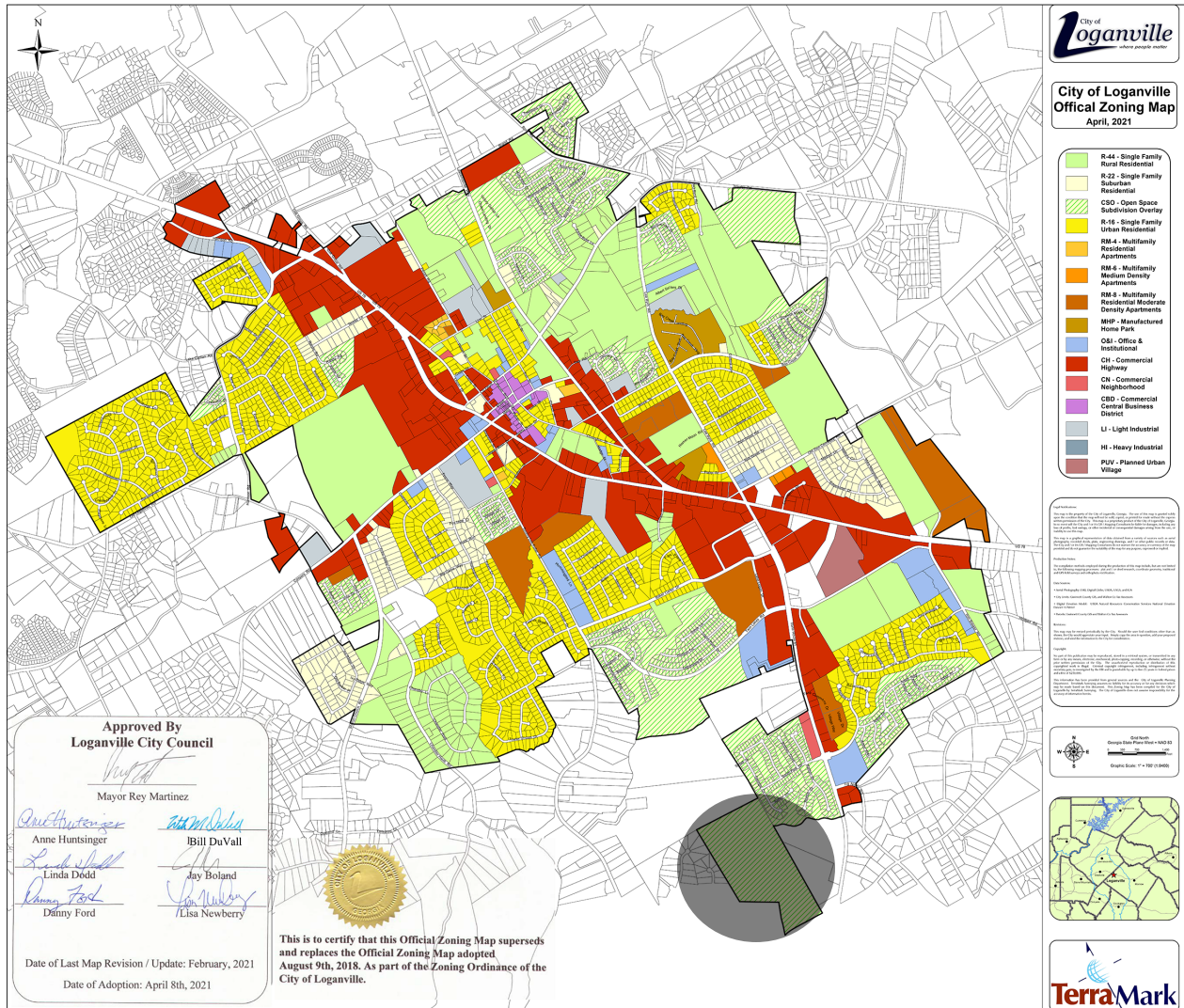
FUTURE LAND USE MAP: Residential

REASON FOR REQUEST: Seeking relief from Sec. 119-249 Open Space Subdivision, specifically (3)(d)(2): Exterior Materials, which states all other exterior elevations (side and rear) shall have at least 75 percent of their surface clad in brick or stone. AMH is requesting to reduce this requirement to 3 feet brick or stone along the water tables on the side elevations and no brick or stone required on the back of the houses.

