



**CITY OF SNELLVILLE
PLANNING & DEVELOPMENT DEPARTMENT**

BOARD OF APPEALS

VARIANCE CASE SUMMARY

July 14, 2015

CASE NUMBER: #BOA 15-06

REQUEST: Rear setback variance of 5'-6" to reduce the 20' rear building setback to 14'-6" for a sunroom addition

APPLICABLE SECTION: Section 9.3(4)(5), Rear Yard Setback, RS-180 (Single-Family Residence) District of Article IX, Schedule of District Regulations of the City of Snellville Zoning Ordinance

LOCATION: Lot 135 Blk A Ph 2A Olde Hickory Village
2285 Hickory Station Circle, Snellville

TAX PARCEL: 5059 365

ZONING: RS-150 (Single-Family Residence) District

DEVELOPMENT/PROJECT: 10' x 15' Sunroom Addition

PROPERTY OWNER: Patricia Roberts
(770) 978-9509

APPLICANT: Andy Barton
Champion Windows
3700 Dekalb Tech Pkwy., Atlanta, Georgia
(678) 410-6724

RECOMMENDATION: Approval



**CITY OF SNELLVILLE
PLANNING & DEVELOPMENT DEPARTMENT**

BOARD OF APPEALS

VARIANCE CASE ANALYSIS

July 14, 2015

TO: Snellville Board of Appeals

DATE: July 14, 2015

FROM: Jason Thompson
Interim Director, Planning and Development

CASE NUMBER: #BOA 15-06

LOCATION: 2285 Hickory Station Circle, Snellville

PARCEL: 5059 365

ZONING: RS-150 (Single-Family Residence) District

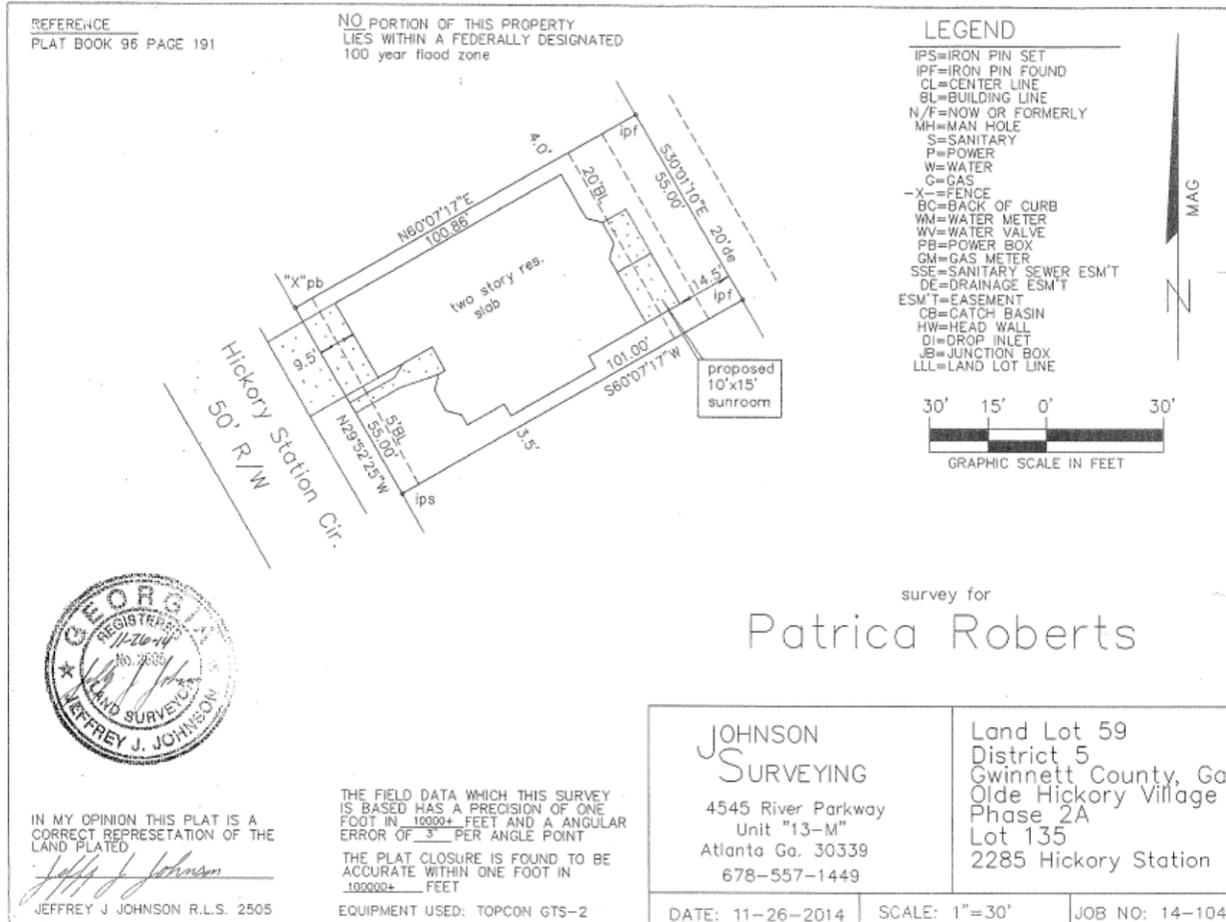
FINDING OF FACT:

