



**CITY COUNCIL OF PEACHTREE CITY
REGULAR MEETING AGENDA
JUNE 18, 2020
6:30 p.m.**

**Peachtree City
Mayor & City Council**
Vanessa Fleisch, Mayor
Phil Prebor – Post 1
Mike King – Post 2
Kevin Madden – Post 3
Terry Ernst – Post 4

-
- I. Call to Order**
 - II. Pledge of Allegiance**
 - III. Announcements, Awards, Special Recognition**
 - Employee Team Award – Recreation & Special Events**
 - Recognize Zach Jiang – May Employee of the Month**
 - IV. Public Comment**
 - V. Agenda Changes**
 - VI. Minutes**
 - June 4, 2020, Regular Meeting Minutes**
 - VII. Consent Agenda**
 - 1. FY 2020 Budget Adjustment – Code Enforcement Golf Cart**
 - VIII. Old Agenda Items**
 - IX. New Agenda Items**
 - 06-20-02 Public Hearing – Variance Request, 103 Tamerlane, Front Setback Encroachment**
(Staff memo added to packet Monday)
 - 06-20-03 Public Hearing – Variance Requests, Campanile's, 2008 SR 54**
(Staff memo added to packet Monday)
 - 06-20-04 Budget Adjustment – Prepay Portion of FY 2021 DB Pension Contributions**
 - X. Council/Staff Topics**
 - Ordinance Preview – Amend Multi-use Path/Park Enforcement Regulations in Traffic Ordinance**
 - XI. Executive Session**
 - XII. Adjourn**

**City Council of Peachtree City
Meeting Minutes
Thursday, June 4, 2020
6:30 p.m.**

The Mayor and Council of Peachtree City met in regular session on Thursday, June 4, 2020. Mayor Vanessa Fleisch called the meeting to order at 6:30 p.m. Others attending: Terry Ernst, Mike King, Kevin Madden, and Phil Prebor.

Announcements, Awards, Special Recognition

Fleisch recognized Recreation & Special Events Director Quinn Bledsoe as Supervisor of the Quarter.

Ernst and King explained there was a citizen soldier who wished to present a flag to the City. Police Cpl. Robert Todd said this flag flew over Bagram Airfield in Afghanistan and told the story of how he retrieved it during a firefight while he deployed there with his National Guard unit.

Public Comment

Marianne Dias told Council she was disappointed in the decision to postpone the July 4 fireworks and parade until Labor Day due to the COVID-19 pandemic, saying the Founding Fathers overcame their fears, and we should likewise.

Agenda Changes

There were no changes to the agenda.

Minutes

King moved to approve the May 21, 2020, regular meeting minutes and the May 21, 2020, Retreat workshop minutes as written. Madden seconded. Motion carried unanimously.

Consent Agenda

- 1. Award Contract for City Hall/Picnic Park Bridge Repairs – Engineered Restorations**
- 2. Award Contract for Line Creek Restroom (SPLOST Project #37) – Modular Connections**
- 3. Revise Fee Schedule to Remove Permit Replacement Fee**
- 4. Relinquish Rights to Purchase 6.328-acre parcel on Rockaway Road**
- 5. FY 2020 Budget Amendment – CIP/TIP Resurfacing Projects**
- 6. Accept Drainage Easement Acquisition - 1312 Yarborough Drive**

Prebor moved to approve Consent Agenda items 1-6. King seconded. Motion carried unanimously.

Old Agenda Items

There were none.

New Agenda Items

06-20-01 Public Hearing – Variance Request, 211 Masters Drive South

The Mayor opened the public hearing.

Planning and Development Director Robin Cailloux explained the applicant was requesting a variance to the 20-foot rear setback in the General Residential (GR) zoning district in order to enclose an existing rear patio that encroached approximately five feet into the rear setback. While patios were not subject to the setback rules, Cailloux stated that after it was enclosed, it would be part of the structure, so the setback standards would apply. She showed a photo of the existing patio, as well as site plans. The lot was in a cul-de-sac and was not as deep as neighboring

lots, she noted. Cailloux said they had letters of support from neighbors and approval from the homeowners association. The house was on the 12th hole of the Braelinn Golf Course.

The zoning ordinance required that a variance meet six criteria:

The first said there must be special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of the ordinance denied the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification. Cailloux again showed how the lot was at the end of the cul-de-sac, and the house was situated further back on the lot than neighboring houses. The deepest portion of the rear yard was about 25 feet, while neighboring rear yards were closer to 30 feet deep. Adjacent property owners who wished to construct a similar size addition would not be required to get a variance.

Another criterion asked if the strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance or would deprive the Applicant of privileges granted to others in similar circumstances. There was no evidence of practical difficulties or unnecessary hardship, Cailloux noted, but there had been a history of rear setback variance requests within this subdivision to enclose or expand rear decks/patios.

The next criterion asked if there were exceptional or extraordinary circumstances or conditions applicable to the property involved which precluded the applicant from complying with the ordinance and that did not apply generally to other property in the same zoning district. Again, Cailloux noted that this lot was one of the two cul-de-sac lots in the 55-lot development where, due to the lot configuration on the street curve, the home was pushed further to the rear property line, reducing the available yard for additions.

Another criterion said the granting of such variance must not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district. Cailloux again said that, due to the limitations of the lot, there would be no special privilege, noting that another similarly oriented cul-de-sac lot was granted a similar variance in 2005.

The zoning ordinance also said the granting of such variance must not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the area where the property was located. Cailloux said it would not.

Cailloux noted that the granting of the variance would be consistent with the Comprehensive Plan, which encouraged redevelopment and reinvestment within neighborhoods.

Cailloux said staff recommended granting the variance.

Applicant William Cage explained that he and his wife had lived in Peachtree City previously, but moved to Colorado several years ago. His wife wanted to return, and he said he would if they could buy their old house back, which they did. He said a neighbor had constructed a sunroom identical to what they wanted to build.

