



**CITY OF SNELLVILLE  
BOARD OF ZONING APPEALS**

**REGULAR MEETING MINUTES  
December 12, 2023**

Council Chambers, City Hall, 2342 Oak Road

Members Present: Tim Van Valkenburg, Chairman; Deborah Jones, Betty Ann Kumin, and Lori-Ann Spears.

Members Absent: Emmett Clower. Post 1 is vacant.

Staff Present: Jason Thompson, Planning Director; and John Dennis, Zoning Administrator.

**CALL TO ORDER**

Chairman Valkenburg called the December 12, 2023 regular meeting to order at 7:30 p.m.

**APPROVAL OF AGENDA**

Betty Ann Kumin made a motion to approve the December 12<sup>th</sup> regular meeting agenda.

Deborah Jones made a second to the motion.

A vote was taken; voted four (4) in favor, zero (0) opposed, motion approved.

**APPROVAL OF MINUTES**

Betty Ann Kumin made a motion to approve the October 17, 2023 specially called meeting minutes as presented.

Lori-Ann Spears made a second to the motion.

A vote was taken; voted four (4) in favor, zero (0) opposed, motion approved.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

**#BOA 23-04 - Application by Brent H. Moye, P.E., Land Engineering & Development (applicant) and Dorothy Thorpe (property owner) requesting variances from the Landscape Ordinance of Article 7 Chapter 200 of the Snellville Unified Development Ordinance for redevelopment of the site for a Dunkin Donuts restaurant with drive-thru on the 0.80± acre property, zoned HSB (Highway Service Business) District, located at 2035 E. Main Street, Snellville, Georgia (Parcels 5059 233 and 5059 491).**

Jason Thompson presented a summary of the requested variances stating they mostly pertain to the requirements of the landscape ordinance. The first request is for variance to allow a one (1) foot increase in the maximum 24 feet width of the interparcel access drive on the eastern property boundary. The second request is to allow minor parking lot encroachment into the 10 feet front landscape strip. Third request is to eliminate the 5 feet landscape strip along the eastern property line to allow for angled parking.

The following additional variances were discovered by Planning Department staff: Variance to allow all existing structures within the 60 feet undisturbed buffer at the rear of the property where adjacent to several lots in Olde Hickory Village subdivision. A variance to allow the existing trees located within the buffer to be counted towards the sites tree density requirements. And, variance from the 200/300 sq. ft. planter island minimum size requirements for the existing and proposed new planter islands.

Given the existing conditions that exist on the site and size constraints of the property, the Planning Department believes the proposed redevelopment is an improvement to the current site and building conditions; therefore, recommending approval of the six (6) variances identified as (A) thru (F) in the staff report with the following four (4) conditions:

1. As a condition of approval of variances (D) and (E), applicant/developer shall construct an 8-foot high opaque non-chain-link fence within the full 170-foot length of the 5-foot rear landscape strip adjacent to Lots 10-11-12 Block A Olde Hickory Village subdivision (Tax Parcels 5059 259; 5059 260; and 5059 261).
2. As a condition of approval of variance (F), applicant/developer shall replace the proposed Bermuda Sod planting area behind the building at the drive-thru order area with a mixture of shrubs, ornamental grasses, perennials, and annuals.
3. Per UDO Sec. 207-3.2.A.5. a minimum 24-foot wide inter-parcel access stub shall be provided between the building and front parking area where adjacent to Parcel 5059 487.

4. The existing nonconforming pylon sign located in the planter island next to the driveway on Highway 78 (E. Main Street) shall be removed before issuance of the Certificate of Occupancy. New signage shall comply with the requirements of UDO Sec. 207-6. (Signs).

Betty Ann Kumin asked how many parking spaces are proposed for the development.

Mr. Thompson stated the site plan shows a total of nineteen (19) spaces.

Brent Moye, P.E., Land Engineering And Development, spoke representing the developer and Dorothy Thorpe (property owner). Mr. Moye thanked Planning Department staff in helping him with the variance process and clarified the anticipated Dunkin Donuts opening to be sometime in 2025.

Chairman Valkenburg asked Mr. Moye if he is okay with the recommended conditions.

Mr. Moye responded, yes.

Chairman Valkenburg opened the meeting to public comment.

Deborah Parks, 2000 Hickory Station Circle, asked about the location of the privacy fence and shared concerns about the proposed dumpster location and traffic patterns which may adversely effect the Olde Hickory Village subdivision drive.

Mr. Thompson provided a response to Ms. Parks concerns.

Chairman Valkenburg closed the meeting to public comment and asked for a motion.

Betty Ann Kumin made a motion to approve #BOA 23-04 and the six (6) variances (A) thru (F) in the staff report with the four (4) conditions as presented by staff.

Lori-Ann Spears made a second to the motion.

A vote was taken; voted four (4) in favor, zero (0) opposed, motion approved.

### **ANNOUNCEMENTS**

Jason Thompson announced that the January 9, 2024 regular meeting is cancelled. Mr. Thompson wished everyone a very Merry Christmas and Happy New Year.

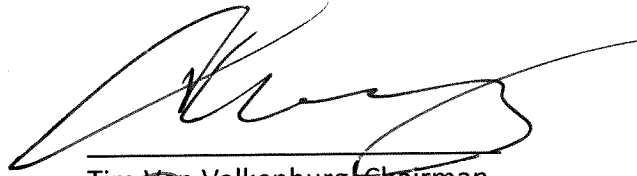
### **ADJOURNMENT**

Motion to adjourn made by Deborah Jones.

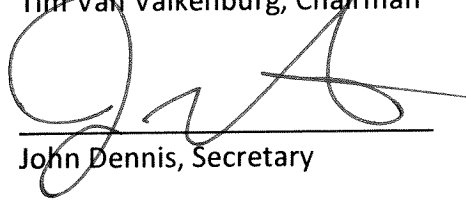
Lori-Ann Spears made a second to the motion.

A vote was taken; voted four (4) in favor, zero (0) opposed, motion approved.

The meeting was adjourned at 7:51 p.m.



Tim Van Valkenburg, Chairman



John Dennis, Secretary

THESE ARE OFFICIAL MINUTES THAT WERE APPROVED BY THE BOARD OF  
APPEALS AT THE AUGUST 13, 2024 REGULAR MEETING.