



**CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT DEPARTMENT**

**BOARD OF APPEALS**

**VARIANCE CASE SUMMARY**

**May 9, 2017**

**CASE NUMBER:** #BOA 17-04

**REQUEST:** **To Reduce the Thirty (30) Feet Rear Building Setback to Twenty (20) Feet for a Screened-in Porch and Covered Patio 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 19, Block A, Woodberry Subdivision, Unit 1  
1985 Woodberry Run Drive, Snellville

**TAX PARCEL:** 5073 225

**ZONING:** RS-180 (Single-Family Residence) District

**DEVELOPMENT/PROJECT:** **200 Sq. Ft. Screened-in Porch Addition**

**PROPERTY OWNER:** Linda R. Brock  
770-972-7181

**APPLICANT:** Burnette H. Rogers  
678-901-6043 or [bhrcc@bellsouth.net](mailto:bhrcc@bellsouth.net)

**RECOMMENDATION:** **Approval**



**CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT DEPARTMENT**

**BOARD OF APPEALS**

**VARIANCE CASE ANALYSIS**

**May 09, 2017**

**TO:** Snellville Board of Appeals

**DATE:** May 09, 2017

**FROM:** Jason Thompson, Director  
Department of Planning and Development

**CASE NUMBER:** #BOA 17-04

**FINDING OF FACT:**

The Department of Planning and Development has received an application from Burnette H. Rogers, Rogers Construction Company, representing Linda R. Brock, resident and property owner of the single-family residence located in the Woodberry Subdivision at 1985 Woodberry Run Drive, Snellville, Georgia, requesting a variance from the Zoning Ordinance to reduce the thirty (30) feet rear building setback to twenty (20) feet to allow for a screened-in porch addition in the rear of the house.

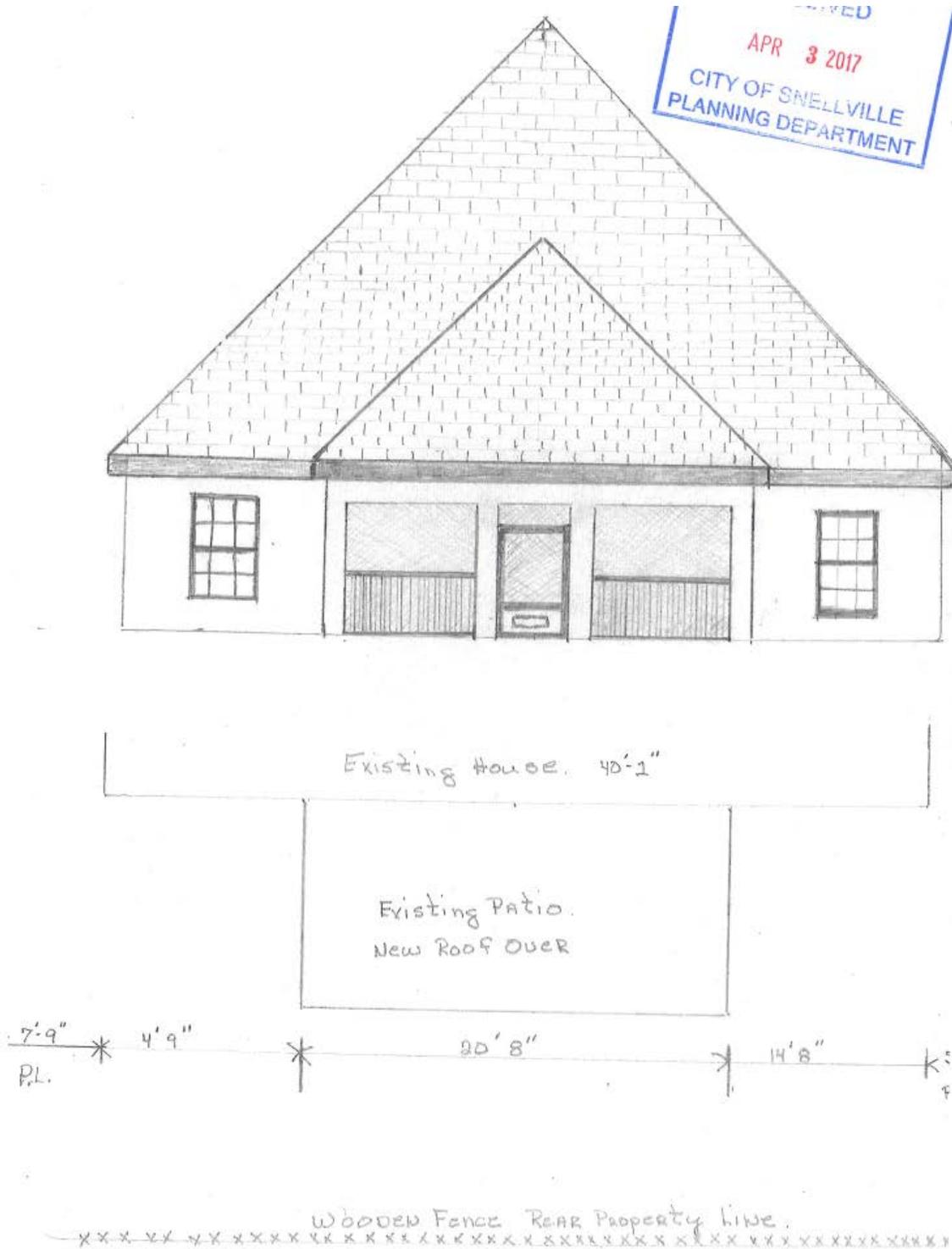
The subject 0.15 acre property, zoned RS-180 (Single-family Residence) District is located on Lot 19, Block A, Woodberry Subdivision, Unit one. The property contains a 2,313± sq. ft. one-story brick single-family dwelling constructed in 2001 that is adjacent to other single-family homes to the north, west, east, and south.