His wife, Carol, explained that they enjoyed watching nature from their backyard, but were disturbed by golfers in a way that they were not when they lived there the first time. That was why they wanted to enclose the patio.

No one else wished to speak in support or opposition to the variance, and Fleisch closed the public hearing.

King said he had visited the site and saw no reason not to grant the variance.

Ernst agreed, saying it was because of the lot configuration that the variance was required, and he had no objection.

Fleisch asked if a new foundation would have to be poured for the sunroom, and Cailloux said she did not know, but most likely, it would.

Prebor said he had no objection.

Madden moved to approve New Agenda item, 06-20-01, variance request for 211 Masters Drive South. King seconded. Motion carried unanimously.

There being no further business to discuss, Ernst moved to adjourn at 6:55 p.m. Madden seconded. Motion carried unanimously.

Martha Barksdale, Recording Secretary

Vanessa Fleisch, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager

FROM: Robin Cailloux, Planning and Development Director
Paul J. Salvatore, Financial Services Director
Kelly Bush, Assistant Finance Director

DATE: June 12, 2020

SUBJECT: Budget Amendment – Fiscal Year 2020
June 18, 2020 City Council Consent Agenda

Recommendation:

That City Council approve the attached budget amendment to the fiscal year 2020 budget resolution.

Discussion:

Attached please find budget amendment 20-16 to reallocate funds for Code Enforcement Golf Cart for Multi-use path patrol.

Budget Impact:

The proposed budget amendment will reallocate budgeted funds from Non-Divisional to Code Enforcement.

Attachments

kbb/Reports to Council/Budget Amendments FY2020

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 20-16

DATE 06/18/2020

[illegible]

NOW , THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2020 budget to reallocate funds for Code Enforcement Golf Cart for Multiuse Path patrol.

Entered

Approved

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Bechtel Cailloux, AICP
Planning and Development Director 

DATE: June 14, 2020

SUBJECT: Public Hearing: Consider Variance Request, R-12 Zoning Rear Setback Requirement, 103 Tamerlane
June 18, 2020 City Council Meeting

Case Number:	PV20-0004
Request:	Variance from Section 1001.4 (1), Zoning Ordinance 8-foot encroachment into 30-foot rear setback
Property Location:	103 Tamerlane
Current Zoning:	R-12, One Family Residential

Discussion:

The Applicant is requesting relief in the form of a variance from the rear setback requirement [Section 1001.4(i)] of the R-12, One-Family Residential zoning district which requires a minimum rear building setback of 30 feet. The Applicant proposes to erect a glass structure over the existing in-ground pool, encroaching into the rear setback by approximately 8 feet. The existing home is in compliance with all other R-12 setbacks.

The property is located in the Tamerlane subdivision and backs up to the Braelinn Golf Club. The existing pool is within the rear setback, which is permitted by the City's Building Codes.

As part of the application, the Applicant has included a justification narrative, a site plan showing the proposed improvement, pictures of similar glass structures, and a signed petition of support from adjacent property owners at 101 and 105 Tamerlane.

Variance Consideration

In accordance with Section 1202 of the Zoning Ordinance, variances shall only be granted if:

- (a) Relief, if granted, would be in harmony with, or could be made to be in harmony with, the general purpose and intent of the zoning ordinance; or

- (b) *The application of the particular provision of the zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.*

Variance Criteria

Section 1207 of the *Zoning Ordinance* states the City Council shall not grant a variance unless all of the following findings can be made

- (a) *There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;*

Staff Comment: There are no special circumstances are applicable to the property.

- (b) *The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;*

Staff Comment: No evidence of practical difficulties or unnecessary hardship was presented as part of the application.

- (c) *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;*

Staff Comment: There are no exceptional or extraordinary circumstances on the property that don't also apply to other lots in this subdivision.

- (d) *The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;*

Staff Comment: Granting this variance would constitute the granting of a special privilege inconsistent with the setback requirements on other property in the same zoning district.

- (e) *The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and*

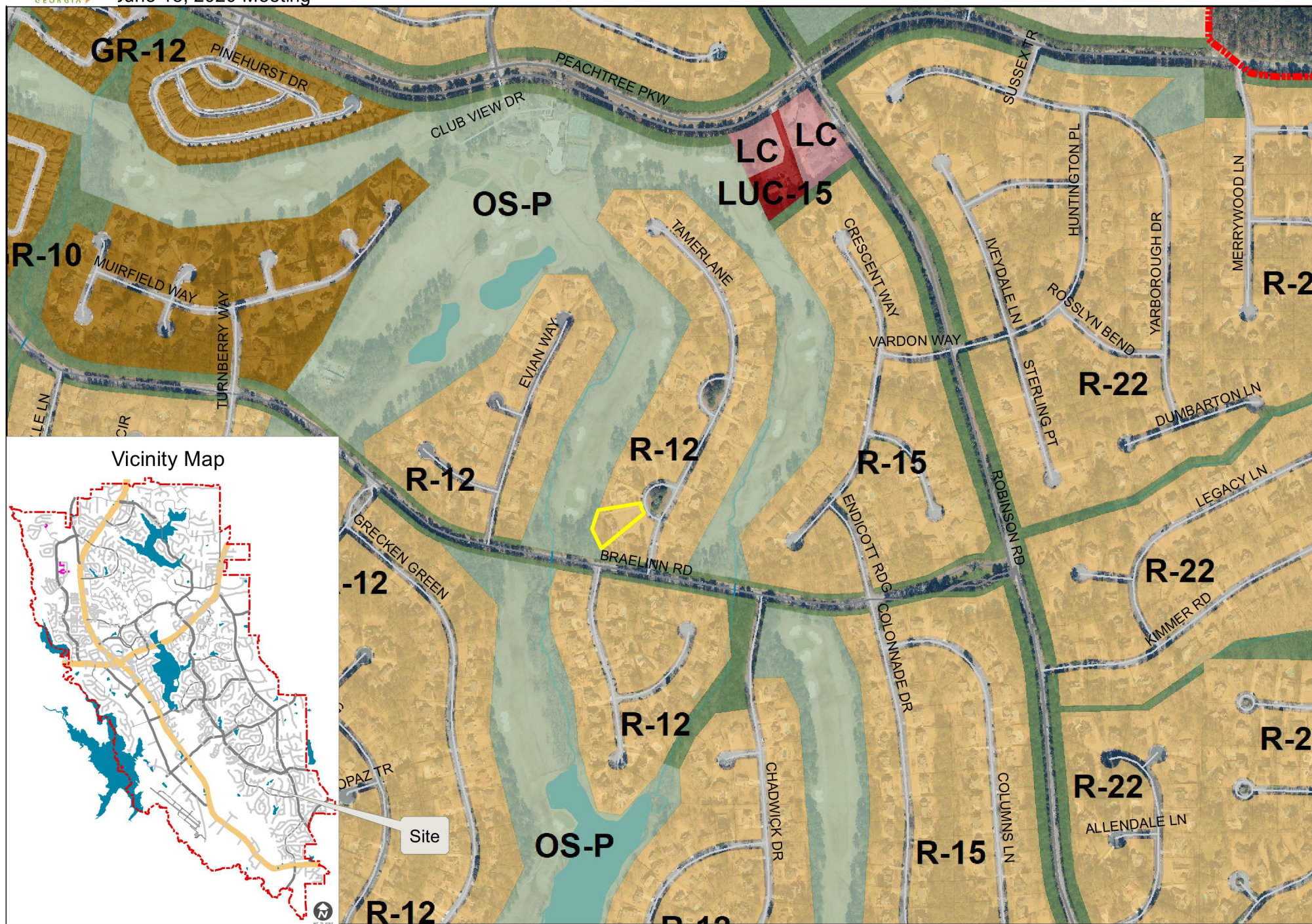
Staff Comment: Granting of a variance in this case would not be detrimental to public health, safety, or general welfare. The applicant has the support of

