



Administrative Variance Committee

Frank Destadio, Council Member
Justin Strickland, City Manager
Robin Cailloux, Director of Planning & Development

A quorum of the City Council may be present

June 17, 2024 | 1:00 PM
151 Willowbend Road

Call to Order

Minutes

Discussion

517 Saltlick Trace, existing encroachment

Adjourn

It is the policy of the City of Peachtree City that all city-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA, please call the City's ADA Coordinator, Dr. Teaa Allston-Bing at (770) 632-4276 or e-mail talston-bing@peachtree-city.org at least three (3) business days before the scheduled meeting or event to request an accommodation.

Administrative Variance Committee Meeting Minutes June 11, 2024

The Peachtree City Administrative Variance Committee met Tuesday, June 11, 2024 at City Hall. Present were Planning and Development Director Robin Cailloux, City Councilman Clint Holland, and Interim City Manager Justin Strickland. Justin Strickland called the meeting to order at 2:08 p.m.

Approval of the meeting minutes from April 17, 2024. Robin Cailloux made the motion to approve, and Justin Strickland seconded the motion. Councilman Clint Holland abstained. Motion passed 2-0.

108 Butternut Lane

Robin Cailloux gave a description of the property and gave details about the administrative variance request of the homeowner. The applicant is requesting relief in the form of an administrative variance from an existing rear setback encroachment requirement [Section 1011.4(h)] of the R-1, One-Family Residential zoning district, which requires a minimum rear building setback of 30 feet. As a condition of the building permit for a front deck replacement, the applicant was required to get an as-built survey. While the front deck complies with the front setback requirements, the survey revealed that the rear corner of the home encroaches into the rear setback by 3.9 feet (3 feet 9 inches). The home was built in 1972 and the current home-owners were not the property owner when the encroachment occurred.

The applicant has included a justification narrative, letters of support from adjacent property owners, and the as-built survey.

Councilman Holland made a motion to approve the administrative variance for 108 Butternut Lane and the motion was seconded by Robin Cailloux. Motion carried 3 to 0

206 Gates Entry

Robin Cailloux gave a description of the property and gave details about the administrative variance request of the homeowner. The applicant is requesting relief in the form of an administrative variance from the rear setback requirement of the LUR-16 zoning district, which requires a minimum rear building setback of 30 feet. The applicant proposes to construct a roof over an existing patio slab, encroaching into the rear setback by approximately 5.3 feet (5 feet, 3 inches). The existing home is in compliance with other LUR-16 setbacks and the proposed cover will not encroach into the 24-foot drainage easement.

The applicant has included a justification narrative, site plans/survey showing the proposed improvement in relation to the rear property line, HOA approval letter, and letters from adjacent property owners.

Councilman Holland made a motion to approve the administrative variance with the condition that no further encroachment beyond the existing concrete patio for 206 Gates Entry. The motion was seconded by Robin Cailloux. Motion carried 3 to 0.

220 Creekstone Bend

Robin Cailloux gave a description of the property and gave details about the administrative variance request of the homeowner. The applicant is requesting relief in the form of an administrative variance from the rear setback requirement [Section 1001.4(i)] of the R-10, One-Family Residential zoning district, which requires a minimum rear building setback of 30 feet. The applicant proposes to construct a 288 square-foot shed (12 foot by 24 foot), encroaching into the rear setback by approximately 14 feet. The existing home is in compliance with other R-10 setbacks.

The zoning ordinance allows sheds to automatically encroach into the rear setback on lots of this size if the shed is 100 square feet or less. However, because the applicant is requesting a shed larger than this size, they must proceed with the administrative variance process to allow a building permit to be issued.

The applicant has included a justification narrative, site plans/survey showing the proposed improvement in relation to the rear property line, and letters from adjacent property owners.

Councilman Holland noted that the proposed shed could be relocated elsewhere on the property and not encroach into the setback. Strickland commented that the shed size could be reduced to not encroach into the setback. Cailloux stated that the shed could be split into 2 separate sheds with a smaller one of 100 square feet or less encroaching into the setback, as permitted by ordinance, and the larger one located outside of the setback. There is no ordinance limiting the number of sheds permitted on a lot, she noted.

Councilman Holland made the motion to deny the administrative variance. The motion was seconded by Robin Cailloux. Motion carried 3-0.

There being no further business, Justin Strickland moved to adjourn. Robin Cailloux seconded, and the meeting adjourned at 2:25 PM.

Beverly Ramsey, Recording Secretary

Justin Strickland, Interim City Manager

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Justin Strickland, Interim City Manager

FROM: Robin Cailloux, Planning Director 6/18/2024

DATE: June 21, 2024

SUBJECT: 517 Saltlick Trace, existing encroachment

Recommendation:

Should the Administrative Variance Committee approve the request, staff does not have any recommended conditions of approval.

Discussion:

The Applicant is requesting relief in the form of an administrative variance from the rear setback requirement [Section 1011.4(4)] of the R-1, One-Family Residential zoning district which requires a minimum rear building setback of 30 feet. The Applicant has an existing deck that encroaches 16 feet into the 30-foot rear setback. The Applicant states that the deck has been in place since he purchased the home in 1977.