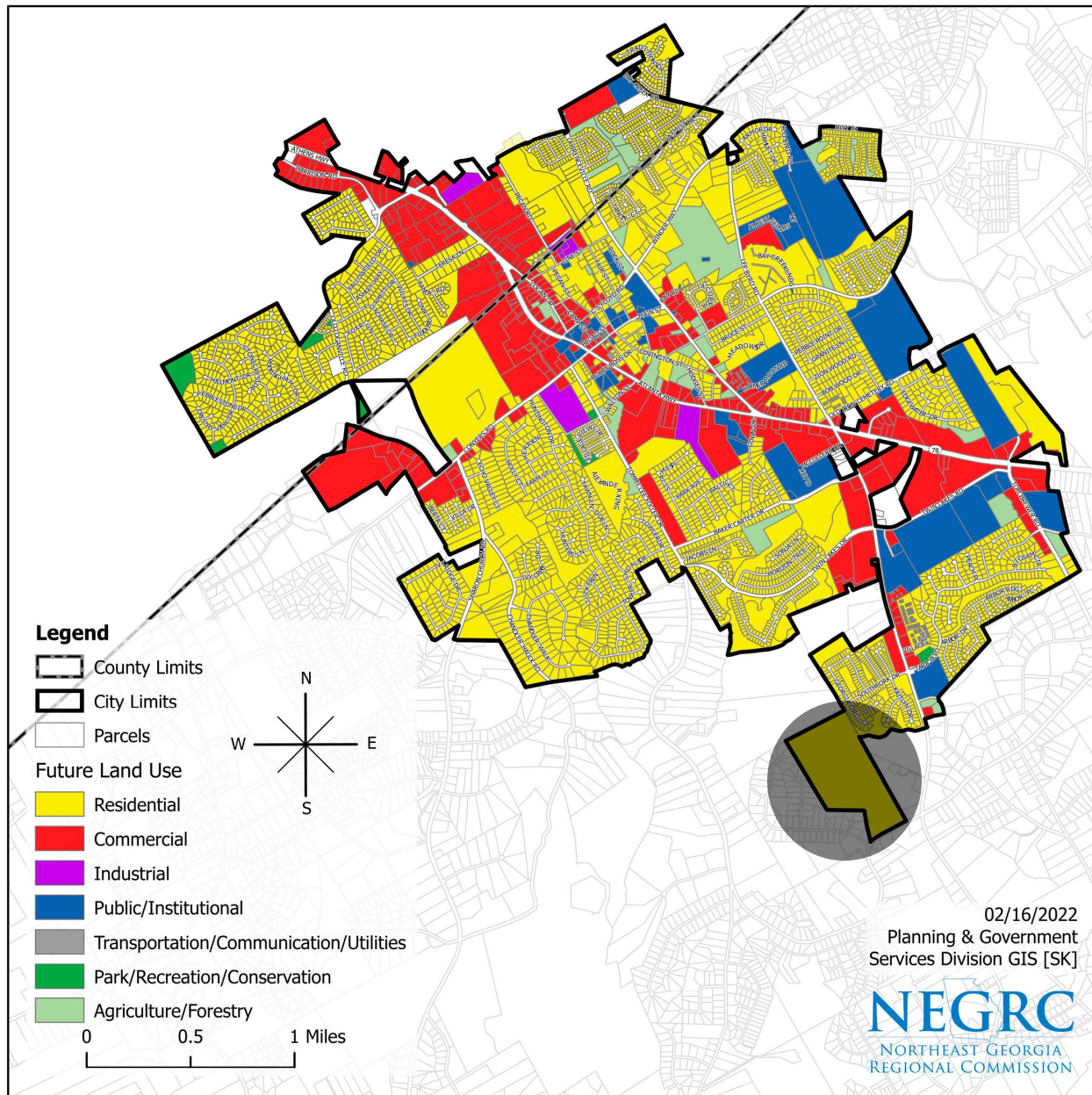
PLANNING COMMISSION HEARING: July 25, 2024