adjoining property owners that would be most impacted should the addition be constructed as proposed.

- (f) *The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.*

Staff Comment: Granting of the variance would not create any significant inconsistencies with the Comprehensive Plan, which encourages the protection of the character of existing neighborhoods as well as the redevelopment and reinvestment within neighborhoods.

ATTACHMENTS



BURTON & ASSOCIATES
1740 Hudson Bridge Rd
Box 1226
Stockbridge, GA. 30281
TEL (404)867-8332
bdainc@bellsouth.net



ACCESSORY BUILDING SITE PLAN
103 TAMERLANE
PARCEL ID # 060807039

PROPERTY OF
WILLIAM L WOJCIK

LAND LOT(S)	COUNTY	FAYETTE	DATE
27 & 35	CITY	PEACHTREE CITY	4-9-2020
DISTRICT	SCALE	1"=40'	JOB NO.
6			40320WO

REFERENCE TAMERLANE SUBDIVISION
PB 18 PG 54-55

TOTAL AREA
32,867 sq.ft.
0.75 acres
ZONED R12

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS
OF RECORD BOTH WRITTEN AND UNWRITTEN.

PLAT ERROR OF CLOSURE = 1' IN 217,040'
FIELD ERROR OF CLOSURE = N/A -OPEN END
EQUIPMENT USED TOPCON-GTS
FIELD WORK COMPLETED 4-03-2020

LEGEND

- IPF
IPS
N/F
DB
PB
PG
R/W
OTP
SBL
WIF
WDF
WM
- IRON PIN FOUND
IRON PIN SET
NOW OR FORMERLY
DEED BOOK
PLAT BOOK
PAGE
RIGHT OF WAY
OPEN TOP PIPE
SET BACK LINE
WROUGHT IRON FENCE
WOOD FENCE
WATER METER

