



Board of Zoning Appeals
OFFICIAL Minutes
March 20, 2025

CITY HALL 2 PARK PLAZA

5:30 PM

I. CALL TO ORDER

Chair Gordy called the meeting to order at 5:30 p.m.

II. ROLL CALL

- **Board Members Present**

- o Chairman Mike Gordy
- o Vice Chair Kirk Driskell
- o Marc Gelber
- o Scott Wharton
- o Kirk Driskell
- o Anne Holcombe
- o Cliff Cobb
- o DJ Teshale

- **Board Members Absent**

- o Donna Shaw Murphy
- o Lisa Shippel

- **Staff Present**

- o Micheal Woodman, Planning & Development Manager
- o Joel Carnow, GIS Specialist/ Special Projects Manager
- o Erin Cobb, Administrative Office Coordinator

III. Approval of Meeting Minutes

A. Meeting Minutes (Meeting of January 16, 2025)

- ❖ Board Member Gelber offered a motion to approve the meeting minutes from January 16, 2025.

- The motion received a second from Board Member Teshale.
- The motion was approved unanimously (7-0)

IV. Items from Board Members

- A. None

V. Items from Staff

- A. Public Hearing Procedure

VI. Public Hearing

A. V-25-04 Foley/1340 Squirrel Run Setback Variance

Michael Woodman, Planning & Development Manager, presented consideration of an exception to reduce the side building setback from eight feet (8') to six feet (6') to accommodate a detached garage. The subject property is located at 1340 Squirrel Run in the Jennifer Oaks subdivision.

The submitted request, if approved, would allow a six-foot (6') side setback for a detached garage on a single-family detached lot. An exception is requested to reduce the side setback from eight feet (8') to six (6'). The subject property is located at 1340 Squirrel Run in the Jennifer Oaks subdivision.

The 0.30-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and is developed with a two (2) story, approximately 3,122 square foot single-family detached home. Surrounding properties are zoned R-15 and located in the Jennifer Oaks subdivision.

Unified Development Code (UDC) Subsection 2.2.5(D), R-15 Dwelling, For-Sale, Residential, District Regulations, requires a ten-foot (10') side setback. An administrative variance was approved for the Jennifer Oaks subdivision reducing the side setback for all lots from ten feet (10') to eight feet (8'). The site plan depicts a one-story, one (1) car detached garage located at the end of the driveway. The home currently has a two (2) car side-loaded garage. There is approximately four feet (4') between the residence and the detached garage. The applicant has stated that the garage was not proposed to be attached to the house due to the existing floor plan of the home which does not have a side entrance into a mudroom or kitchen. Otherwise, to access the proposed one (1) garage, the homeowners would have to open the garage doors to both the side-loaded garage and single car garage. Therefore, the garage is proposed to be detached to allow for a side entry door in the four feet (4') area between the two (2) structures. The four-foot (4') area would also accommodate access to the rear yard.

Exception Review Criteria

The property has peculiar conditions due to the existing floor plan of the home which adversely

affect its reasonable use. The floor plan does not have a side entrance into a mudroom or kitchen due to the home having a side-loaded garage on the right side of the home. Therefore, the applicant proposed a detached garage to allow for a side entry door in the four feet (4') area between the home and the garage. Otherwise, the homeowners would have to open the garage doors to both garages in order to gain access to the proposed garage.

The applicant's proposal would not cause a substantial detriment to the public good. The requested exception, if approved, would reduce the side setback by two feet (2'). The request relates to accommodating reasonable access to the proposed garage and the applicant provided letters of no objection from adjacent properties, as well as the Jennifer Oaks HOA.

Staff has reviewed the applicant's proposal against the review criteria for an exception. The property has peculiar conditions due to the existing floor plan of the home which adversely affect its reasonable use. The floor plan does not have a side entrance into a mudroom or kitchen due to the home having a side-loaded garage on the right side of the home. Therefore, the applicant proposed a detached garage to allow for a side entry door between the home and the garage. Otherwise, the homeowners would have to open the garage doors to both garages in order to gain access to the proposed garage. The request relates to accommodating reasonable access to the proposed garage and the applicant provided letters of no objection from adjacent properties, as well as the Jennifer Oaks HOA.

Staff's Recommendation:

Approve E-25-04 Foley/1340 Squirrel Run, subject to the following conditions:

1. Detached garage shall be permitted with a 6' side setback, as depicted on the site plan labeled Exhibit A – Site Plan.
2. Detached garage shall be substantially similar to the renderings labeled Exhibit B – Rendering, as approved by Staff.

There was discussion from the Board:

- Showed Location of detached garage and existing home.
- Grade.
- One car garage.
- No breezeway from home to garage.
- Approving this variance does not affect neighbor's retaining wall.

John Foley, Applicant presented.

There is no basement to the garage.

Small laundry room on the west side of the house. Nowhere to put an entrance on the side of that house.

Proposing and obtained approval from HOA to construct an Allan block structural wall.

There was discussion from the Board:

- Intent is to put in pull down attic stair on top floor. No inhabitants. No plumbing. Use for storage.
- Access to the house.

Public Comment:

- The Jennifer Oaks HOA President, John Mensching, 1065 Jennifer Oaks Drive Alpharetta, GA 30004, came forward in support of this item.
- ❖ Board Member Gelber offered a motion to approve V-25-04 Foley/1340 Squirrel Run Setback Variance subject to the following conditions:
 1. Detached garage shall be permitted with a 6' side setback, as depicted on the site plan labeled Exhibit A – Site Plan.
 2. Detached garage shall be substantially similar to the renderings labeled Exhibit B – Rendering, as approved by Staff.
- The motion received a second from Board Member Holcombe
- The motion was approved unanimously (7-0)

VII. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Board Member Gelber offered a motion to adjourn the meeting.
 - The motion received a second from Board Member Cobb.
 - The motion was approved unanimously (7-0); Chairman Gordy adjourned the meeting at 5:51 P.M.