



BOARD OF ZONING APPEALS MAY 18, 2023

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

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MEETING MINUTES**
- IV. ITEMS FROM BOARD MEMBERS**
- V. ITEMS FROM STAFF**
- VI. PUBLIC HEARING**

A. V-23-12 / 336 Meadow Drive

Consideration of a variance request to reduce the front setback from 50' to 25' to allow for the addition of a side-loaded garage. The property is located at 336 Meadow Drive and is legally described as being located in Land Lot 1250, 2nd District, 2nd Section, Fulton County, Georgia.

- VII. ADJOURNMENT**



Board of Zoning Appeals Meeting
March 16, 2023
Department of Community Development
ALPHARETTA CITY HALL | 2 PARK PLAZA
5:30 PM

This summary is provided as a convenience and service to the public, media, and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by the Board of Zoning Appeals, but not quoted or paraphrased. This document includes limited presentation by the Board of Zoning Appeals and invited speakers in summary form. The public is advised that the tapes recorded at said meeting are a matter of public record and are available upon request.

I. CALL TO ORDER

- Tracy Jackson called the meeting to order at 5:30PM.

II. ROLL CALL

- **Planning Commissioners present:**
 - Marc Gelber (Chairman)
 - Lisa Shippel (Vice-Chairman)
 - Kirk Driskell
 - Dereje Teshale
 - Donna Shaw Murphy
 - Anne Holcombe
 - Mike Perry
- **Staff present:**
 - Michael Woodman, Planning + Development Services Manager
 - Nikisha Mistry, GIS Specialist/Planner
 - Tracy Jackson, Planning + Zoning Coordinator
 - David Shostak, City Arborist
 - James Drinkard, Assistant City Administrator

III. ELECTION OF CHAIRMAN AND VICE CHAIRMAN

- ❖ Board Member Murphy offered a motion to nominate Board Member Shippel to serve as Chairman.
 - Board Member Shippel declined the nomination.
- ❖ Board member Perry offered a motion to nominate Board Member Gelber to serve as Chairman.
 - Board Member Gelber accepted nomination.

- All in favor unanimously (7-0)
- ❖ Board Member Murphy offered a motion to nominate Board Member Shippel to serve as Vice Chairman
 - Board Member Perry seconded the nomination.
 - Board Member Shippel accepted the nomination.
 - All in favor unanimously (7-0)

IV. APPROVAL OF MEETING MINUTES

- ❖ Board Member Holcombe offered a motion to approve meeting minutes from September 15, 2022.
 - Board Member Shippel seconded the motion.
 - The motion was approved unanimously (7-0)

V. ITEMS FROM BOARD MEMBERS

VI. ITEMS FROM STAFF

VII. PUBLIC HEARING

1. V-23-05 Caliber Car Wash/1500 Mansell Road

Planning + Development Services Manager, Michael Woodman came forward to present this item.

- **Staff Recommendation:**
Approve V-23-05 Caliber Car Wash/1500 Mansell Road Setback Variance, subject to the following conditions:
 1. Site layout shall be permitted as depicted on the plans prepared by Carter Harkleroad Group, dated 12/27/22, and with a 32.5' front setback along Mansell Road.
 2. Building shall have the appearance of a 25' tall structure and shall be substantially similar to the elevations depicting a gray roof and prepared by Alex Roush Architects, Inc., dated 1/23/23, with final approval by DRB.
 3. Landscaping shall be substantially similar to the landscape plan prepared by Manley Land Design, dated 1/27/23, with final approval by DRB.
 4. Developer shall assess site landscaping and replace dead, dying, or missing landscape material.
 5. Developer shall plant additional shrubs and ornamental grasses in the landscape strip along Mansell Road and Westside Parkway. These plantings shall be installed near the highest ground elevations to provide additional site screening, as approved by DRB.

Parks Huff (Lawyer) Came forward to present and discuss new site lay out.

BZA Questions & Discussion:

- Board members ask questions regarding traffic and access point. Will access point be shared with adjacent properties and if customers have multiple exit points after entering the car wash.

Public Comment:

- No public comment

❖ **Board Member Holcombe offered a motion to approve (V-23-05 Caliber Car Wash/1500 Mansell Road) subject to staff conditions.**

- **Board Member Murphy seconded the motion.**
- **The motion was approved unanimously (7-0).**

2. 263 Canton Street Appeal

Planning + Development Services Manager, Michael Woodman came forward to present this item.

- The appellant, Jarvis Tree Experts, is requesting consideration of an appeal to an administrative determination related to a Violation Notice, dated November 16, 2022, and updated February 1, 2023. The updated notice cites a violation of Unified Development Code (UDC) Subsection 3.2.6 and relates to the removal of a 33" Water Oak based on incorrect data. The appellant argues that while the readings from the June 2022 Resistograph Report were inadvertently incorrect, the City Arborist had sufficient information in order to allow the tree to be removed. The appellant also claims that the tree is not a specimen tree based on the updated October 2022 Resistograph Report and therefore the fines and recompense in the Notice of Violation are in error. The City counters that the incorrect data in the June 2022 Resistograph Report resulted in the decision to allow the tree to be removed and that the updated data in the October 2022 Resistograph Report was insufficient to determine whether or not the tree was a specimen tree. The subject property is located at 263 Canton Street, generally on the east side of Canton Street and north of Mayfield Road.

Andrea Pearson (lawyer) came forward to present the case regarding the incorrect tree that was cut down.

Andrea stated that the applicant obtained a permit and hired an arborist to come out to check the tree. When the arborist came and checked the tree it was determined that there was a nesting cavity in the limb that showed decay. The report showed that this was not a specimen tree that could be saved. When the applicant received the report, he didn't think that there was a need to

question if the correct tree was checked or not.

BZA Questions & Discussion:

- Was the tree in question on the actual property or next door on adjacent property?
- Was the original data from the tree in question or another tree.
- Could there have been a mistake on the height.
- Who discovered that the incorrect tree was cut down?
- When the report came back was anyone questioned on if this was the correct tree and or was this the correct report for this tree
- When the report was sent over does it specify (property address, date, time, and reading)
- Were there any visible signs to indicate that the tree was unhealthy.
- What are the code requirements when a tree is approved to be cut down.
- Board members question arborist (David Shostak) on length of time that he has worked for the City of Alpharetta
- Did the homeowner want the tree removed.
- Has the city ever had an issue in the past with Jarvis tree experts in the past?