CC BRAELINN LLC
DB 4242 PG 36
GOLF COURSE

PROPOSED
24x40 POOL
ENCLOSURE

CC BRAELINN LLC
DB 4242 PG 36
GOLF COURSE

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT

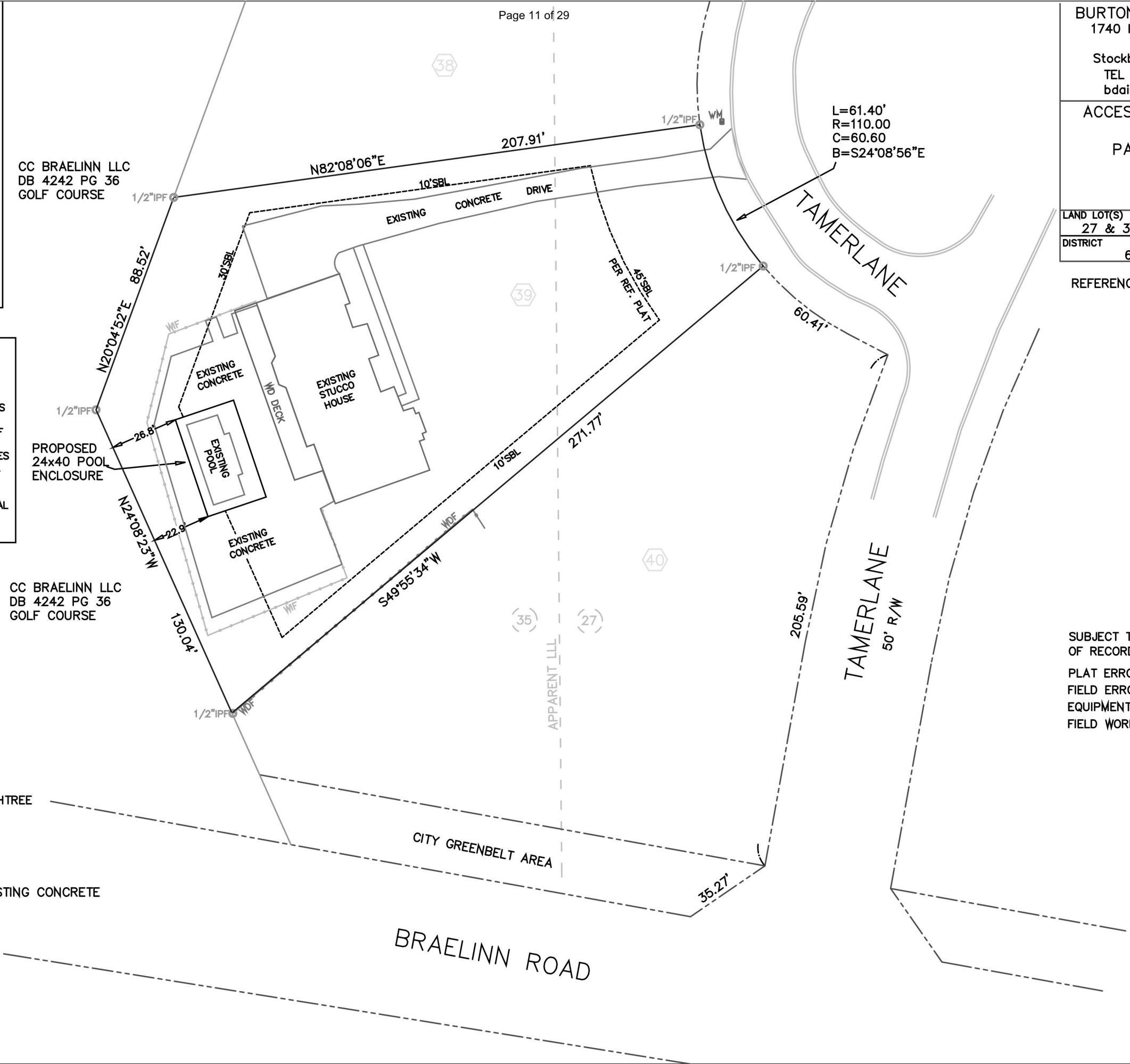
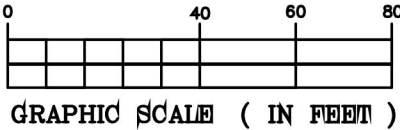
AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. 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 15-6-67



GA. REG. LS. LIC. NO. 2567

AS PER FLOOD INSURANCE RATE MAP OF PEACHTREE CITY, GA. COMMUNITY PANEL NO. 13113C0131E THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE, DATED 9-26-2008

NO EXCAVATION TO BE DONE
FOOTINGS TO BE PLACED THROUGH THE EXISTING CONCRETE



Variance Application: Report Justifying the Requested Variance

Address: 103 Tamerlane Peachtree City, GA 30269

We are requesting that the existing rear setback be changed from 30' to 22'6". The homeowner, William Wojcik, would like for us to build a pool enclosure over his existing pool. This enclosure would ensure safety of family member, provide UV ray protection, and keep insects and other creatures out.

Please consider approving this request so the homeowner can enjoy their property to the fullest. Thank you.

CONSENT OF CONTIGUOUS OCCUPANTS OR LAND OWNERS

TO ACCOMPANY APPLICATION FOR THE PURPOSE OF VARIANCE REQUEST

By signature, it is hereby acknowledged that I give my consent/or have no objection that William Wojcik intends to make an application to the appropriate City of Peachtree City authorities for a variance request for the purpose of Change rear setback from 30' to 22'6" on the premises described in the application.

Signature	Printed name	Address
1. <i>Robert & Jeanne Tarman</i>	Robert & Jeanne Tarman	101 Tamerlane Peachtree City, GA 30269
2. <i>James & Diana Kulaga</i>	James & Diana Kulaga	105 Tamerlane Peachtree City, GA 30269
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CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Robin Bechtel Cailloux, AICP Planning and Development Director 

DATE: June 13, 2020

SUBJECT: Public Hearing: Variance Request, 2008 State Route 54 W
June 18, 2020 City Council Meeting

Case Number:	PV20-0005
Request:	Variance from Section 1006.5(c)(2) and 916.2 of the Zoning Ordinance, and 723.1(c)(1)(b) of the Land Development Ordinance to allow redevelopment of the site, including encroachment into the front parking setback, reduction in landscape buffer along HWY 54, and reduction in the rear transitional yard.
Property Location:	2008 HWY 54 W, Campanile's commercial building
Current Zoning:	GC, General Commercial

Discussion:

The Applicant is requesting relief in the form of variances from the following ordinances:

- Section 1006.5(c)(2) of the Zoning Ordinance: front parking setback requirement for the GC General Commercial zoning district, which requires a minimum front parking setback of 20 feet.
- Section 916.2 of the Zoning Ordinance: transitional yard requirement, which requires a 75-foot undeveloped transitional yard on commercial properties abutting residential properties.
- Section 723.1(c)(1)(b) of the Land Development Ordinance: a 60-foot tree-save landscape buffer is required on commercial properties adjacent to arterial roads.

The property is currently the site of Campanile's Home furnishings, which is located between Miles' True Value Hardware and Mavis Discount Tire on Highway 54. This area was annexed into the City in 2018. All of these properties were developed under the Fayette County development regulations in place at the time of construction.

According to the Fayette County Tax Assessor, the Mile's Hardware building was constructed in 1979 and the Campanile's building was constructed in 1999. The widening

of State Route 54 reduced the front parking setbacks for both the Mile's Hardware and Campanile's Home sites so that today, both parking lots abut the State's right-of-way.

The Applicant plans to redevelop the property for a new 6,900 square foot commercial building and associated parking. The front parking setback would be increased from zero feet to ten feet, while still maintaining the cross-access connection with Mile's Hardware. A new cross-access connection to the adjacent commercial site (Mavis Discount Tire) would provide a link between all the commercial properties on the east side of Highway 54 to the traffic signals at Sumner Road and Broken Bow.