CITY COUNCIL HEARING: August 5 & 8, 2024

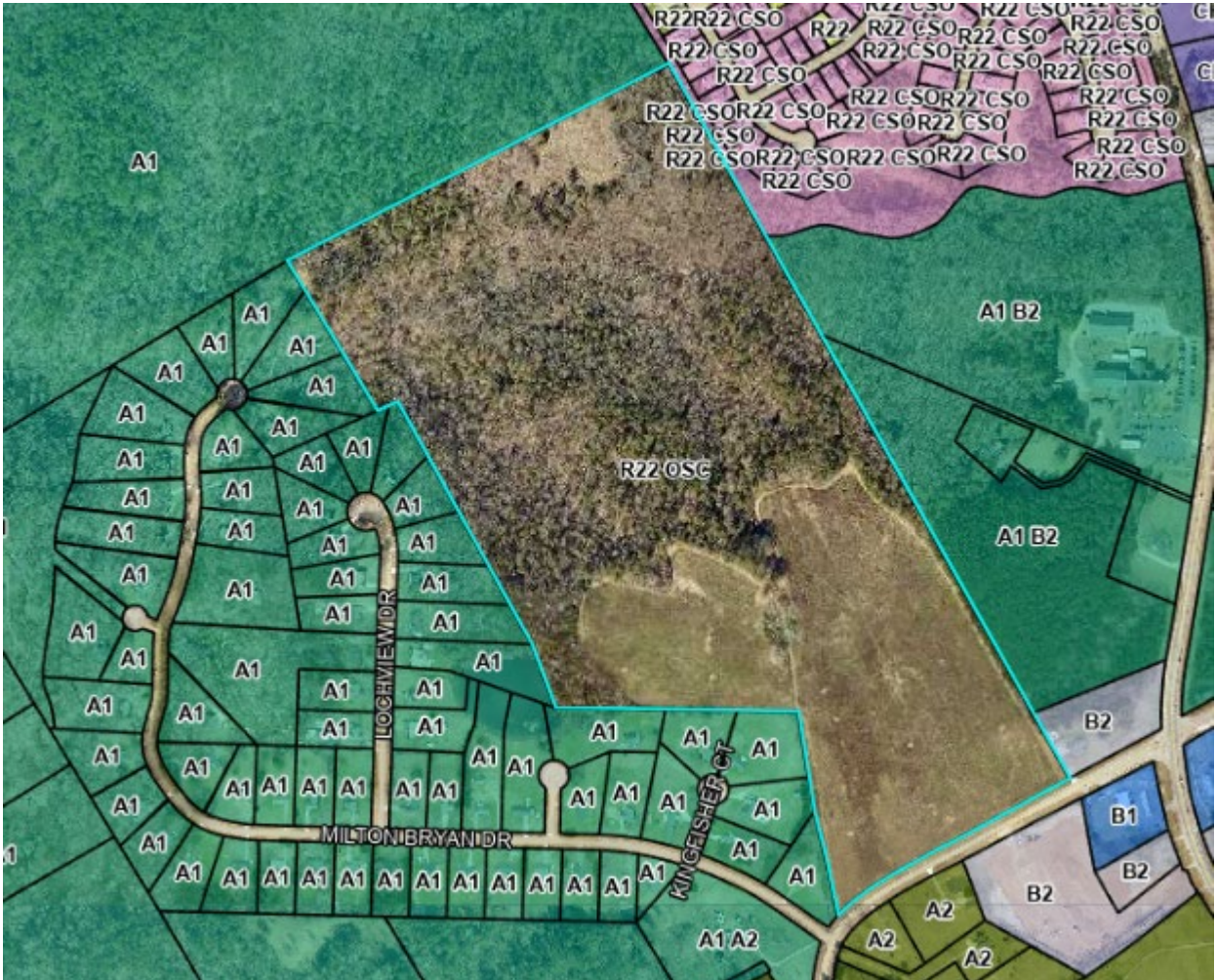
ZONING MAP



FUTURE LAND USE MAP



AREA ZONING



Applicant's Request

The applicant is seeking a variance from the design standards established in the Open Space Subdivision Overlay District that require at least 75 percent of each side of each house in the subdivision is clad in brick or stone. Specifically, the applicant is seeking relief from putting any brick or stone on the backside of the houses and only doing 3 feet of brick or stone along the water tables on each of the sides of the houses

Existing Conditions

The property was annexed into the City on May 5, 2018, by DR Horton but later changed hands and was sold to AMH. The project has most of its infrastructure in place and appears ready to build.



Impact Analysis/Recommendation

What extraordinary or exceptional conditions due to size, shape or topography are present on the property in question that support the request for relief? The applicant is pleading hardship as a result of the level or rock that was found on site that allegedly is resulting in the loss of 18 lots.

What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned? The applicant was required to bore a sewer line 1.5 miles to tie into the City's main line at the intersection of Highway 81 and Highway 78, again with rock being an issue and resulting in increased costs. The applicant is also seeking relief from the design standards because of the increased cost of brick and stone.

How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship? It would appear that the applicant is seeking relief from the design standards to offset the cost increases relevant to the amount of rock they have incurred, a condition that could possibly be viewed as peculiar to the property that adversely affects its reasonable use or usability as it is currently zoned.

Would the requested relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the applicable ordinance? Not necessarily, though it should be noted that the City Council changed these standards on Nov. 19, 2019, with the goal of requiring a better quality home being built under this zoning. The applicant has argued that two communities, Eleanora and Chase Landing, were approved with the new overlay requirements and neither meets the brick or stone requirements. While it is true that Chase Landing was zoned at the same time as this property, the Planning Department received an email on Jan. 30, 2019, asking to withdraw