The encroachment was caught during the permit review. The applicant's contractor applied for a building permit to replace the existing deck that surrounds the above-ground pool. The Peachtree City Building Official did not require building permits for decks in the 1970s and early 1980s. Therefore, the city does not have a record of when the deck was originally built.

As part of the application, the Applicant has included a letter requesting the variance, letters of support from adjacent property owners, and a survey showing the location of the existing deck.

Administrative Variance Process Requirements

Section 1204 of the Peachtree City Zoning Ordinance lists the requirements to qualify for the administrative variance process for an existing rear setback encroachment (The underlined text is the section that applies to this specific request):

- a. The request pertains to either an existing zoning setback violation provided that the property owner making the request is not the same property owner who was responsible for the violation;
- b. The request is for a rear setback encroachment that would not exceed 50 percent of the required setback provided that the following conditions are satisfied:

1. The proposed structure uses similar building and roof materials, roof pitch, and color scheme as the primary structure; and
2. The applicant provides written consent of the Home Owners' Association, if applicable, and all property owners adjacent to the requested property;
- c. The request is for a decrease of not more than 25 percent of the minimum building setback, provided that the property line in question and the associated building setback adjoins a publicly-owned property and there is no other possible location on the property that would accommodate the proposed building expansion without encroaching into the established building setback, provided that the following conditions are satisfied:
 1. The proposed structure uses similar building and roof materials, roof pitch, and color scheme as the primary structure; and
 2. The applicant provides written consent of the Home Owners' Association, if applicable, and all property owners adjacent to the requested property;
- d. The request is for a decrease of not more than 25 percent in the minimum number of parking spaces required by the city's parking ordinance, provided the applicant identifies on the site plan where this parking would be located if needed in the future;
- e. The request is for an increase in the maximum height of a fence or wall; provided that:
 1. Such wall or fence is justified by reason of safety and security pertaining to pool barriers or other International Building Code standards as adopted by the city, and will not unduly prevent passage of light and air to adjoining properties and is not incompatible with the surrounding neighborhood; or
 2. Such greater height is justified for topographic reasons, and is not more than a 25 percent increase in maximum height standards per Chapter 18 of the city's code of ordinances, and is not incompatible with the surrounding neighborhood.

The request complies with criteria (a) such that it is an existing encroachment created by a previous property owner.

Administrative Variance Review Criteria

Section 1204 states that, "in reviewing the application, the administrative variance committee shall analyze the application to determine whether granting the requires would cause substantial detriment to other property owners in the surrounding area or would impair the purposes of the zoning ordinance."

The full purpose statement of the Zoning Ordinance is:

The purpose of this ordinance is to promote the health, safety, convenience, order, prosperity and general welfare of the present and future inhabitants of the city; and to assure the development of the city in accordance with the land use and thoroughfare plan as adopted, and as amended from time to time; to protect the population from the danger and inconvenience of traffic congestion; to prevent overcrowding of the land and

the undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, recreation and other public requirements; to regulate with reasonable consideration the character of existing and future uses of the land in order to promote desirable living conditions and neighborhood stability, protect property against blight and depreciation, secure economy in governmental expenditures, and protect against floods and other natural hazards.

Staff has reviewed the request and cannot find any evidence that approval of the request would cause substantial detriment to surrounding property owners or the general public; nor does the request appear to conflict with the stated purposes of the zoning ordinance.

Budget Impact:

There are no budget impacts associated with this item.

Attachments:

1. Survey
2. Letter From Homeowner
3. Letters of Support

**REVISED FINAL PLAT OF
LOTS 45 AND 46 (NOW KNOWN AS LOT 45)
GLENLOCH VILLAGE
FETLOCK MEADOWS, SECTION 4**

PLAT BOOK 8, PAGES 37-40

THE PURPOSE OF THIS REVISED FINAL PLAT IS TO COMBINE LOTS 46 & 46.
THESE LOTS WERE PREVIOUSLY RECORDED ON PLAT BOOK 8, PAGES 37-40.

RESERVED FOR CLERK OF SUPERIOR COURT

LEGEND

A/C = AIR CONDITIONER
B/L = BUILDING LINE
C.O. = CLEAN OUT
CONC. = CONCRETE
D.E. = DRAINAGE EASEMENT
G.M. = GAS METER
L.L. = LAND LOT
OTP = OPEN TOP PIPE
P.B. = POWER BOX
P.M. = POWER METER
R/W = RIGHT-OF-WAY
S/D = SUBDIVISION
W.M. = WATER METER

The field data upon which this survey is based has been computed for closure by latitudes and departures and has a closure precision of one foot in 21,392 ft. and an angular error of 6 seconds per angle point, and is UNADJUSTED. A GEOMAX ZOOM 95 was used to obtain linear and angular measurements. It is my professional opinion, that this plat is true and correct representation of the land platted, has been prepared to meet the minimum standards and requirements of law, and has been computed for closure and has been found to be accurate within one foot in 221,865 feet.