The existing stormwater facility and septic system are proposed to remain where they are currently located, which is within the required 75-foot transitional yard. Both systems would be upgraded to meet today's development standards.

As part of the application, the Applicant has included a justification narrative, site plans showing the proposed improvements on the property, and letters of support from adjacent property owners and commercial tenants.

Variance Consideration

In accordance with Section 1202 of the Zoning Ordinance and Section 1303 of the Land Development Ordinance, variances shall only be granted if:

- (a) Relief, if granted, would be in harmony with, or , could be made to be in harmony with, the general purpose and intent of the zoning and land development ordinance; or*
- (b) The application of the particular provision of the zoning and land development ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.*

Variance Criteria

Section 1207 of the Zoning Ordinance and 1303 of the Land Development Ordinance states the City Council shall not grant a variance unless all of the following findings can be made

- (a) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;*

Staff Comment: The commercial sites in the immediate vicinity were developed under Fayette County development regulations. None of the adjacent properties have the required 60-foot tree save landscape buffer along State Route 54 or the 75-foot transitional yard adjacent to the residential

property. Neither of the current Campanile's nor Mile's Hardware sites have the required 20-foot parking setback; Mavis Discount Tire meets this requirement.

- (b) *The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning and Land Development Ordinances, or would deprive the Applicant of privileges granted to others in similar circumstances;*

Staff Comment: Literal interpretation of the front parking setback and tree-save landscape buffer would result in the loss of a cross-access connection between Mile's Hardware and this property. The literal application of the 75-foot transition yard requirement would result in the inability to update the existing stormwater facility and the existing septic drain field.

- (c) *There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;*

Staff Comment: Since all of the surrounding properties were developed prior to the adoption of modern stormwater codes and prior to annexation into the City, none fully comply with all of the City's development ordinances. Therefore, the intended re-development of the site and the need to provide vehicular circulation to the adjacent non-conforming properties is the extraordinary circumstance that prevents the applicant from complying with all existing regulations.

- (d) *The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;*

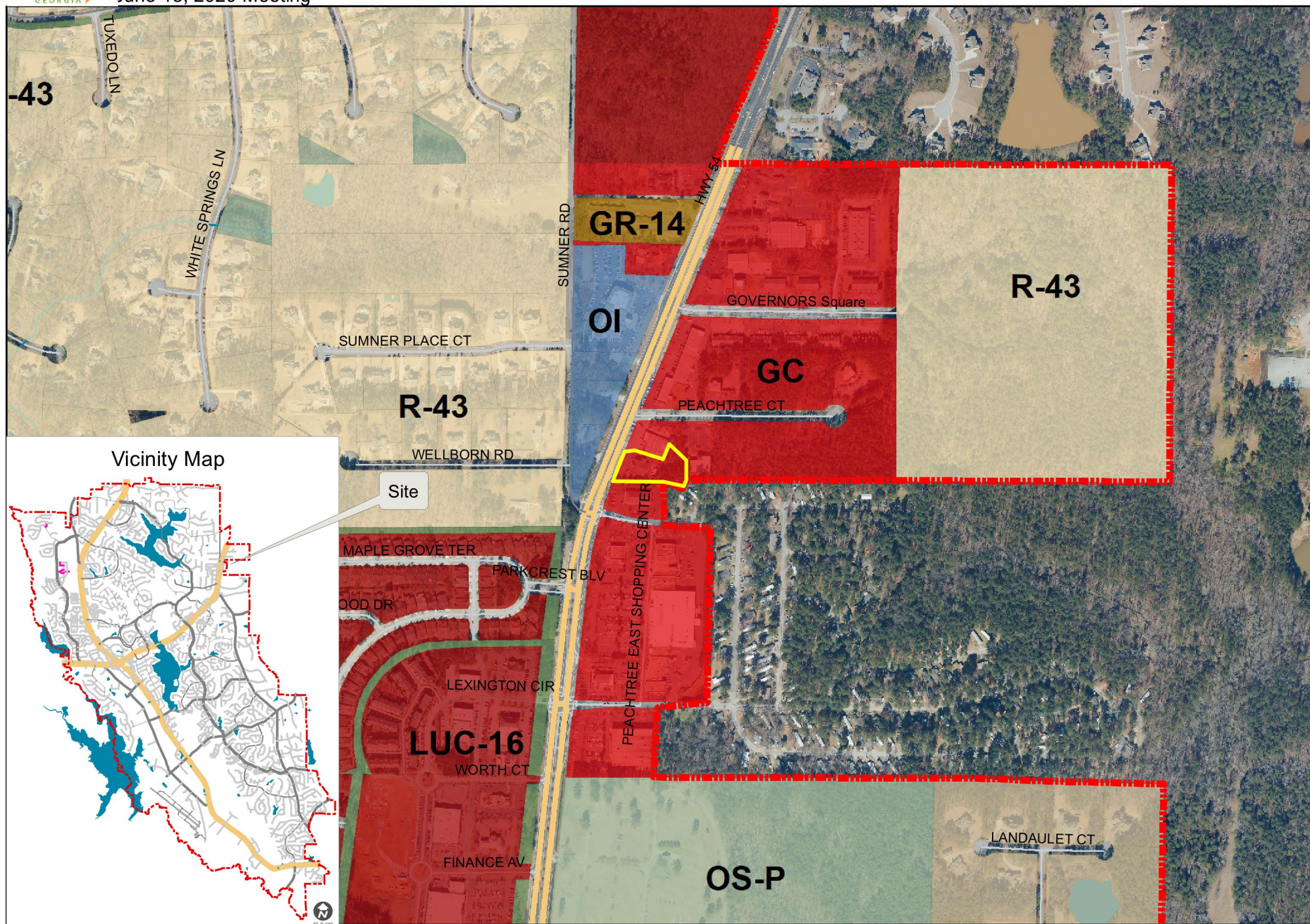
Staff Comment: Granting this variance would not constitute the granting of a special privilege inconsistent with the existing development patterns on other property in the immediate vicinity.