Public Comment:

- No public comment

- Chairman Gelber call for 5-minute break at 6:54
- Board members reconvened at 6:58

- ❖ Board Member Holcombe offered a motion to Grant Appeal (263 Canton Street Appeal)
 - Board Member Murphy seconded the motion.
 - Board Member Holcombe amended the motion to grant the appeal and add a fine of \$1000.00.
 - Board member Murphy seconded the motion.
 - Appeal Granted (4-3, Marc Gelber, Mike Perry, Dereje Teshale opposed)

VIII. ADJOURNMENT

- Chairman Gelber adjourned the meeting at 7:07 p.m.

Respectfully submitted,

Tracy Jackson

Tracy Jackson, Planning + Zoning Coordinator



BOARD OF ZONING APPEALS MEETING

STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT
SUBMITTED BY: MICHAEL WOODMAN
DRAFTED BY: NIKISHA MISTRY

I. AGENDA ITEM TITLE: V-23-12 336 MEADOW DRIVE SETBACK VARIANCE

BOARD OF ZONING APPEALS: MAY 18, 2023

II. RECOMMENDATION:

Approve V-23-12 336 Meadow Drive Setback Variance, subject to the following conditions:

1. Side loaded garage addition shall be permitted as depicted on the site plan, labeled Exhibit A, and with a 25' front setback along the northeast property line.
2. Exterior walls of the addition shall be brick as stated in the Milton Estates subdivision conditions, with final approval by Staff.
3. Existing circular driveway shall be removed as depicted on the site plan, labeled Exhibit A.

III. REPORT IN BRIEF:

The applicant, Jay Kearce, is requesting consideration of a variance to reduce the front setback from fifty feet (50') to twenty-five feet (25') to allow for the construction of a side loaded garage addition. The applicant proposes to enclose the existing carport and add a 530 square foot extension to the southeast portion of the front elevation to accommodate a side loaded, two-car garage. The subject property is located at 336 Meadow Drive in the Milton Estates subdivision.

DISCUSSION

The submitted request, if approved, would allow for the construction of a side loaded garage extension to the front of a single-family detached home with a reduced front setback of twenty-five feet (25'). Unified Development Code (UDC) Subsection 2.2.5(D) District Regulations notes the R-15 front yard setback as thirty-five feet (35'). However, the Milton Estates final subdivision plat has a fifty-foot (50') front setback for all properties. The applicant wishes to add a two-car side loading garage to the existing structure and enclose the existing carport, which will increase the size of the home by approximately 400 square feet. The subject property is located at 336 Meadow Drive in the Milton Estates subdivision.

The 0.56-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and developed with a one (1) story, 1,614 square foot single-family detached home built in 1977. A perennial stream runs along the rear property line with 150' stream buffers that encumber much of the property, see below a floodplain map highlighting the subject property. Surrounding properties are zoned R-15 and are all located in the Milton Estates subdivision.



The submitted application describes an approximately 530 square foot garage extension at the front of the existing home. A twenty-five foot (25') front setback reduction is proposed for the garage addition, leaving twenty-five feet (25') between the residence and the front property line. The garage addition has a depth of twenty-eight feet (28') from the existing carport and is described as being 22' wide. The average size of homes in the Milton Estates subdivision is approximately 2,036 square feet including homes with full and partial basements. With the enclosure of the existing carport, the subject home would be approximately 2,014 square feet.

As shown in the table below, there are a few examples of variances approved to reduce building setbacks in the Milton Estates subdivision. Additionally, similar construction activities have been permitted on other properties in the same subdivision (see table below).

Approved Variances – Milton Estates

Address	Case Number	Variance Request Description
229 Kenneth Dr	AV220023	Front setback reduction from 50' to 40'
312 Meadow Dr	AV220015	Front setback reduction from 50' to 40'
235 Mayfield Cir	AV200007	Front setback reduction from 50' to 40'
324 Meadow Dr	AV160020	Front setback reduction 10' to construct carport

Building Permits for Additions to Existing Structures – Milton Estates

Address	Type of construction	Date	Pre-permit total area w/basement	Post-permit total area w/basement
291 Meadow Dr	Second floor addition	2022	1,868 SF	4,368 SF
3031 Maple Ln	Sunroom addition, porch, covered walkway	2021	1,858 SF	2,058 SF
3051 Maple Ln	House addition	2021	1,844 SF	4,414 SF
204 Mayfield Cir	Addition	2020	1,634 SF	2,568 SF
3100 Maple Ln	Carport addition	2020	1,668 SF	1,668 SF
3023 Maple Ln	Addition	2020	2,183 SF	2,903 SF
245 Meadow Dr	Bed and bath addition	2018	2,106 SF	2,624 SF
3161 Maple Ln	Garage addition	2018	1,980 SF	2,508 SF
3140 Maple Ln	Expanding sunroom	2017	1,681 SF	1,753 SF
202 Kenneth Dr	Addition	2016	1,542 SF	1,692 SF

VARIANCE REVIEW CRITERIA

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship variance. The ordinance specifically states..."a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; or

Response: A 150' stream buffer prevents the homeowner from attaching an addition to the rear of the home.

2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or

Response: Application of the ordinance would create an unnecessary hardship as there is no other area to add an extension due to the presence of a 150' stream buffer at the rear of the structure.

3. There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned; or

Response: The presence of a 150' stream buffer in the rear of the property prevents construction of an addition at the rear of the home.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance.

Response: Relief should not cause substantial detriment to the public good. The rear yard of the subject property contains a 150' stream buffer which restricts construction at the rear of the home. Additionally, the applicant provided a letter of no objection from neighboring property owners, and this is an addition to an existing home versus a new build. Similar variance requests have been approved for properties in the Milton Estates subdivision, and the overall size of the home is still compatible with the neighborhood and adjacent properties.

