



BOARD OF ZONING APPEALS

UNOFFICIAL MINUTES

JUNE 18, 2026

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
5:30 PM

1. CALL TO ORDER

Elle Taylor, Planning and Zoning Coordinator, called the meeting to order at 5:30 p.m.

A. Election of Chair and Vice-Chair for 2026

- ❖ Board Member Gelber nominated Michael Gordy as Chair.
 - Board Member Shippel seconded the nomination.
 - Motion carried (6-0-1) (Gordy)
- ❖ Chair Gordy nominated Marc Gelber as Vice-Chair.
 - Board Member Holcombe seconded the motion.
 - Motion carried (6-0-1) (Gelber)

2. ROLL CALL

A. Welcome new Board Members: Brent Beecham, Craig Johnson and Tammy Lucas.

3. APPROVAL OF MEETING MINUTES

A. Approve Meeting Minutes of 12-18-25

- ❖ Vice-Chair Gelber offered a motion to approve.
 - Board Member Holcombe seconded the motion.
 - Motion carried (7-0)

4. PUBLIC HEARING

A. Public Hearing Procedure

B. V-26-09 Kusmiesz/200 Sweetwater Trace

Michael Woodman, Planning and Development Services Manager, presented consideration of a variance to Unified Development Code Subsection 1.3.1(B)(1) to reduce the rear platted setback from 35' to 23' to allow for the construction of a covered screened porch. The property is located at 200 Sweetwater Trace and is legally described as being located in Land Lot 552, 1st District, 2nd Section, Fulton County, Georgia.

The submitted request, if approved, would allow for the construction of a covered porch at the rear of a single-family detached home with a reduced 23' rear setback. The property has a 35' platted rear setback. The subject property is located at 200 Sweetwater Trace in the Sweetwater Club subdivision.

The .0125-acre property is zoned R-4A (Dwelling, 'For-Sale', Attached) and developed with a one (1) story, 2,053 square foot single-family detached home with patio at the rear. The subdivision was developed in unincorporated Fulton County and annexed into the City in 2005. Surrounding properties are zoned R-4A in the Sweetwater Club subdivision, except that the property to the east is zoned R-15 (Dwelling, 'For-Sale', Residential) and is located in the Northfield subdivision. Sweetwater Club lots backing up to the north and west (Harris Road) property lines have a 40' rear setback, lots backing up to the east property line have a 35' rear setback, lots backing up to the south property line have a 30' rear setback, and internal lots have a seven-foot (7') rear setback.

A variance is requested to Unified Development Code (UDC) Subsection 1.3.1(B)(1) which states that "no structure shall hereafter be erected or altered to create a non-conformity." The variance is requested from this UDC Subsection because the platted setback applies and not the zoning setback. The applicant states that the variance is necessary to increase the usable outdoor area, which is currently limited. The property has a platted rear setback of 35' and the home was constructed with its rear wall at the 35' rear setback line. There is an existing at-grade patio, which is four feet (4') deep, and is not subject to setbacks. The applicant proposes a twelve-foot (12') deep by eighteen-foot (18') wide, or 216 square foot covered porch over the existing at-grade patio. According to the application, no trees will be removed with the construction of the covered porch.

There is an example of a rear setback variance being granted in the Sweetwater Club subdivision at 290 Sweetwater Trace. In addition, several properties appear to have legal non-conforming encroachments into the rear setback, including at 100, 120, 205, 210, 220, and 280 Sweetwater Trace.

- Variance Requirements

- *The property has exceptional conditions related to its size. The lot is 0.125 acres, or 5,456 square feet, which leaves limited space for residential accessory structures, such as a cover porch or deck*
- *Application of the ordinance would create an unnecessary hardship. The platted rear setback would not allow for an accessory structure on the subject property, such as a deck or cover porch. However, some properties located in the same subdivision have lesser rear setbacks, including seven-foot (7') and 30' rear setbacks. In addition, there are several examples of non-conforming rear setback encroachments in the subdivision.*
- *The property has peculiar conditions related to its size. The lot is 0.125 acres, or 5,456 square feet, which leaves limited space for residential accessory structures,*

such as a cover porch or deck. In addition, there are several examples of non-conforming rear setback encroachments in the subdivision.

Staff have reviewed the applicant's proposal against the review criteria for a variance. The property has exceptional and peculiar conditions related to its size. The lot is 0.125 acres, or 5,456 square feet, which leaves limited space for residential accessory structures, such as a cover porch or deck. The platted rear setback would not allow for an accessory structure on the subject property. However, some properties located in the same subdivision have lesser rear setbacks allowing for residential accessory structures. In addition, there are several examples of non-conforming rear setback encroachments in the Sweetwater Club subdivision and there is one (1) example of a rear setback variance being granted.

Staff recommendation is to Approve V-26-09 Kusmisz/200 Sweetwater Trace, subject to the following conditions:

1. Covered porch shall be permitted substantially as depicted on the submitted site plan and with a 23' rear setback, as approved by Staff. There shall be no tree removal related to the construction of the covered porch.

The Applicant gave a brief presentation.

There was no public comment.

- ❖ Board Member Shippel offered a motion to approve with Staff recommendation.
 - Board Member Lucas seconded the motion.
 - Motion carried (7-0)

c. PH-26-13 Good Stores LLC. Appeal

This request was withdrawn by the applicant and was not be considered.

Consideration of an appeal to administrative decision related to UDC Section 1.4.2. Defined terms, Definition of a Discount Store. The property is located at 7461 North Point Parkway and is legally described as being located in Land Lots 654, 655, 686, 687 1st District, 2nd Section, Fulton County, Georgia.

5. ITEMS FROM BOARD MEMBERS

6. ITEMS FROM STAFF

7. ADJOURNMENT

Chair Gordy adjourned the meeting at 5:45 p.m.