



**CITY OF SNELLVILLE  
DEPARTMENT OF PLANNING & DEVELOPMENT  
PLANNING COMMISSION**

**CASE SUMMARY**

**July 25, 2017**

**CASE NUMBER:** #RZ 17-08

**REQUEST:** **Change in Conditions and Request for Variances**

**LOCATION:** Intersection of Pinehurst Road and Sycamore Drive, Snellville, Georgia

**TAX PARCEL(S):** 5071 006, 021 and 255

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

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

**PRESENT FUTURE LAND USE PLAN:** Low-Density Residential

**DEVELOPMENT/PROJECT:** **29-Lot Single-Family Detached Residential Subdivision**

**PROPERTY OWNER(S):** Pinehurst, LLC, Alpharetta, GA 30005  
Seppala Southeast, LLC, Greer, SC 29650

**APPLICANT:** PH1330, LLC, Smyrna, GA 30080

**CONTACT:** Shane Lanham, Esq.  
Mahaffey Pickens Tucker LLP  
770-232-0000 or [slanham@mptlawfirm.com](mailto:slanham@mptlawfirm.com)

**RECOMMENDATION:** **Approval with Conditions**



**CITY OF SNELLVILLE  
DEPARTMENT OF PLANNING & DEVELOPMENT  
PLANNING COMMISSION**

**CASE ANALYSIS**

**July 25, 2017**

**TO:** **The Planning Commission**

**MEETING DATE:** July 25, 2017

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

**CASE NUMBER:** **#RZ 17-08**

**FINDINGS OF FACT:**

The Department of Planning and Development has received applications from PH1330, LLC represented by Shane Lanham, Mahaffey Pickens Tucker, LLP (applicant) and Pinehurst, LLC and Seppala Southeast, LLC (property owners), requesting a change in conditions from the 3-26-2007 approved annexation and zoning case (#ANX 07-03 LUP 07-03 RZ 07-04) for the 11.61± acre tract located near the intersection of Pinehurst Road and Sycamore Drive, Snellville. The applicant intends to develop a 29-lot single-family detached residential subdivision where it was previously approved for a 21-lot subdivision with an entrance on Sycamore Drive. The applicant is also requesting variances from the space and size limits of the RS-150 zoning district.

As part of the application submittal, the applicant is requesting:

- To amend the Official Zoning Map of the City of Snellville requesting a change in conditions from the 3-26-2007 approved annexation and zoning case (#ANX 07-03 LUP 07-03 RZ 07-04), more specifically the removal of Conditions 1, 4 and 7.
- Variances from Section 9.4(4), RS-150 District Space Limits of Article IX of the Zoning Ordinance as follows:

- Reduction in the minimum lot size from 15,000 sq. ft. to 7,800 sq. ft.
- Reduction in minimum lot width from 80 feet at building line to 55 feet.
- Reduction in front yard building setback from 40 feet from right-of-way line to 20 feet.
- Reduction of the rear yard building setback from 40 feet to 25 feet.
- Reduction in the side yard building setback from 10 feet to 5 feet.

The subject property is totally surrounded by low-density residential uses. Directly to the east is Pinehurst Manor, which is a residential development that was developed in 2005 under the RS-150 zoning classification with a lot density of 1.93 units per acre. The other neighboring properties are located in unincorporated Gwinnett County and are zoned R-100 (Single Family Residential), a zoning district that is similar to Snellville's RS-150 zoning classification.