CONCURRENCES

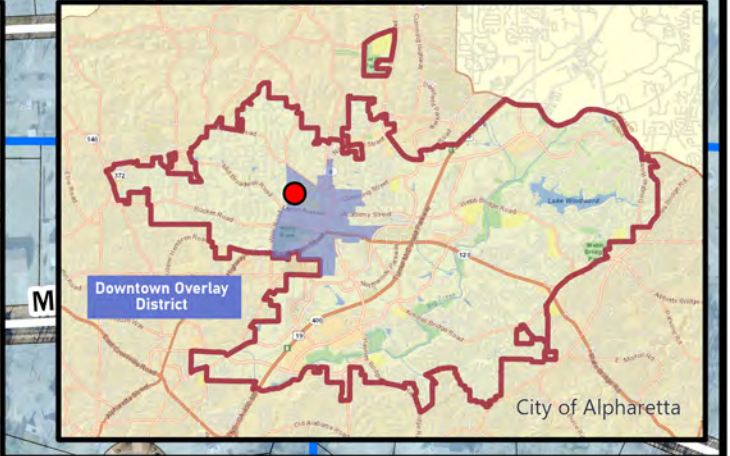
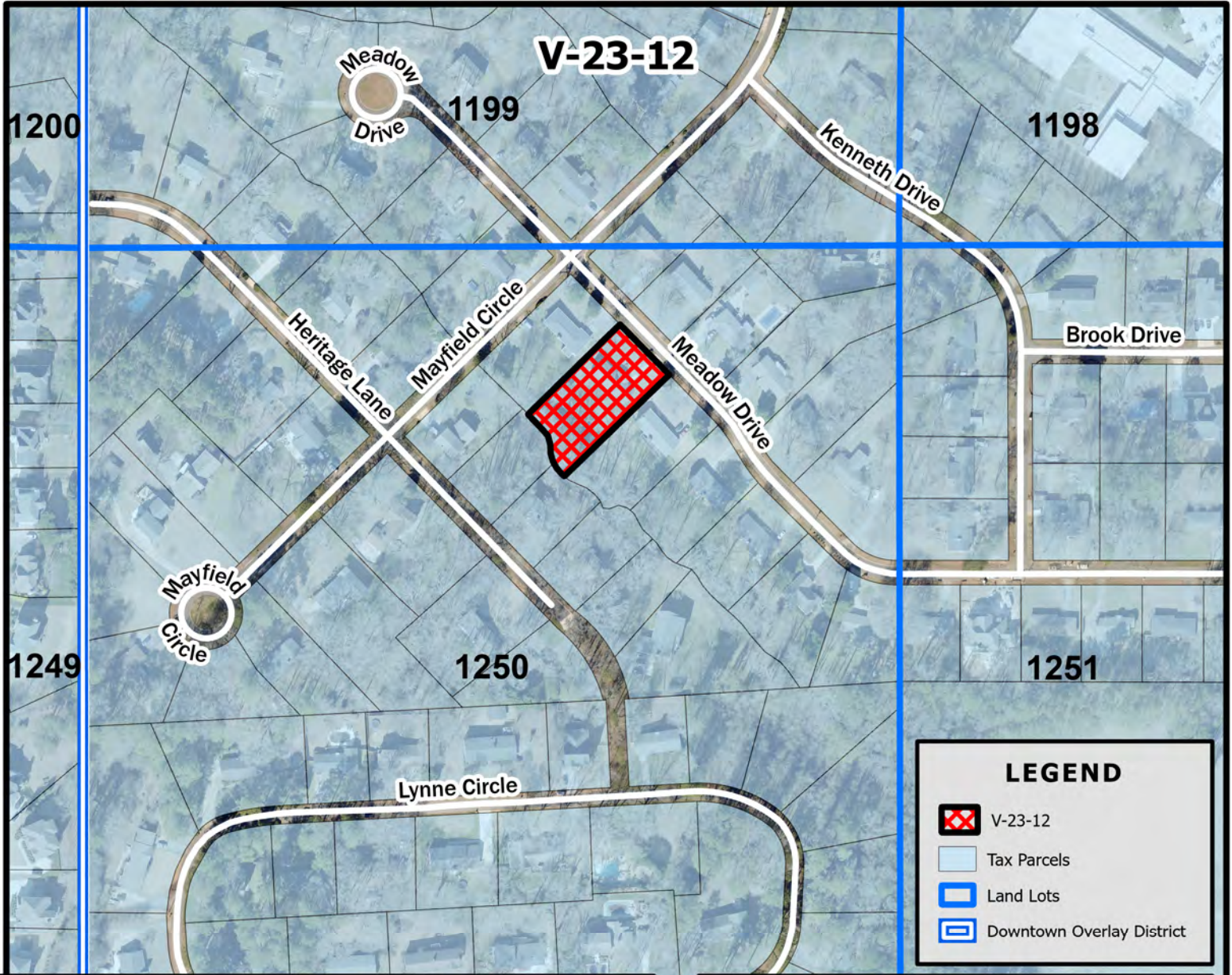
Staff has reviewed the applicant's proposal against the review criteria for a variance. Due to the 150' stream buffer at the rear of the property, an addition cannot be added to the rear of the home. The proposed twenty-five foot (25') front setback will allow for an addition to the front of the home along with a side-facing garage without encroaching into the stream buffer. Similar variance requests have been approved for properties in the same neighborhood, and the overall size of the home is compatible with the neighborhood and adjacent properties. Additionally, the applicant provided a letter of no objection from neighboring property owners.