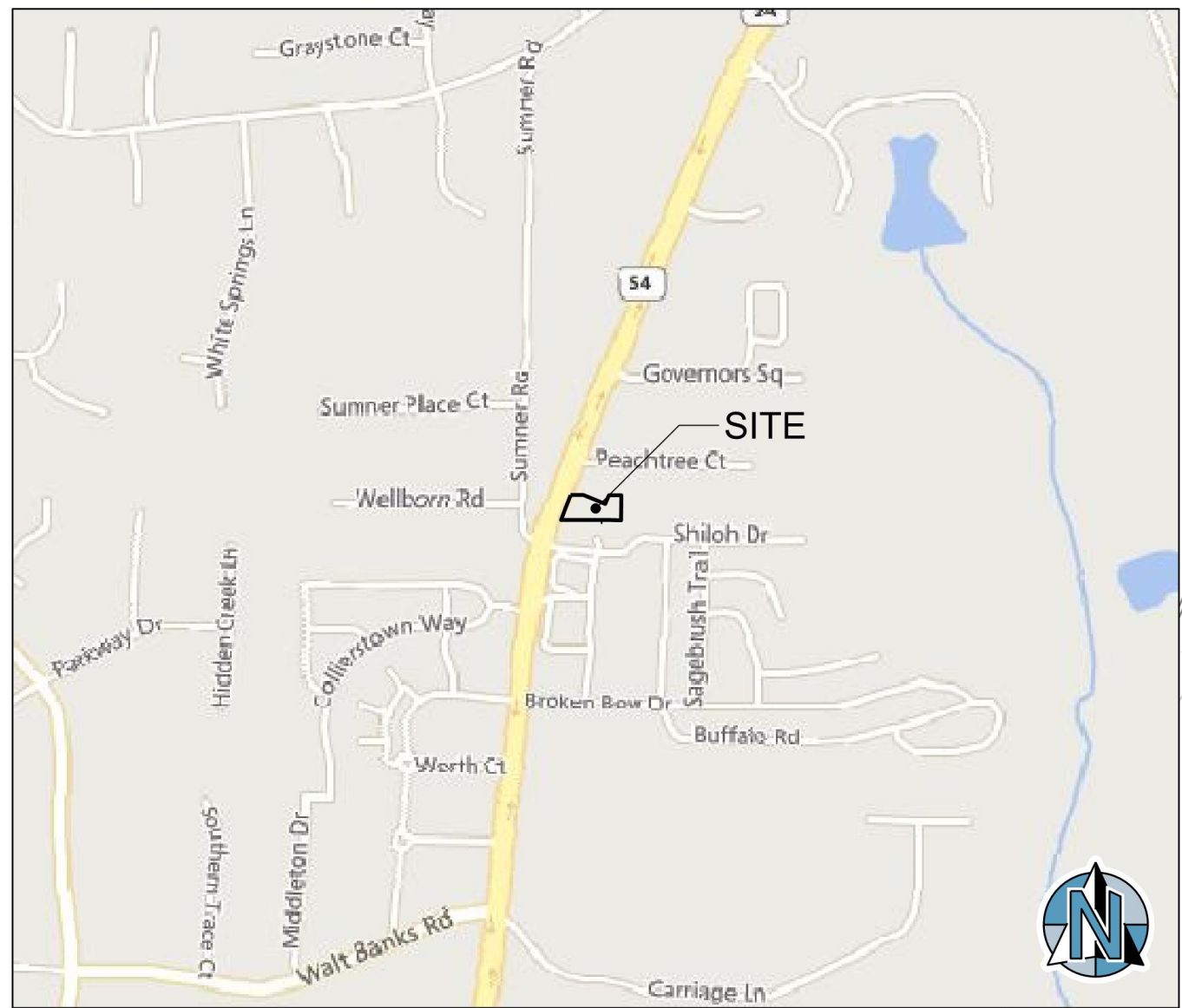
- (e) *The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and*

Staff Comment: Granting of a variance in this case would not be detrimental to public health, safety, or general welfare. The applicant has provided letters of support from adjoining property owners.

- (f) *The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.*

Staff Comment: Granting of the variance would not create any significant inconsistencies with the Comprehensive Plan, which encourages commercial reinvestment.





VICINITY MAP
NOT TO SCALE

PROJECT DATA	
2008 GEORGIA HWY 54 PEACHTREE CITY, GA 30269	
SITE DATA	
TOTAL SITE AREA	1.06 AC.
BUILDING DATA	
BUILDING AREA	6,912 SF
PARKING DATA	
TOTAL PARKING REQUIRED	24
TOTAL PARKING PROVIDED	25

- NOTES:
- 1) PROPERTY LINES OBTAINED FROM SURVEY BY GEOSURVEY DATED 2020-04-16.
 - 2) A SIGN STUDY HAS NOT BEEN COMPLETED.
 - 3) THE SITE IS ZONED GC (GENERAL COMMERCIAL).

LEGEND			
	EXISTING TRAFFIC SIGNAL		STANDARD DUTY ASPHALT PAVING
	NUMBER OF PARKING SPACES		HEAVY DUTY ASPHALT PAVING
	ACCESSIBLE PARKING SPACES		CONCRETE PAVING
	TRANSFORMER BOX ON PAD		

GEORGIA HIGHWAY 54
(VARIABLE R/W)

VARIANCE REQUESTED TO REDUCE
ARTERIAL HIGHWAY BUFFER FROM
40' TO 10'.

VARIANCE REQUESTED TO REDUCE
THE 20' PARKING SETBACK TO 10'

EXISTING CURB AND GUTTER

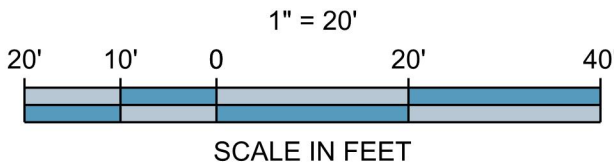
RETAIL
6,912± SF
25 SPACES

VARIANCE REQUESTED FOR
ENCROACHMENT INTO 75'
TRANSITIONAL YARD FOR
DRIVEWAYS, PARKING,
GRADING, STORMWATER
MANAGEMENT AND UTILITIES.