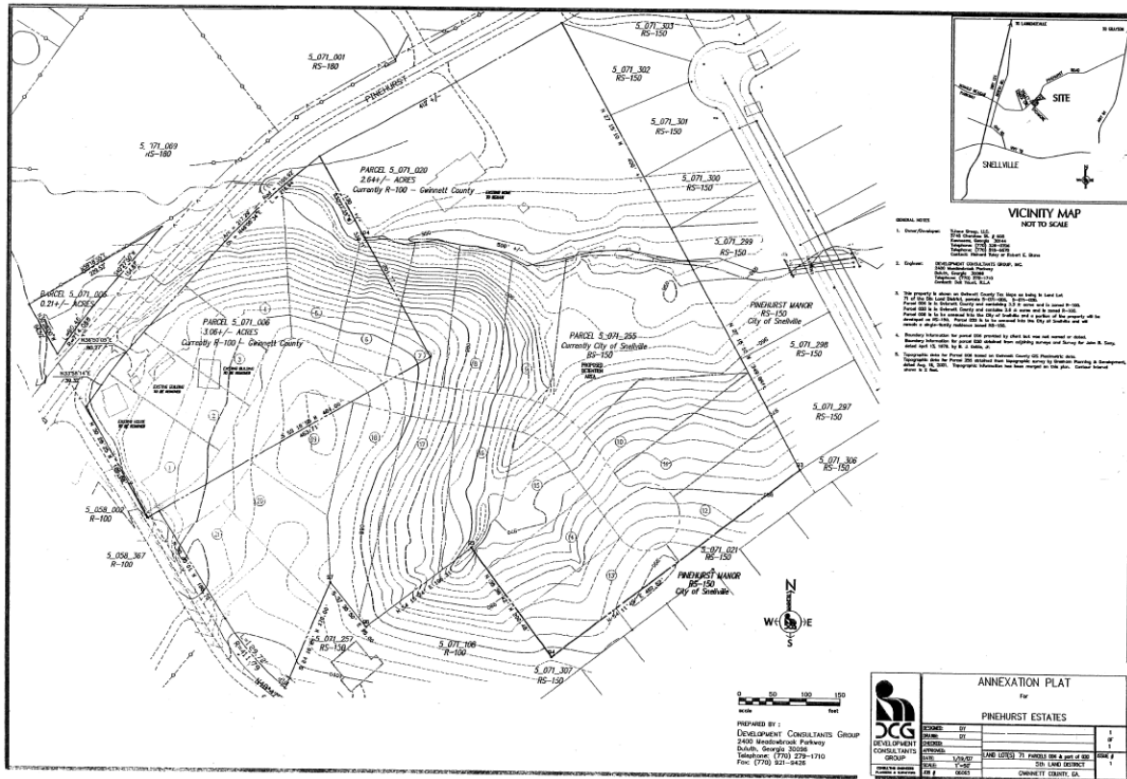
**BACKGROUND:**

On 3-26-2007 the Mayor and Council approved the annexation and rezoning of the 11.61± acre tract to RS-150 for an 18-lot single-family detached subdivision with an entrance on Sycamore Drive with a density of approximately 2.13 units per acre with the following conditions:

1. *The property shall be developed in general accordance with the submitted site plan dated 1/22/07 entitled "Annexation Plat for Pinehurst Estates" with modifications to meet conditions of zoning or State, County, and City regulations. Substantial variation from the concept plan, as determined by the Director of Planning and Development, will require Mayor and Council approval;*
2. *Signs higher than 15 feet and larger than 225 square feet are prohibited;*
3. *Uses involving adult entertainment, including any sale or display of adult magazines, books, or videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;*
4. *All homes in the subdivision as indicated by the development set out in the annexation plat that has been referenced shall be constructed of traditional design with brick, stone, and stucco, or any combination thereof on at least the front facade. The remaining sides shall be constructed of masonry siding and/or shakes/shingles. Accents on the front facade, such as gables and dormers shall be constructed of masonry siding and shakes/shingles;*
5. *Sidewalks and other right-of-way improvements required by the Development Regulations and Zoning Ordinance shall continue across parcel 5071-006 shall be allowed in at or near the stream buffer, the stream that crosses that parcel;*

6. A no-access easement shall be provided on the rear of all lots abutting Pinehurst Road and Sycamore Drive; and
7. Sycamore Drive shall be improved from Pinehurst Road to the entrance of the development as set out on the annexation plat in compliance with the City of Snellville Development Regulations and/or Gwinnett County Department of Transportation requirements.

**Annexation Plat (1-22-2007)**



The proposed development received preliminary plat approval in 2008; however, a land disturbance permit was never issued.