CITIZEN PARTICIPATION PLAN

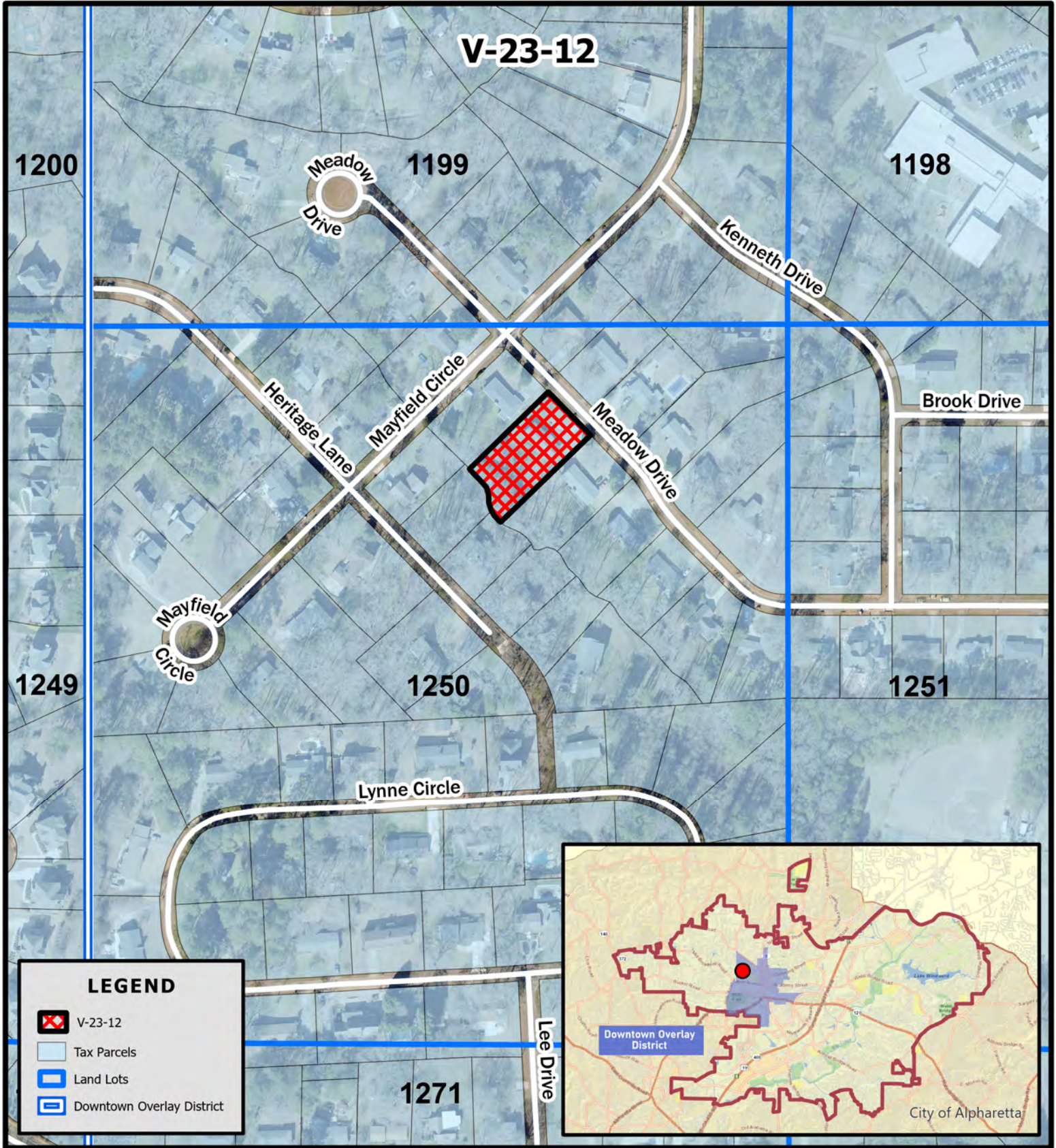
The applicant notified all properties adjacent to the subject property and provided a letter with signatures of support from neighbors.

IV. ATTACHMENTS:

- Aerial Map
- Zoning Map
- Future Land Use Map
- Location Map
- Exhibit A – Site Plan
- CZIM Sign In Sheet
- Citizen Part B
- Application



V-23-12
D/LL: 2/2/1250
BZA: 6/15/23



V-23-12
D/LL: 2/2/1250
BZA: 6/15/23

FLOOD STATEMENT

BY GRAPHIC PLOTTING ONLY, I HAVE EXAMINED THE INTERMEDIATE REGIONAL FLOOD PANEL CURRENTLY AVAILABLE AND FOUND THAT THE PROPERTY IN QUESTION IS WITHIN FLOOD HAZARD ZONE X ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM), PANEL NUMBER 13121C0058 F, WHICH BEARS AN EFFECTIVE DATE OF 09/18/2013, FULTON COUNTY, GEORGIA.

EXHIBIT A

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT RESURVEY OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENT, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECOGNITION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, JOINTLIABILITY OF FIDUCIARIES, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 154-4-1.

Daniel F. Conboy
DANIEL F. CONBOY PLS 2015



02/14/2023
DATE

FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839

SURVEYOR'S NOTES:

1. THIS SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS (a) THE BOUNDARIES AND AREAS OF THE SUBJECT PROPERTY AND THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS THEREON AND THE DISTANCE THEREFROM TO THE NEAREST FACING EXTERIOR PROPERTY LINES OF THE SUBJECT PROPERTY; (b) THE LOCATION OF ALL RIGHT-OF-WAY, EASEMENTS AND ANY OTHER MATTERS OF RECORD (OR OF WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT OF RECORD) AFFECTING THE SUBJECT PROPERTY; (c) THE LOCATION OF THE PARKING AREAS ON THE SUBJECT PROPERTY SHOWING THE NUMBER OF PARKING SPACES PROVIDED THEREIN; (d) ALL ADJUTING DEDICATED PUBLIC STREETS PROVIDING ACCESS TO THE SUBJECT PROPERTY TOGETHER WITH THE WIDTH AND NAME THEREOF; AND (e) ALL OTHER SIGNIFICANT ITEMS ON THE SUBJECT PROPERTY.
2. EXCEPT AS SHOWN ON THIS SURVEY AND AS NOTED BELOW, THERE ARE (a) NO ENCROACHMENTS UPON THE ADJACENT PROPERTY BY DEPLOYMENTS ON SUBJECT PROPERTY; (b) NO ENCROACHMENTS BY THE ADJACENT PROPERTY; (c) NO PARTY WALLS, OR (d) NO CONFLICTS OR PROTRUSIONS; (e) SEE CURB & GUTTER AT NORTHWEST CORNER OF PROPERTY.
3. ADEQUATE INGRESS TO AND EGRESS FROM THE SUBJECT PROPERTY IS PROVIDED BY MEADOW DRIVE; ALL REQUIRED BUILDING SETBACK LINES ON THE SUBJECT PROPERTY ARE LOCATED AS SHOWN HEREON.
4. THE PROPERTY DOES VISIBLY SERVE ADJOINING PROPERTIES FOR DRAINAGE, BUT NOT FOR EGRESS, EGRESS, OR FOR ANY OTHER PURPOSES.
5. THERE WAS NO OBSERVED EVIDENCE OF GRAVEYARDS, BURIAL SITES, EARTH MOVING WORK, BUILDING CONSTRUCTION, OR WETLANDS AT THE TIME OF THE SURVEY.
6. AT THE TIME OF THE SURVEY, THE SURVEYOR DID NOT FIND ANY CHANGES OR PENDING CHANGES TO THE B.W.
7. ALL ADJUTING PROPERTY LINES ARE CONTIGUOUS. THERE WERE NO GAPS OR OVERLAPS.