The Department of Planning and Development has received an application from Andy Barton, Champion Windows, representing the homeowner, Patricia Roberts, 2285 Hickory Station Circle, Snellville, Georgia requesting a variance from the Zoning Ordinance to reduce the 20 foot rear building setback to 14.5 feet (14'-6") to allow the construction of a 150 sq. ft. sunroom addition measuring 15'-0" wide by 10'-0" deep.

The ±5,662 sq. ft. property, zoned RS-150 (Single-Family Residence), contains a ±2,408 sq. ft. one-story brick single-family dwelling constructed in 2005 that is adjacent to other single-family homes to the north, west, south, and the neighborhood's detention pond to the east.

REQUEST:

The applicant is requesting a Variance from Section 9.3(4)(5) of the Zoning Ordinance to reduce the 20 feet rear building setback to 14.5 feet (14'-6") for the construction of a 150 sq. ft. enclosed sunroom addition measuring 15'-0" wide by 10'-0" deep. A copy of the property survey showing the proposed rear yard building setback encroachment is shown below.



VARIANCE ANALYSIS:

The property is located in Lot 135, Block A, of Old Hickory Village Subdivision. In 2005 the subdivision was rezoned to RS-150 (Single-Family Residence) District with approved variances from the RS-150 District space limits to allow for a reduction in the lot size, building setbacks, and maximum ground coverage for the development as shown on the follow page.

RS-150 District		
Space Limit	Regulation	Approved Variances
Min. Lot Area	15,000 sq. ft.	4,500 sq. ft.
Min. Lot Width	800 ft.	45 ft. (30 ft cul-de-sac)
Min. Front Yard	40 ft.	5 ft.
Min. Rear Yard	40 ft.	20 ft.
Min. Side Yard	10 ft.	5 ft. (with 10' separation between buildings)
Min. Side Yard (corner)	35 ft.	10 ft.
Max. Ground Coverage	25%	75%

As part of the approved variances for the development, the minimum rear yard setback was reduced from 40 feet to 20 feet. Because of the shallow depth and configuration of the lot, the residence was constructed with the rear of the residence placed close to the 20 feet minimum rear yard setback. The proposed sunroom addition will cause an encroachment into the 20 feet rear yard building setback of approximately 5.5 feet (5'-6"); therefore, the request to reduce the rear yard building setback 14.5 feet (14'-6").

STANDARDS FOR CONSIDERATION:

Pursuant to Section 14.5, Powers and Duties, of the City of Snellville Zoning Ordinance, the City finds the following standards are relevant in considering all applications for a Variance.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same district;

The Olde Hickory Subdivision was originally developed under the RS-150 zoning district guidelines with approved variances during the subdivision rezoning allowing the lots to be developed much smaller and more compact than a typical RS-150 zoned subdivision lot. The shallow ±100' lot depth is not typical of the ±200' deep lots common in the RS-150 zoning district. This reduced lot depth makes it difficult for any front or rear building addition to not encroach into the building setbacks.

2. That literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance;

As previously stated, a typical lot 15,000 square foot lot within the RS-150 zoning district would offer few obstacles to a room addition of this size. A typical lot would be deep enough to meet the rear yard setback requirements.

3. That the special conditions and circumstances do not result from the actions of the applicant; and

No, the special conditions and circumstances are the result of the developer when the lot was platted with the shallow ±100' lot depth.

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district.

Granting the variance request would confer on the applicant special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district. However, the Board of Appeals has granted similar variances for rear building additions to single-family residential properties in the Rose Lake, Olde Hickory Village, and Stockton Walk subdivisions. (Variance cases #BOA 10-04, #BOA 11-10, #BOA 08-11, and most recently #BOA 14-01 (respectively))

However, Section 14.5(2)(f) allows the Board of Appeals to make a finding that granting of the variance “will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not injurious to the neighborhood, or otherwise detrimental to the public welfare.”

STAFF RECOMMEDATION:

The Department of Planning and Development recommends **Approval** of the request to reduce the 20 feet rear yard building setback to 14.5 feet (14'-6") for construction of the enclosed sunroom addition. Applicant shall obtain an approved Building Permit from the City of Snellville Planning Department prior to commencement of any construction.