There is a twenty (20) foot drainage easement that runs along and is parallel to the rear property boundary line.

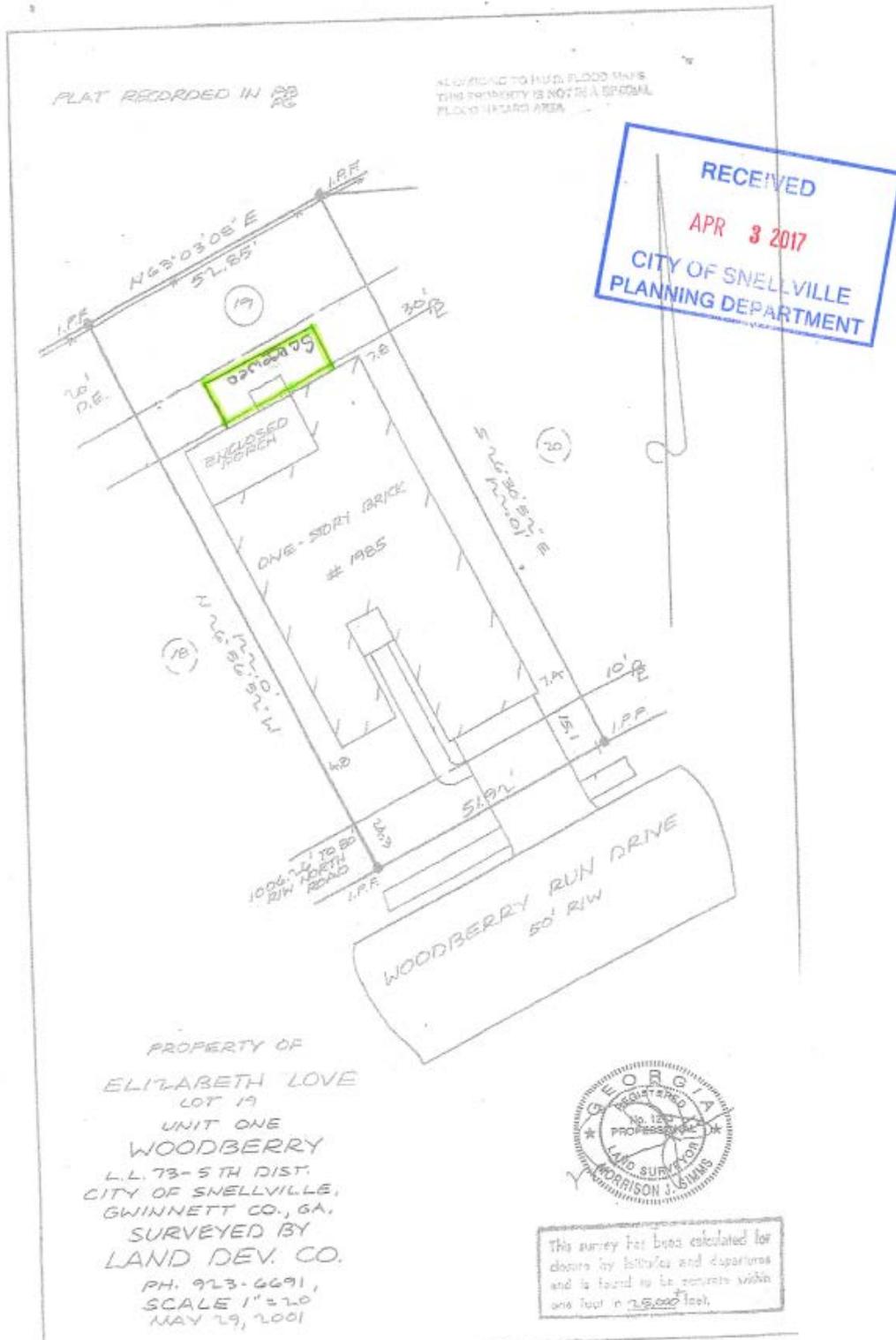
**REQUEST:**

The applicant is requesting a variance from Section 9.3(4)(5) of the Zoning Ordinance to reduce the thirty (30) feet rear building setback to twenty (20) feet to allow for a 200 sq. ft. screened-in porch addition as depicted in the rear building elevation rendering below.