PURSUANT TO RULE 154-4-19 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

PROPERTY CORNER	POWER/LIGHT POLE	GAS METER	-Y- TELEPHONE LINE	ON OVERHANG
PAVED (AS NOTED)	GUY WIRE	GAS VALVE	-X- FENCE LINE	C.B. CATCH BASIN
1/2" REBAR WITH CAP SET LSF # 639	POWER METER	CABLE BOX	-Q- CONTOUR LINE	OUT CANTILEVER
R/W MONUMENT	POWER BOX	TELEPHONE BOX	BSL BUILDING SETBACK LINE	H/C HANDICAP
FIRE HYDRANT	A/C UNIT	SIGN	CONC. CONCRETE	FVE FINISHED FLOOR ELEVATION
WATER METER	MANHOLE	-W- WATER LINE	SEP EDGE OF PAVEMENT	BFS BASEMENT FLOOR ELEVATION
WATER VALVE	CLEAN OUT	-U- OVERHEAD UTILITY LINE	LL LAND LOT	OFF GARAGE FLOOR ELEVATION
POWER POLE	JUNCTION BOX	-S- SEWER LINE	N/W NOW ON FORMERLY	DB DECK DOCK
POWER POLE	OUTFLOW STRUCTURE	-G- GAS LINE	R/W RIGHT-OF-WAY	PL PLAY BOOK
	SEWERAGE DUCT	-M- MAIN LINE	S.A. SURVEY LINE	PG PAGE

BOUNDARY REFERENCE: DB 50135, PG 425; PB 03, PG 119
FIELDWORK PERFORMED ON 02/09/2023.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 153,769 FEET.

THIS PLAT HAS BEEN PREPARED USING A ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.03 FEET.

BOUNDARY ZONE, INC.
SURVEYING, ENGINEERING & LAND PLANNING

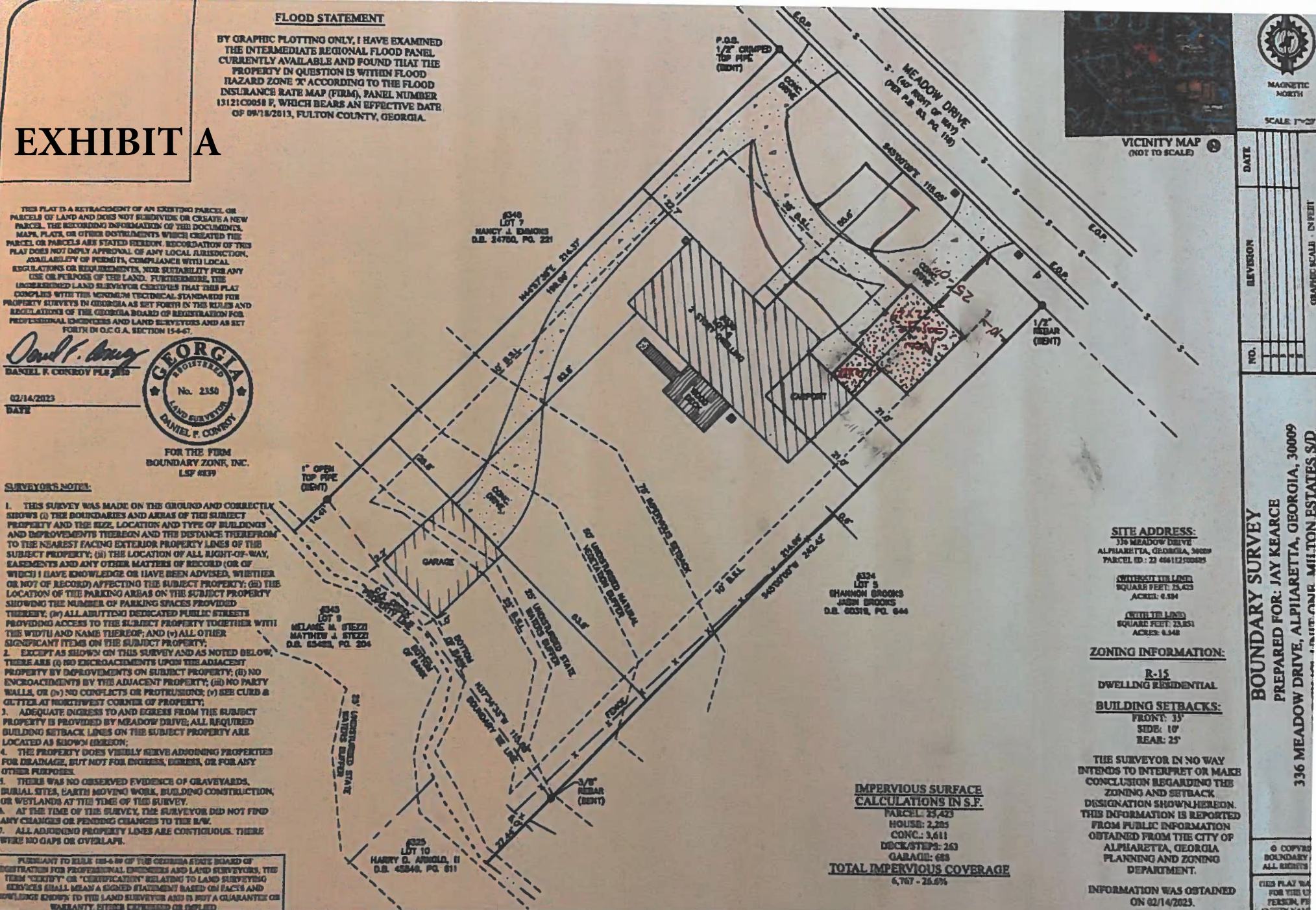
610 BATTLELITE BLVD., SUITE 200, ATLANTA, GA 30354
WWW.BOUNDARYZONE.COM (770) 371-5772