the plans that were on file. New plans were not submitted until after the City changed the design standards for Open Space Subdivision to its current standards. As a result, when new plans were submitted, they were subject to the new standards. While the request would not likely be detrimental to the public good, it would impair the purpose and intent of the design standards.

Recommended action: It is laudable that the applicant is willing to create a subdivision with three-car garages to help address potential issues with parking on the street. It is also noteworthy that the applicant is seeking to turn the lots that are difficult to build upon and add the 7.2 acres as open space with walking trails. The applicant has tied a lot of his argument to the fact that they have had cost overruns due to rock, the increased cost of brick and stone, and the loss of 18 lots which were deemed unbuildable. But economic hardship is not one of the criteria for which a major variance can be granted. It would be a stretch to state that rock is a condition peculiar to the property, as rock is easily found throughout the City limits. Relief, if granted, would impair the intent of the changes that were made to require a better home being built under the Open Space Subdivision criteria. *The staff recommendation is for denial of this variance.* It should be noted



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that, should the Commission or Council see fit to approve this variance, staff ask for consideration be given to placing a condition tied to the variance that use of vinyl siding not be permitted.

Planning Commission Recommended Conditions

The Planning Commission voted 5-1 to approve the variance request with the following conditions:

- Siding on homes shall be of a fiber-cement material. Vinyl siding shall be prohibited.
- Side elevations of homes shall include a minimum three-foot tall masonry water table.
- All homes shall be constructed with three-car garages.
- Covenants for the community shall include a provision prohibiting on-street parking.
- The HOA/management company shall be responsible for all landscaping of residential lots and common area.
- The area of the subject property depicted as Lots 81-82 and Lots 111-126 shall be provided as open space/common area with walking trails.
- The minimum heated floor area of homes shall be 2,000 square feet. At least 50% of homes shall have a heated floor area of 2,400 square feet or larger.

City Council Conditions