N/E PROPERTY OF
THE JAN TRAMMELL
HUTTO DYNASTY TRUST
DEED BOOK 3674 / PAGE 176
ZONED M-H-P

N/E PROPERTY OF
REAL SUB, LLC
DEED BOOK 4460 / PAGE 628
ZONED GC

N/E PROPERTY OF
REAL SUB, LLC
DEED BOOK 4460 / PAGE 628
ZONED GC



ENGINEER:

FORESITE
group

Foresite Group, Inc.
3740 Davinci Ct.
Suite 100
Peachtree Corners, GA 30092

w | www.fg-inc.net
o | 770.368.1399
f | 770.368.1944

DEVELOPER:

CONTACT:

PROJECT:

SEAL:

REVISIONS

DATE

PROJECT MANAGER:

JMU

DRAWING BY:

JAM

JURISDICTION:

PEACHTREE CITY, GA

DATE:

2020-04-28

SCALE:

1" = 20'

TITLE:

VARIANCE PLAN

SHEET NUMBER:

EXHIBIT 1

COMMENTS:

NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER:

341.081



Know what's below.
Call before you dig.

VARIANCE APPLICATION

DETAILED REPORT JUSTIFYING THE REQUESTED VARIANCE

Property: 2008 Hwy. 54
Peachtree City, GA

Applicant: Trinity & Assocs. by
Richard (Rick) Lindsey

The Applicant seeks three variances so the existing structure on the property can be removed and the property redeveloped with a newer sprinklered brick building, enhanced landscaping, up-to-date storm water quality/detention system, and a proposed inter-parcel access to the neighboring property connecting all of the commercial properties in the area between the Publix Shopping Center to Peachtree Court. The property is currently zoned General Commercial and was part of the annexation of property along Hwy 54 that the City Council approved a couple of years ago.

The property was originally developed many years ago under Fayette County's standards and ordinances. The original wooden building on the site was replaced by the current brick building in the mid-1990's. The property is bordered by Hwy 54, a tire store, a hardware store, a dance studio, and mobile home park, all of which were also developed under Fayette County Code and standards. The Department of Transportation increased the width of the Hwy 54 right-of-way in the 1980's taking a good portion of the original front setback and decreasing the depth of the property.

Since it was platted and developed under Fayette County Code, the existing condition of the property does not conform to current Peachtree City Code. As such, the existing improvements on the property would also require these same requested variances if they were not "grandfathered". If all of the setbacks and buffers were imposed on the property, such restrictions would in essence amount to a taking of almost 50% of this parcel that originally was not created with these buffers and setbacks in place.

The proposed development will increase the distance between Hwy 54 and the parking lot, will increase the distance between Hwy 54 and the new building, will provide landscaping along Hwy 54 where there currently is none, and will improve inter-parcel access. The current stormwater retention is twenty (20) years old and has no water quality structure. The new development will bring the stormwater system up to current code and standards which will greatly improve the water quality. The current building is outdated and has no sprinkler system. This new building will conform to new Peachtree City architectural standards including a dedicated sprinkler system. In all, the redevelopment of the property will improve the current on-site conditions, will improve the area with better and safer vehicle access, and will improve the stormwater quality.

The Applicant has discussed the requested variances with the owners of all of the neighboring properties. Each has expressed support for the variances and all have written letters to the City stating as much.

The Applicant seeks three variances to enable it to redevelop this property. If granted, the Applicant can develop the property so that the parking along the front of the building is actually pushed back from its current location away from Hwy 54, the new building pushed back from the location of the current building, the inter-parcel access constructed, and the detention pond improved.

The three variances requested are as follows:

- (1) Section 1006.5(c)(2) of the Zoning Ordinance: reduce front driveway/parking setback from 20 feet to 10 feet (currently there is no setback);
- (2) Section 723.1(c)(1)(b) of the Land Development Ordinance: reduce the nonresidential buffer along Hwy 54 from 40 feet to 10 feet (currently there is no setback); and
- (3) Section 916.2 of the Zoning Ordinance: reduce the transitional yard in the rear between the parking lot/driveway and the property line of the mobile home park as depicted on the submitted site plan (the location of the detention pond and septic field are not changing and a portion of the current parking lot sits in the transitional yard).

Each of these variance requests falls under Section 1206 and shall be reviewed by the zoning administrator, city staff, and city council. These variance requests meet the criteria set forth in Section 1207.

- (1) Section 1006.5(c)(2): Reduce front driveway setback from 20 feet to 10 feet:
 - (a) There are special circumstances applicable to this property. The existing driveway and parking lot lie within this 20-foot setback area today and have at least since Hwy 54 was widened in the 1980's. Currently, the front parking goes right to the front property line with no landscaping, other than grass. The parking lots of the neighboring properties on both sides of the subject property are also within 20 feet of Hwy 54. Requiring a 20-foot setback will force about one-half of the needed parking to the back of the building, closer to the residential property.
 - (b) The strict and literal interpretation and application of the ordinance will result in the elimination of about one-half of the parking along the front of the building and push it to the back of the building closer to the residential property. In addition, the current location of the parking lot is closer to the property line and Hwy 54 than the proposed location. Both neighboring properties have parking lots that are as close or closer to Hwy 54 than the proposed parking lot on the subject property.
 - (c) There are exceptional and extraordinary circumstances and conditions applicable to the property due to its unique shape, its prior development under the ordinances of Fayette County, and the widening of Hwy 54 which decreased the depth of the property.
 - (d) The granting of the requested variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district. The commercial properties located adjacent to this property on both sides and in the greater vicinity are all within 20 feet of the Hwy 54 right-of-way.