PROVIDING SERVICES FOR METRO ATLANTA, SOUTHEASTERN GEORGIA & CENTRAL FLORIDA

PRO 254

SH 11

DATE



SITE ADDRESS:
336 MEADOW DRIVE
ALPHARETTA, GEORGIA, 30009
PARCEL ID: 22 46611230009

WITHIN THE LOTS:
SQUARE FEET: 23,423
ACRES: 0.54

SQUARE FEET: 23,451
ACRES: 0.54

ZONING INFORMATION:
R-15
DWELLING RESIDENTIAL

BUILDING SETBACKS:
FRONT: 35'
SIDE: 10'
REAR: 25'

THE SURVEYOR IN NO WAY INTENDS TO INTERPRET OR MAKE CONCLUSION REGARDING THE ZONING AND SETBACK DESIGNATION SHOWN HEREON. THIS INFORMATION IS REPORTED FROM PUBLIC INFORMATION OBTAINED FROM THE CITY OF ALPHARETTA, GEORGIA PLANNING AND ZONING DEPARTMENT.

INFORMATION WAS OBTAINED ON 02/14/2023.

MAGNETIC NORTH

SCALE: 1"=20'

VICINITY MAP (NOT TO SCALE)

DATE

ELEVATION

NO.

GRAPHIC SCALE - IN FEET

BOUNDARY SURVEY

PREPARED FOR: JAY KEARCE

336 MEADOW DRIVE, ALPHARETTA, GEORGIA, 30009

AS SET ONE MILTON ESTATES, SD

© COPYRIGHTED BY BOUNDARY ZONE, INC.

THIS PLAT MAY BE USED FOR THE CITY OF ALPHARETTA, GEORGIA

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PH A230012

PH #: _____

☐ Property Taxes & Code Violations Verified

☒ Fee Paid Initial: SC

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.

Contact Information:

Contact Name: Jamer (Jay) T. Kearce Jr. Telephone: 404-804-6682

Address: 211 Upshaw Dr. Suite: _____

City: Alpharetta State: Ga. Zip: 30009 Fax: _____

Mobile Tel: _____ Email: jtkearce2901.com

Subject Property Information:

Address: 336 Meadow Dr. Alpharetta, Ga 30009 Current Zoning: R15

District: 2 Section: 2 Land Lot: 1250 Parcel ID: 22 466 1125 00 605

Proposed Zoning: _____ Current Use: _____

This Application For (Check All That Apply):

☐ Conditional Use

☐ Rezoning

☒ Variance

☐ Exception

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Other (Specify): _____

☐ Comprehensive Plan Amendment

APPLICANT REQUEST AND INTENT

What is the proposed use(s) of the property?

Single Family Home
w/ garage edition

Applicant's Request (Please itemize the proposal):

Variance to reduce front setback from
50 ft to 25 ft.

Applicant's Intent (Please describe what the proposal would facilitate):

I'm seeking permission to reduce the front yard setback from 50 ft. to 25 ft. That would allow me to add a garage. I can't add ~~the~~ the garage ~~in where~~ ^{anywhere} else but in the front of the home because of the 150 ft stream buffer behind the home.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Jamer (Jay) T. Kearce Jr. Telephone: 404-804-6682
Address: 336 Meadow Dr Suite: _____
City: Alpharetta State: GA Zip: 30009

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- | | |
|---|--|
| ☐ Annexation | ☐ Special Use |
| ☐ Rezoning | ☐ Conditional Use |
| ☒ Variance | ☐ Master Plan |
| ☐ Land Use Application | ☐ Other |

Property Owner's Authorized Applicant (if applicable):

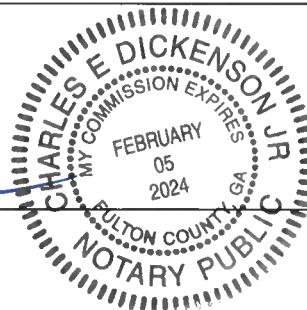
Name of Authorized Applicant: Jamer (Jay) T. Kearce Jr. Telephone: 404-804-6682
Address: 336 Meadow Dr Suite: _____
City: Alpharetta, GA State: GA Zip: 30009

So Sworn and Attested:

Owner Signature: [Signature] Date: 4/15/23

Notary:

Notary Signature: [Signature] Date: 4/15/23
CFP 2/5/24



DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent:

Jamer T. Kearse Jr.

Subject Public Hearing Case:

336 Meadow Dr. Variance

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official:

N/A

Position:

Description of Contribution:

Value:

0

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-3.

Signature:

J. T. Kearse Jr.

Date:

4/14/23

BOARD OF ZONING APPEALS REVIEW CRITERIA

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

Yes. There is a 150ft stream buffer in my back yard so I need to add the garage ~~in the~~ⁱⁿ front of the home.

