



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

BOARD OF APPEALS

VARIANCE CASE SUMMARY

November 13, 2018

CASE NUMBER:	#BOA 18-06
REQUEST:	Allow a Roofed Accessory Structure to be Located in the Side Yard; and Allow the Roofed Accessory Structure to be Open on all Four Sides for the Storage of a 32' Class C Motorhome
APPLICABLE SECTION(s):	Section 7.1(b), Location and 7.1(f), Façade Requirements of Article VII, General Provisions of the City of Snellville Zoning Ordinance
LOCATION:	1660 Timberline Trace, Snellville, Georgia
TAX PARCEL:	5068 045
ZONING:	RS-180 (Single-Family Residence) District
DEVELOPMENT/PROJECT:	Carport Addition
APPLICANT/PROPERTY OWNER:	Robert E. Jones, Sr. (770) 309-9462
RECOMMENDATION:	Approval with Conditions



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VARIANCE CASE ANALYSIS

November 13, 2018

TO: Snellville Board of Appeals

DATE: November 13, 2018

FROM: Jason Thompson
Director, Planning and Development

CASE NUMBER: #BOA 18-06

FINDING OF FACT:

The Department of Planning and Development has received an application from Robert E. Jones, Sr., property owner and resident of 1660 Timberline Trace, Snellville, Georgia in which Mr. Jones is requesting two variances from the Zoning Ordinance to allow a roofed accessory structure (carport) to be located in the side yard; and allow the roofed accessory structure to be open on all four sides for the storage of a 32' Class C motorhome.

The subject ±0.90 acre property is located in the Timberline Trace subdivision, zoned RS-180 (Single-Family Residence) District, and contains a ±4,754 sq. ft. single-family dwelling with basement that was originally constructed in 1993 and which is adjacent to other single-family homes in the Timberline Trace subdivision to the north, east, and south and abuts the Summit Chase golf course to the east in the rear of the property.

BACKGROUND:

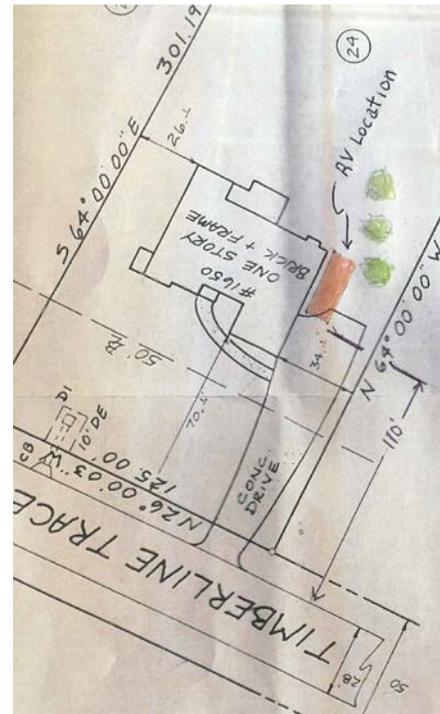
On September 13th, the Planning Department received a complaint that there was an accessory structure being constructed without a permit. With no record of a building permit being issued for the property, Code Enforcement Officer J. Greene was assigned to the case and visited the property on September 15th, confirming the roofed carport addition at the side of the house. A Notice of Violation was issued for construction without an approved Building Permit with notice to cease construction immediately and contact the Planning Department.

On September 17th, Mr. Jones called and spoke to the Planning Department about the Notice of Violation and steps to cure the violation and obtain an approved building permit. However, because the completed structure is located in the side yard, and not the rear yard as required by the ordinance and left open on all four sides, Mr. Jones was advised that he would need to obtain variance approval from the Board of Appeals or remove the newly constructed carport addition. On October 2nd, Mr. Jones submitted the attached variance application for Board of Appeals consideration at the November regular meeting, and if approved will apply for a building permit.

VARIANCE ANALYSIS:

The carport addition measures 33 feet long by 13 feet wide and is 429 sq. ft. in area and located in the side yard at the end of the driveway, and setback approximately 110 feet from the street. The structure is setback 21± feet from the side property line and 190± feet from the rear property line and located adjacent to the residence. It consists of a brown corrugated metal sloped roof with pressure treated supporting structures to be stained brown once the wood moisture content allows. The structure is open on all four sides. The parking pad is gravel, which is a prohibited parking surface, with a concrete paver walkway on the right side leading to the rear. The applicant intends to supplement the gravel parking pad with concrete or paver runners along the wheel tracks.

The structure appears to be well built with quality materials. The applicant has provided photos with the variance application.



Section 7.1 of the Zoning Ordinance regulates accessory uses or structures as stated below. The existing structure is non-compliant with the sections in bold.

The construction of any roofed accessory structure larger than twenty (20) square feet requires the issuance of a building permit by the City. All permit applications shall indicate the proposed

use of the structure and shall include a drawing that shows the exact location on the property with distance(s) from the adjacent property line(s).

- 1). *All such accessory structures shall meet the following requirements:*
 - a) *Located no closer than five-feet (5') from any property line(s);*
 - b) Located within the rear yard;**
 - c) *No higher than two (2) stories;*
 - d) *No more than two (2) roofed accessory structures may be constructed on any one (1) lot;*
 - e) *The combined sum of roofed accessory structures shall not exceed seven-hundred-fifty (750) square feet;*
 - f) The façade shall be constructed of the following exterior-grade materials: wood; vinyl; brick; stone; stucco, and/or hardiplank siding;**
 - g) *Roofing materials shall be limited to asphalt shingles or manufactured pre-painted metal roof sheeting; and*
 - h) Paints, stains, etc. applied on the exterior of the structure shall match the primary structure on the lot.**

- 2). *Roofed accessory structures located on property in excess of one (1) acre will not be restricted to size as long as the building meets building codes and other requirements of this ordinance.*

Because of the desire to preserve several mature hardwood trees located in a wooded area in the rear yard behind the end of the driveway, the structure was located in the side yard adjacent to the side of the dwelling and not rear yard as required in paragraph 1(b) above.

The primary goal by the applicant is to provide a roofed structure to protect his motorhome from the elements including weather and tree and bird deposits. The structure remains open on all four sides and not enclosed as required in paragraph 1(f) above.

Although currently not stained or painted, the applicant intends to stain the pressure treated columns and beams brown to blend in with the surrounding wooded area once the wet-treated lumber dries out.

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 location of several hardwood trees desired for preservation and sloping grade from the end of the driveway in the rear are special conditions and circumstances that should be considered against the intent of the Zoning Ordinance.

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;

No, literal interpretation of the provisions of the Zoning Ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district.

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

The special conditions and circumstances were created when the house was located on the lot in its current configuration in 1993.

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, 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 locate the 13' wide x 33' long roofed carport structure in the side yard; and
- **Approval** of the request to keep all four sides of the roofed carport structure open and not enclosed.

Said recommendation shall be subject to the following recommended **Conditions**:

1. Applicant shall remove gravel parking area and instead install a hard-surfaced parking area constructed of concrete, asphalt or pavers as approved by the Director of Planning and Development and completed within 30-days of variance approval.
2. Applicant shall obtain an approved Building Permit from the City of Snellville Department of Planning and Development for the construction of the roofed carport addition and pass all necessary building inspections and receive a Certificate of Completion within 30-days of variance approval.
3. The exposed wood surfaces shall be stained brown to blend in with the surrounding wooded area within 120-days of variance approval.