- (e) The granting of the variance will not be detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and
 - (f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan. The property is currently zoned General Commercial. The Applicant is not requesting any additional encroachment into the front setback than currently exists and will present a landscape plan that buffers and softens the development from Hwy 54. The new parking lot will actually be farther away from Hwy 54.
- (2) Section 723.1(c)(1)(b) of the Land Development Ordinance: reduce the nonresidential buffer along Hwy 54 from 40 feet to 10 feet:
- (a) There are special circumstances applicable to this property. The existing driveway and parking lot lie within this 40-foot setback area today with no landscaping along Hwy 54 and have since the highway was widened in the 1980's. The parking lots of the neighboring properties on both sides of the subject property are within 40 feet of Hwy 54. Requiring a 40-foot buffer will force about one-half of the parking to the back of the building, closer to the residential property. Additionally, the current inter-parcel drive between the subject property and the True Value Hardware store would have to be removed when the property is redeveloped if this variance request is not granted.
 - (b) The strict and literal interpretation and application of the ordinance will result in the elimination of about one-half of the parking along the front of the building and push it to the back of the building closer to the residential property. In addition, the current location of the parking lot is closer to the property line and Hwy 54 than the proposed location. Both neighboring properties have parking lots that are as close or closer to Hwy 54 than the proposed parking lot on the subject property. As stated above, the current inter-parcel drive between the subject property and the True Value Hardware store would have to be removed when the property is redeveloped if this variance request is not granted.
 - (c) There are exceptional and extraordinary circumstances and conditions applicable to the property due to its unique shape, its prior development under the ordinances of Fayette County, and the widening of Hwy 54 which decreased the depth of the property.
 - (d) The granting of the requested variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district. The commercial properties located adjacent to this property on both sides and in the greater vicinity are all within 40 feet of the Hwy 54 right-of-way.
 - (e) The granting of the variance will not be detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located; and
 - (f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan. The property is currently zoned General Commercial.

The Applicant is not requesting any additional encroachment into the front setback than currently exists and will present a landscape plan that buffers and softens the development from Hwy 54. The new parking lot will actually be farther away from Hwy 54.

(3) Section 916: reduce the transitional yard in the rear between the parking lot/driveway and the property line of the mobile home park as depicted on the submitted site plan:

- (a) There are special circumstances applicable to this property. This property, along with the other commercial properties in the area and the mobile home park, were all developed under the ordinances of Fayette County. As such, each is hampered in redeveloping due to the conditions on the ground. In addition, the widening of Hwy 54 many years ago decreased the depth of the property squeezing the buildable area. The unique shape of the property further complicates its redevelopment. By reducing the length of the transition yard, the building can be pulled back from Hwy 54 and the inter-parcel access can be constructed. Additionally, the current detention pond and septic field need to be improved and brought up to current standards so temporary permission to grade in the transition yard will allow those improvements to be made.
- (b) The strict and literal interpretation and application of the ordinance results in moving the building closer to Hwy 54 and eliminates much of the area for needed parking in the front of the building. It also prevents the construction of the inter-parcel access and prevents the improvements to the retention pond. Finally, the strict and literal interpretation and application of the ordinance deprives the Applicant of the privileges granted to the adjacent property (Mavis) which has a parking lot and building located within the transition yard.
- (c) There are exceptional and extraordinary circumstances and conditions applicable to the property as it was originally developed under the ordinances of Fayette County and the depth of the property was decreased when GDOT widened Hwy 54 and created a four-lane road. The inter-parcel access cannot be constructed and the improvements to the retention pond and septic field cannot be constructed if the variance is denied.
- (d) The granting of the requested variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district. The parking lot of the adjacent commercial property (Mavis) is located within 75 feet of the residential property. Additionally, the dance studio building located on Peachtree Court is also within 75 feet of the residential property.
- (e) The granting of the variance will not be detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located. Vehicular safety will be improved as will the stormwater detention system and water quality if the variance is granted; and
- (f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan. The property is currently zoned commercial. The

Applicant will present a landscape plan that further buffers and softens the development from the residential property. Granting the variance will allow the construction of an inter-parcel access that connects all of the commercial properties between the Publix Shopping Center and Peachtree Court. Granting the variance will allow the improvement of the stormwater detention and water quality.

For these reasons, the variance requests comply with the requirements of Section 1207. The proposed re-development of the site will: (1) improve the connectivity between the commercial properties in the area resulting in safer vehicular travel along this stretch of Hwy 54; (2) push back the parking lot away from Hwy 54; (3) increase the setback of the building from the roadway allowing for improved landscaping along Hwy 54 where there currently is none; (4) permit the construction of a building using current architectural standards including a sprinkler system; (5) improve the stormwater detention and water quality; and, (6) result in an overall improvement to the site.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jonathan N. Rorie, City Manager 

FROM: Paul J. Salvatore, Financial Services Director *PS.*

DATE: June 12, 2020

SUBJECT: Prepay portion of FY21 DB pension contributions
June 18, 2020 City Council Meeting

Recommendation

That Council approve a budget amendment allowing the prepayment of \$450,000 to the defined benefit pension fund.

Discussion:

The city's pension committee recently met and reviewed the DB Pension investment portfolio with the city's contracted investment advisor. It was determined that by prepaying a portion of the October 1, 2020 DB Pension contribution, efficiencies can be made by investing those funds while investment prices are unusually low. The city employed a similar strategy during the great recession with a positive outcome. This action will also cause a reduction of the same amount (\$450,000) from the October 1 contribution amount that would have been budgeted.

Budget Impact

Staff will use approximately \$178,000 of impounded COLA and merit funds budgeted in FY 2020 to offset the impact of prepaying the \$450,000. Therefore, the estimated net impact on cash reserves is \$272,000.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 20-15

DATE 06/18/2020

[illegible]

NOW , THEREFORE, BE IT RESOLVED that this Council hereby amends the Fiscal Year 2020 budget to allocate additional funds for advanced payment of pension.

Entered