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

Not a hardship but it would make it unable to add the garage. Because of the stream buffer behind me, I need your permission build the garage 25 ft. of the ^{front} property line instead of 50 ft.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

Yes, 150 ft stream buffer behind the house. I'm unable to build anything behind the existing structure.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

 No.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: 336 Meadow Dr. Variance

Contact Name: Jamer (Jay) T. Keene Jr. Telephone: 404-804-6682

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

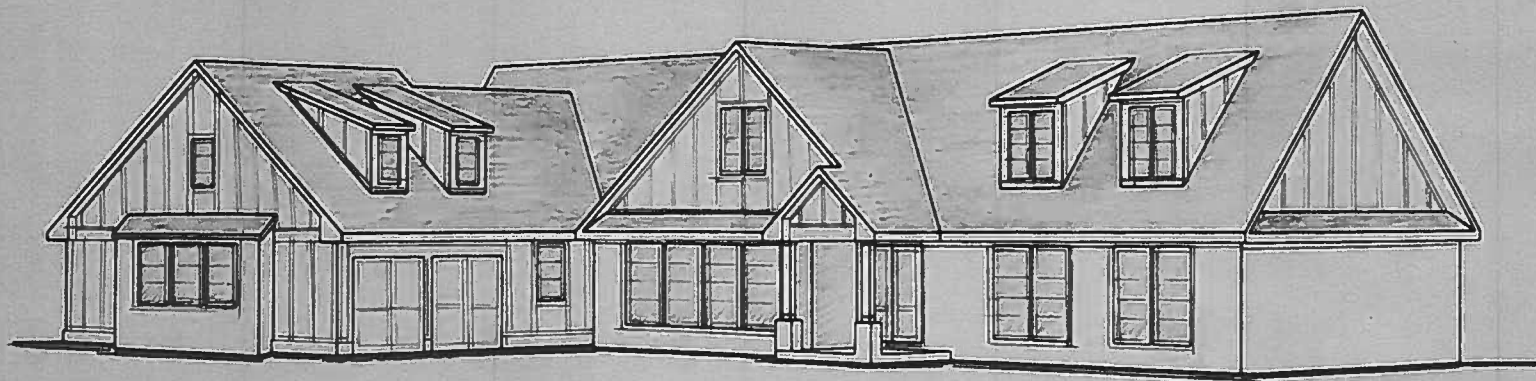
348 Meadow Dr.
324 Meadow Dr.
325 Heritage Lane
0 Heritage Lane

Method by which these individuals will be contacted. Please mark all that apply. *If you select "Other," please provide a description of the method of contact that will be used.*

- | | |
|--|---|
| ☒ Letter | ☒ Personal Visits |
| ☐ Telephone | ☐ Group Meeting |
| ☐ Email | ☐ Other (Please Specify) |

Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.





BY GRAPHIC PLOTTING ONLY, I HAVE EXAMINED THE INTERMEDIATE REGIONAL FLOOD PANEL CURRENTLY AVAILABLE AND FOUND THAT THE PROPERTY IN QUESTION IS WITHIN FLOOD HAZARD ZONE X ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM), PANEL NUMBER 131210058 F, WHICH BEARS AN EFFECTIVE DATE OF 08/15/2013, FULTON COUNTY, GEORGIA.

Daniel F. Conroy
DANIEL F. CONROY FLS 210

SURVIVORS NOTE:

1. THIS SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS (a) THE BOUNDARIES AND AREAS OF THE SUBJECT PROPERTY; (b) THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS THEREON AND THE DISTANCE THEREFROM TO THE NEAREST FACING EXTERIOR PROPERTY LINES OF THE SUBJECT PROPERTY; (c) THE LOCATION OF ALL RIGHT-OF-WAY, EASEMENTS AND ANY OTHER MATTERS OF RECORD (OR OF WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT OF RECORD) AFFECTING THE SUBJECT PROPERTY; (d) THE LOCATION OF THE PARKING AREAS ON THE SUBJECT PROPERTY SHOWING THE NUMBER OF PARKING SPACES PROVIDED THEREBY; (e) ALL ADJUTING DEDICATED PUBLIC STREETS PROVIDING ACCESS TO THE SUBJECT PROPERTY TOGETHER WITH THE WIDTH AND NAME THEREOF; AND (f) ALL OTHER SIGNIFICANT ITEMS ON THE SUBJECT PROPERTY.
2. EXCEPT AS SHOWN ON THIS SURVEY AND AS NOTED BELOW, THERE ARE (a) NO ENCROACHMENTS UPON THE ADJACENT PROPERTY BY IMPROVEMENTS ON SUBJECT PROPERTY; (b) NO ENCROACHMENTS BY THE ADJACENT PROPERTY; (c) NO FENCE WALLS, OR (d) NO CONFLICTS OR PROTRUSIONS; (e) SEE CURB & GUTTER AT NORTHWEST CORNER OF PROPERTY.
3. ADEQUATE EGRESS TO AND FROM THE SUBJECT PROPERTY IS PROVIDED BY MEADOW DRIVE, ALL REQUIRED BUILDING SETBACK LINES ON THE SUBJECT PROPERTY ARE LOCATED AS SHOWN HEREON.
4. THE PROPERTY DOES NOT VULNERABLY ADJOINING PROPERTIES FOR DRAINAGE, BUT NOT FOR ENGINE, DRAINAGE, OR FOR ANY OTHER PURPOSE.
5. THERE WAS NO OBSERVED EVIDENCE OF GRAVEYARDS, BURIAL SITES, EARTH MOVING WORK, BUILDING CONSTRUCTION, OR WETLANDS AT THE TIME OF THE SURVEY.
6. AT THE TIME OF THE SURVEY, THE SURVEYOR DID NOT FIND ANY CHANGES OR PENDING CHANGES TO THE R/W.
7. ALL ADJOINING PROPERTY LINES ARE CONTIGUOUS. THERE WERE NO GAPS OR OVERLAPS.

FURNANT TO RULE 103-4-01 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IT MAY A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

PROPERTY CORNER	POWER/LIGHT POLE	GAS METER
1/2" (AS NOTED)	GUY WIRE	GAS VALVE
R/W ADJACENT WITH C&P SET LOT# 0.30	PUMP MOTOR	CABLE SIGN
R/W W/ADJACENT	POWER BOX	TELEPHONE
FIRE HYDRANT	A/C UNIT	IRON
WATER METER	MANHOLE	WATER LINE
WATER VALVE	CLEAN OUT	OVERHEAD
POWER POLE	ANCHOR BOX	SEWER LINE
	OUTFLOW STRUCTURE	GAS LINE

- T--TELEPHONE LINE
- X--FENCE LINE
- C2D--CONTOUR LINE
- SBL BUILDING SETBACK LINE
- CONC. CONCRETE
- EDP EDGE OF PAVEMENT
- L.L. LAND LOT
- N/P NOW OR FORMERLY
- R/R RIGHT-OF-WAY
- S.A. PROPERTY LINE

OH OVERHANG
C.B. CATCH BASIN
CWT CANTILEVER
H/C HANDICAP
FFE FINISHED FLOOR ELEVATION
BFE BASEMENT FLOOR ELEVATION
GFE GARAGE FLOOR ELEVATION
DB DEED BOOK
PB PLAT BOOK
PO PAGE

BOUNDARY REFERENCE: DB 16173; PL 423; PG 13, PG 14
FIELD WORK PERFORMED ON 02/24/2021

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS
ACCURATE WITHIN ONE FOOT IN 153,749 FEET.

