



BOARD OF ZONING APPEALS

City Council Chambers, City Hall
Tuesday, August 20, 2024, at 6:00 PM

ACTION REPORT

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTION OF MEMBERS

Present: Hodge Patel, Adam D'Anella, Nick Horton. Billy Carman

Absent: Lauren Holmes Zach Middlebrooks, Zac Stafford

4. APPROVAL / AMENDMENT OF AGENDA

Motion to Approve: Hodge Patel

Second: Adam D'Anella

Vote: 4-0- Approved

5. APPROVAL OF PAST MEETING MINUTES

A. Approval of July 16, 2024, Meeting Minutes

Motion to Approve: Adam D'Anella

Second: Billy Carman

Vote: 4-0 Approved

6. CONSIDERATION OF PRIMARY VARIANCES

A. V24-10, 2390 Bethany Bend

Request(s): Unified Development Code

Part 1 - Sec. 11.5.7 (A)(1)– To allow an existing concrete patio, accessory structures, and driveway to remain inside of the 50-foot undisturbed stream buffer.

Part 2 - Sec. 11.5.7 (A)(2)– To allow a new single-family home renovation and wing wall to encroach into the 75-foot impervious setback, and existing concrete patio, driveway, and accessory structure to remain inside of the 75-foot impervious setback.

Part 3 - Sec. 3.1.4 (B) & (D) To reduce the 25-foot minimum side yard to 17.7 feet adjacent to east property line and reduce the 50-foot minimum rear yard to 43.1 feet adjacent to the north property line for a proposed home addition/ renovation.

Part 4 -(Sec. 3.1.4, Accessory Structure setbacks) - To allow an existing accessory structure to remain in front of the proposed single-family home adjacent to the west property line.

Part 5– Sec. 8.8.19(b)(i) To allow a proposed swimming pool to be located in a front yard.

Motion to APPROVE parts 1-4 of the 5-part variance and deny part 5 with the following conditions:

- Per the variance site plan from Survey Land Express received on May 6, 2024, by the Community Development Department.
- Provide a foundation survey for the single-family home addition prior to vertical construction.
- Water Quality treatment to be provided for all new impervious surfaces as determined by the City Development Engineer through the permitting process.
- The accessory structure shall not be used to house animals.

Motion to **Approve parts 1-4 and deny part 5:** Adam D'Anella

Second: Hodge Patel

Vote: 4-0 Approved

B. V24-13, 980 Birmingham Road - Variance Application Withdrawal Request

Request(s): To replace two (2) existing freestanding signs located adjacent to Birmingham Road and Birmingham Highway.

Part 1: To increase the allowed freestanding sign height from 8 feet to 9.17 feet (110 inches). (Sec. 9.2.5.D.1.b.i - Unified Development Code)

Part 2: To increase the allowed freestanding sign size from 32 square feet to 45.5 square feet. (Sec. 9.2.5 D.1.b.ii - Unified Development Code)

Motion to Accept **Withdrawal** from variance requests: Hodge Patel

Second: Billy Carman

Vote: 4-0 Approved

C. V24-14, 12500 Waters Edge Drive

Request: Unified Development Code

Sec.3.1.7. B.2 - To reduce the 20-foot secondary rural viewshed setback to 9.1 feet along the west property line (Hopewell Road) for an existing pool house accessory structure.

Motion to Approve variance request with the following conditions:

- Per the Residential Pool House Site Plan from Keystone Land Surveying, Inc received on July 9, 2024, by the Community Development Department.
- Per the Landscaping Plan from Outdoor Living Design, LLC received on August 6, 2024, by the Community Development Department, and landscaping shall be installed prior to the pool house Certificate of Completion.
- Per the Pool House Elevations from Washington Design Group received on August 19, 2024, by the Community Development Department.

- Provide a foundation survey for the pool house prior to continued vertical construction.

Motion to Approve: Hodge Patel

Second: Billy Carman

Vote: 4-0 Approved

D. V24-15, 14880 Freemanville Road (Parcel 22 425005980084) **& 14880 Freemanville Road** (Parcel 22 441005990353)

Request(s): Unified Development Code

Part 1 - Variance to Sec. 3.1.4, Accessory Structure Setbacks: To allow an existing run-in shed accessory structure along the south property line of 14880 Freemanville Road Parcel 22 441005990353 to remain in front of a proposed single-family home.

Part 2 - Variance to Sec. 3.1.4, Accessory Structure Setbacks: To allow an existing shed accessory structure along the east property line of 14880 Freemanville Road Parcel 22 425005980084 to remain in front of a proposed single-family home.

Part 3 - Variance to Sec. 3.1.4, Accessory Structure Setbacks: To allow an existing one-story frame accessory structure along the east property line of 14880 Freemanville Road Parcel 22 425005980084 to remain in front of the proposed single-family home.

Part 4 - Variance to Sec. 8.8.13.2.e: To allow a proposed guesthouse on 14880 Freemanville Road Parcel 22 425005980084 to be located in a side yard.

Part 5 - Variance to Sec. 8.8.19.b.i: To allow a proposed swimming pool on 14880 Freemanville Road Parcel 22 425005980084 to be located in a front yard.

Motion to Approve all 5 parts of the variance request with the following conditions:

- Per the variance site plan from JGL Survey Services, received on July 2, 2024, by the Community Development Department.

- A minor plat substantially similar to the variance site plan showing the proposed lot line changes from JGL Survey Services, received on July 2, 2024, by the Community Development Department, shall be approved by the Community Development Department and recorded with Fulton County prior to issuance of any building permits.

Motion to Approve: Adam D'Anella

Second: Hodge Patel

Vote: 4-0

7. CONSIDERATION OF APPEALS / SECONDARY VARIANCES

None

8. OLD BUSINESS

None

9. NEW BUSINESS

None

10. ADJOURNMENT

Motion to Adjourn: Adam D'Anella

Second: Nick Horton

Vote: 4-0

Persons needing special accommodations in order to participate in any City meeting should call 678.242.2500.