**CHANGE IN CONDITIONS REQUEST:**

The applicant is requesting to delete Conditions 1, 4 and 7 of the 3-26-2007 approved conditions, mainly due to the new lot configuration consisting of 29 lots situated along a single street with a cul-de-sac and one egress/ingress point located on Pinehurst Road. Included in the 29-lot proposed subdivision are three (3) lots with frontage and access on Sycamore Drive. The previously approved plan provided an entrance on Sycamore Drive that the neighboring Sycamore Drive residents were not in favor of at the time.



## **SITE PLAN ANALYSIS:**

The proposed site plan has been designed to add an additional eight (8) lots to the 3-26-2007 approved 21 lot subdivision development formerly known as Pinehurst Estates. The new design allows for a single ingress/egress point on Pinehurst Road with three (3) lots having frontage and access on Sycamore Drive. There is a perennial stream affecting nine (9) lots located on the northern portion of the development. The preliminary site ployout plan shows compliance with the buffer and setback requirements. Any proposed future encroachment into the buffer and setback will require consideration and approval by the Snellville Board of Appeals.

## **ARCHITECTURAL DESIGN REQUIREMENTS:**

Prior to issuance of a Site Development Permit for the project, the developer shall submit architectural elevations in the form of a "Plan Book" for typical structures for review and approval by the Director of Planning & Development. At a minimum, the "Plan Book" shall include: allowable building elevations; design criteria for entries, porches, doors, windows, dormers, columns, cornices, rakes, garages, roofs, landscaping, fencing, and retaining walls; exterior colors and materials, and other pertinent information. All structures shall be constructed in accordance with the approved "Plan Book."

## **VARIANCE ANALYSIS:**

The applicant is requesting variances from Section 9.4(4), RS-150 District Space Limits of Article IX of the Zoning Ordinance as follows:

- a. Section 9.4(4)(1): Reduction in the minimum lot size from 15,000 sq. ft. to 7,800 sq. ft.

*The request is reasonable and consistent with similar variances that were recently approved for the Shadowbrook subdivision off Tree Lane. 7,800 sq. ft. is fairly consistent for small (patio) lot single-family detached residences; successful developments in the Metro Atlanta area, similar to the one proposed here, have lots in the 4,000-5,000± sq. ft. range. Subdivisions in the City including Woodberry, Carrington, Stockton Walk and Olde Hickory Village contain average lot sizes in the 5,000-6,000 sq. ft. range. Lot sizes as small as 4,400 sq. ft. are common in the Preserve at Briscoe subdivision on Lenora Church Road.*

- b. Section 9.4(4)(2): Reduction in the minimum lot width at building line from 80 feet to 55 feet.
- c. Section 9.4(4)(4): Reduction in front yard building setback from 40 feet from right-of-way line to 20 feet.
- d. Section 9.4(5)(5): Reduction of the rear yard building setback from 40 feet to 25 feet.
- e. Section 9.4(4)(6): Reduction in the side yard building setback from 10 feet to 5 feet.

*Each of these variances (b)-(e) above, are typical variance requests directly related to the minimum lot size reduction from 15,000 sq. ft. to 7,800 sq. ft. Each of these requests is reasonable and consistent with similar variances that have been approved in the past by the Mayor and Council and Board of Appeals for similar type developments.*

Variations not requested by the applicant but may be needed based on the proposed site and layout plan:

- f. Section 9.4(4)(8): Increase in the maximum ground coverage including accessory buildings from 25 percent to 65 percent.

*Another typical variance directly related to the minimum lot size reduction from 15,000 sq. ft. to 7,800 sq. ft. The variance is reasonable and consistent with similar variances that have been approved in the past by the Mayor and Council and Board of Appeals for similar type developments.*

- g. Exemption from the public improvement requirements of the Snellville Development Regulations relating to a paved roadway, curb and gutter, and sidewalks for the properties (Lots 27-29) which abut Sycamore Drive.