THIS PLAT HAS BEEN PREPARED USING A ROBOTIC TOTAL STATION

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS
A RELATIVE POSITIONAL ACCURACY OF 0.52 FEET.

P.O.S.
1/2" ON
TOP PIPE
(BENT)

8348
LOT 7
NANCY J. EMMONS
D.B. 24780, PG. 221

1043
LOT 9
MELANE M. STEZZI
MATTHEW J. STEZZI
D.B. 65481, P.O. 204

LOT 10
HARRY D. ARNOLD, JR.
D.B. 45548, P.O. 611

5324
LOT 5
SHANNON BROOKS
JASIN BROOKS
D.B. 00319, P.O. 644

**IMPERVIOUS SURFACE
CALCULATIONS IN S.F.**

PARCEL: 23,423
HOUSE: 2,285
CONC.: 3,611
DECK/STEPS: 263
GARAGE: 688

TOTAL IMPERVIOUS COVERAGE
6,767 - 26.6%

VICINITY MAP (NOT TO SCALE)

**MAGNETIC
NORTH**

SCALE 1-10

DATE

NOTES

1

THE UNIVERSITY OF CHICAGO PRESS

BOUNDARY SURVEY
PREPARED FOR: JAY KEARCE
336 MEADOW DRIVE, ALPIARETTA, GEORGIA, 30009
SUBMIT ONE MILTON ESTATES SD

© COPY
BOUNDAR
ALL RIGHTS

THIS PLAY IS
FOR THE
PERSON
WHY NA

PR

10

f 23

SITE ADDRESS:
336 MEADOW DRIVE
ALPHARETTA, GEORGIA, 30009
PARCEL ID: 22 4661230025

INTERESTED? LISTEN
SQUARE FEET: 25,000
ACT 1: 8:30

**WITH 10 LANE
SQUARE FEET 23,651
ACRES 1.48**

ZONING INFORMATION:

R-15
DWELLING RESIDENTIAL

BUILDING SETBACKS:
FRONT: 35'
SIDE: 10'
REAR: 25'

THE SURVEYOR IN NO WAY
INTENDS TO INTERPRET OR MAKE
CONCLUSION REGARDING THE
ZONING AND SETBACK
DESIGNATION SHOWN HEREON.
THIS INFORMATION IS REPORTED
FROM PUBLIC INFORMATION
OBTAINED FROM THE CITY OF
ALPHARETTA, GEORGIA
PLANNING AND ZONING
DEPARTMENT.

INFORMATION WAS OBTAINED
ON 02/16/2021

BOUNDARY REFERENCE: DB 50133, PG 425; PB 53, PG 118
FIELDWORK PERFORMED ON 02/02/2011

THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE
 ACCURATE WITHIN ONE FOOT IN 151,760 FEET.

THIS PLAN HAS BEEN PREPARED USING A ROBOTIC TOTAL STATION

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS
A RELATIVE POSITIONAL ACCURACY OF 0.02 FEET.



BOUNDARY ZONE INC.
LANDSCAPE DESIGN & CONSTRUCTION

800 BATTLEFIELD RD., SUWANEE, GA 30066
WWW.BOLDEDANYONE.COM (770) 371-5772

PROVIDING SERVICES
FOR METRO ATLANTA,
BALTIMORE-BURHAM &
CENTRAL FLORIDA

To whom it may concern,

I am the owner of 336 Meadow Dr, Alpharetta, Ga. With your blessing, I would like to add a 2 car side loading garage to the existing structure. Because of the stream in the back yard & the 150ft stream buffer the only option is to build in front of the existing home. I would like your permission to build the garage 25ft off the property line. I have showed my neighbors on Meadow where the garage would sit and an architectural rendering of the finished product. All of them approved & were happy that we are doing a renovation instead of a tear down. Below are there addresses & signatures.

Thanks for your consideration,

Jay Kearce
336 Meadow Dr
404-804-6682

1. Reba Helton, 335 Meadow Dr, Alpharetta, GA 30009
2. Judy Given 300 Meadow Dr 30009
3. Jabin Brooks, 324 MEADOW DR, Alpharetta GA 30009
4. Jane D. Given 315 MEADOW DR, ALPHARETTA, GA 30009
5. Mary J. Emmons 348 Meadow Dr, Alpharetta, GA 30009
6.  345 Meadow Dr, ALPHARETTA, GA 30009
7. Gary Brooks 345 Meadow Dr. - See attached Email
- they live in FL.
8. Leah Arnold 325 Heritage Ln.

Gary Brooks

529 La Caruna Court
Punta Gorda, FL 33950

12 April 2023

Jay Kearce

336 Meadow Drive
Alpharetta, GA 30009
Anytown, ST 12345

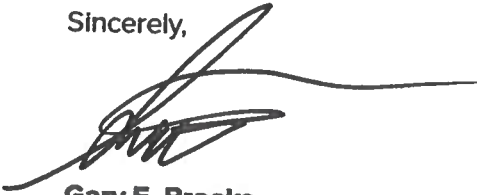
Hi Jay,

I have reviewed the current photos and the architectural rendering of the completed renovation of your property located at 336 Meadow Drive, Alpharetta, Georgia.

As the owner of the property located at 345 Meadow Drive, Alpharetta, Georgia I understand and approve the proposed renovation which would require the new garage at 366 Meadow Drive to be located 25 feet off the front property line.

We look forward to seeing the finished product. Please let us know if there is anything else we can do to help you secure approval from the city to proceed with your project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary E. Brooks', with a long horizontal flourish extending to the right.

Gary E. Brooks

(678) 232-2051
gary,brooksatl@gmail.com