Proposed Screened-in Porch and Patio Addition



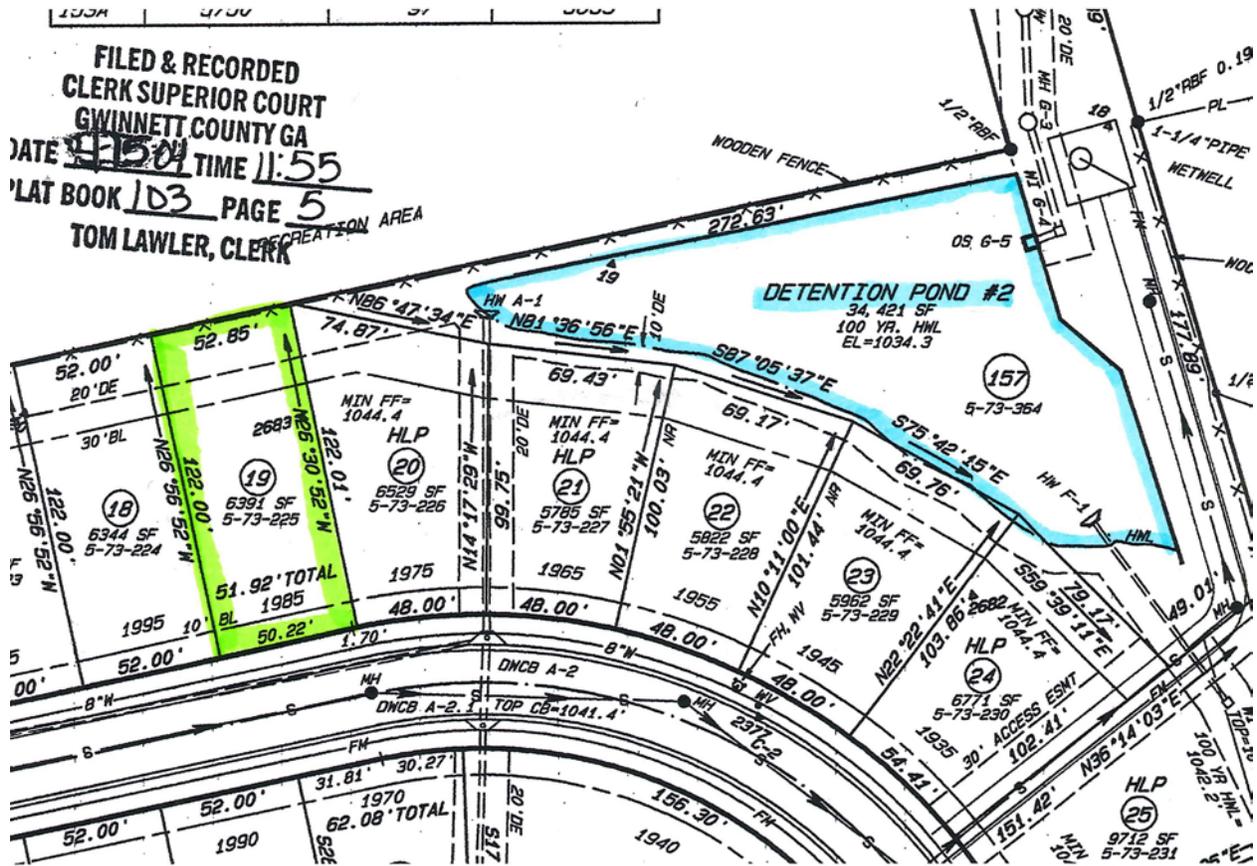
Lot 19-A House Location Plan



**VARIANCE ANALYSIS:**

The applicant is proposing to convert the existing concrete patio in the rear of the house into a twenty (20) feet wide by ten (10) feet deep (200 sq. ft.) screened-in porch addition. The lot is located adjacent to and to the west of Detention Pond #2, as shown below.

Woodberry Subdivision Final Plat (excerpt)



On April 14, 1999, the Board of Appeals unanimously approved variances from the RS-180 District space limits to allow for a reduction in the lot size, building setbacks, and maximum ground coverage for the residential subdivision development as follows:

Board of Appeals Approved Variances (4-14-1999)

Space Limit	RS-180 District Regulation	Approved Variances
Min. Lot Area	18,000 sq. ft.	5,700 sq. ft.
Min. Lot Width	100 ft.	45 ft. (30 ft. cul-de-sac)
Min. Front Yard	50 ft.	10 ft.
Min. Rear Yard (Interior Lot)	40 ft.	20 ft.
Min. Rear Yard (Exterior Lot)	40 ft.	30 ft.

Min. Rear Yard Adjacent to Ridgedale and North Roads.	50 ft.	40 ft.
Min. Side Yard	10 ft.	0 ft. (with 10 ft. separation between buildings)
Min. Side Yard (corner)	35 ft.	10 ft.
Max. Ground Coverage	25%	75%

As part of the April 14, 1999 approved variances for the development, the minimum rear yard setback for the exterior lot was reduced from forty (40) feet to thirty (30) feet. Because of the narrow lot width, the residence was constructed with the rear of the residence placed at, or near, the thirty (30) feet minimum rear yard setback. The proposed screened-in porch addition will cause an encroachment into the thirty (30) feet rear yard building setback of approximately ten (10) feet; therefore, the request to reduce the rear yard building setback ten (10) feet.