*Required for Lots 27-29 that front Sycamore Drive, a Gwinnett County maintained gravel roadway.*

#### **STAFF RECOMMENDATION:**

In conclusion, the Department of Planning and Development recommends **Approval** to amend the Official Zoning Map and Change in Conditions for the 11.61± acre tract with the following **Conditions**:

1. The property shall be developed according to the rezoning site plan entitled "Proposed Subdivision Pinehurst Rd. and Sycamore Dr.," sealed and signed 6-2-2017 (stamped received 6-13-2017), with modifications permitted due to engineering restrains, ingress and egress, and/or to meet conditions of zoning or State, County, and City regulations;
2. Single-family detached dwellings shall not exceed a density of 2.50 units per acre;
3. The minimum heated floor area per dwelling unit shall be 1,800 sq. ft.;
4. All dwellings shall have a minimum two-car, enclosed garage;
5. The subdivision entrance feature/sign shall include a brick or stone base with associated landscaping. The final design shall require an approved permit by the Director of Planning and Development;

6. All utilities shall be placed underground;
7. Stormwater detention facility(s) shall be fenced with a black vinyl-coated chain link fence a minimum of four feet in height;
8. Signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited;
9. All homes shall be constructed of traditional design with brick, stone, and stucco, or any combination thereof on at least the front facade. The remaining sides shall be constructed of masonry siding and/or shakes/shingles. Accents on the front facade, such as gables and dormers shall be constructed of masonry siding and shakes/shingles. Architectural styles will be varied in order to create a more appealing streetscape;
10. All corner lots (Lots 1 and 26) abutting an external public street shall be designated as “High Visibility Lots” and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view;
11. Sidewalks and other right-of-way improvements required by the Development Regulations and Zoning Ordinance shall continue across Parcel 5071 006 and shall be allowed in, at, or near the stream, the stream that crosses that parcel subject to approval by the Director of Planning and Development;
12. A no-access easement shall be provided on the side and rear of all lots abutting Pinehurst Road and Sycamore Drive;
13. A mandatory homeowner’s association shall be formed for the open space and single-family lots and be responsible for maintenance of all common areas/stormwater detention facilities, street frontage landscaping where the development abuts Pinehurst Road, and entrance signage;
14. A Residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and development for Lots 1-8 prior to issuance of a building permit;
15. All lots shall be required to connect to sanitary sewer, the use of onsite septic systems is prohibited;
16. A 150.50-foot landscape buffer and no-access easement shall be provided where the southeast boundary of Lot 13 abuts Tuftstown Court, with said buffer beginning at the Tuftstown Court right-of-way. A decorative-style fence (wrought-iron, picket, split-rail, etc.), no higher than 4 feet tall shall be allowed to be erected within said landscape buffer. No accessory structures shall be allowed in said landscape buffer;
17. The developer/builder shall be exempt from the public access (street) improvements, curb and gutter, and sidewalk improvements required by the City of Snellville Development Regulations for the property that abuts Sycamore Drive (Lots 27-29).



However, the developer/builder shall comply with Gwinnett County D.O.T. regulations for driveway access to Sycamore Drive, a Gwinnett County maintained gravel roadway;

18. Unless granted variance approval by the Snellville Board of Appeals, no accessory structure shall be allowed to encroach within the 25-foot impervious surface setback or 50-foot undisturbed stream buffer;
19. Non-substantial variances, as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements, development regulations, and construction requirements must be submitted in writing for administrative approval with the Director of Planning and Development and/or City Manager. Substantial variances, as determined by the Planning and Development and/or City Manager, will require Mayor and Council approval; and
20. All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers.

In conjunction with the rezoning of the property, the following variances (1-7) are recommended for **approval**:

1. Reduction in lot size from 15,000 sq. ft. to 7,800 sq. ft.
2. Reduction in minimum lot width at building line from 80 feet to 55 feet.
3. Reduction in front yard building setback from 40 feet from right-of-way line to 20 feet.
4. Reduction in the rear yard building setback from 40 feet to 25 feet.
5. Reduction in the side yard building setback from 10 feet to 5 feet.
6. Increase in the maximum ground coverage including accessory buildings from 25 percent to 65 percent.
7. Exemption from the public improvement requirements of the Snellville Development Regulations relating to a paved roadway, curb and gutter, and sidewalks for the properties (Lots 27-29) which abut Sycamore Drive.