The rear of the property abuts the 5.44± acre open space and detention pond for North Forke Plantation, a single-family residential subdivision located in unincorporated Gwinnett County.



## 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 Woodberry Subdivision was originally rezoned under the RS-180 zoning district space limits with variances approved by the Board of Appeals to allow for reduced lot sizes and setbacks. The narrow lot width and modest dwelling footprint makes it difficult for any front or rear building addition to not encroach into one or both of these 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;

*A typical RS-180 zoned lot measures approximately 150 ft. (wide) by 200 ft. (deep) and is 30,000 sq. ft. in area. In 1999, the Board of Appeals approved the developer's request to reduce these space limits as listed in the chart on pages 5-6. The subject property measures approximately 52 ft. (wide) by 122 ft. (deep) and is 6,391 sq. ft. in area, which is a quarter the size of a typical RS-180 zoned lot. Because of these reduced space limits, it is difficult for any front or rear building addition to not encroach into one or both of these building setbacks.*

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 for a 6,391 sq. ft. lot with a 122 ft. 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, and #BOA 08-11 respectively), including the recent request at 1795 Woodberry Run Drive (#BOA 17-03).*

*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 thirty (30) feet rear yard building setback to twenty (20) feet for a 200 sq. ft. screened-in porch addition. Applicant shall obtain an approved Building Permit prior to commencement of any construction.