NORTH BASE ON
PLAT BOOK 8,
PAGES 37-40

LOT 47
GLENLOCH VILLAGE
FETLOCK MEADOWS, SECTION 4
PLAT BOOK 8, PAGES 37-40

PORTIONS OF LOTS 39 & 40
GLENLOCH VILLAGE
FETLOCK MEADOWS, SECTION 4
PLAT BOOK 8, PAGES 37-40
DEED BOOK 672, PAGE 217

PORTIONS OF LOTS 39 & 40
GLENLOCH VILLAGE
FETLOCK MEADOWS, SECTION 4
PLAT BOOK 8, PAGES 37-40
DEED BOOK 5508, PAGES 90-91

LOT 41
GLENLOCH VILLAGE
FETLOCK MEADOWS, SECTION 4
PLAT BOOK 8, PAGES 37-40

LOTS 43 AND 44
GLENLOCH VILLAGE
FETLOCK MEADOWS, SECTION 4
PLAT BOOK 8, PAGES 37-40

**LOT 45 (COMBINED)
0.77 ACRES +/-**

L.L. 95

L.L. 66

S 65°11'46" E 238.65' TO A
MAGNETIC NAIL FOUND AT THE
APPROXIMATE CENTERLINE
INTERSECTION OF SALTICK
TRACE AND FURLONG REACH

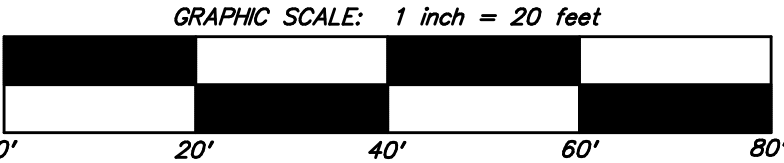
CURVE TABLE

#	Radius	Delta	Length	Chord	Tangent	Chord Bearing
1	350.00'	19°29'41"	119.09'	118.51'	60.12'	N 62°09'18" W



THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE
PERSON, PERSONS, OR ENTITY NAMED HEREON. NO
CERTIFICATION OR LIABILITY IS EXTENDED TO ANY UNNAMED
PERSON, PERSONS OR ENTITY WITHOUT A RECERTIFICATION
BY THE SURVEYOR NAMING SAID PERSON, PERSONS OR ENTITY.

In my professional opinion, this property
does not lie within the 100 year flood plain
as shown on the FLOOD INSURANCE RATE MAP.
Map Number: 13113C0093E
Dated: SEPTEMBER 26, 2008



SHEET 2 OF 2

W.D. Gray and Associates, Inc.

LSF000701

land surveyors - planners

160 GREENCASTLE ROAD SUITE B TYRONE
GEORGIA 30290
PH. 770-486-7552 FAX 770-486-0496

PREPARED FOR:

JOHN PROFFITT, JR.

LAND LOTS: 66 & 95

DATE OF SURVEY: 05-29-24

7th DISTRICT

DATE OF DRAWING: 05-30-24

CITY OF PEACHTREE CITY
FAYETTE COUNTY, GA.

REVISED:

SCALE: 1" = 20'

JOB NO. 2405012

June 6, 2024

City of Peachtree City,

I contracted with a local (Brooks) contractor on April 23, 2024 for replacement of my deck and pool fence.

He started construction 3 days later, and completed half of the project. His work ended with a stop order from Code Enforcement.

We are not able to exit our home from the back door since the ground is 5 feet below the door. No pool access, grill or garden access for six weeks, prime outdoor activity period.

We are being punished for the contractor error. He has gone to other jobs, no problem.

I request a variance so I can complete this project. It has affected our way of life.

Yours truly,

A handwritten signature in black ink, appearing to read "John C. Proffitt", is written over the printed name.

John C. Proffitt

517 Saltlick Trace

Peachtree City, GA 30269

Robin Cailloux

From: John Proffitt [REDACTED]
Sent: Tuesday, June 11, 2024 1:01 PM
To: Robin Cailloux
Subject: Re: Administrative Variance Clarification

[CAUTION]: This email was sent from an EXTERNAL source. Do not click links or open attachments unless you recognize the sender or know the content is safe.

The house, pool and deck at 517 Salt Lick Trace was built in 1976 by a gentleman named Jack McIntire. In

1977, I purchased the house from Jack McIntire, which included the pool and fence. It is in the exact location where originally built.

Thank You

John C.Proffitt,Jr.

-----Original Message-----

From: Robin Cailloux <RCailloux@peachtree-city.org>
Sent: Jun 11, 2024 12:04 PM
To: John Proffitt [REDACTED]
Subject: Administrative Variance Clarification

Mr. Proffitt:

Can you please send me an email stating that you purchased the home with the pool and deck already in place? If you were not the property owner who created this setback violation, then your request would qualify to go through the Administrative Variance process.

Thank you.



Robin Bechtel Cailloux, AICP

Director, Planning & Development

153 Willowbend Road

Peachtree City, GA 30269

770-487-5731 Ext. 1106

rcailloux@peachtree-city.org

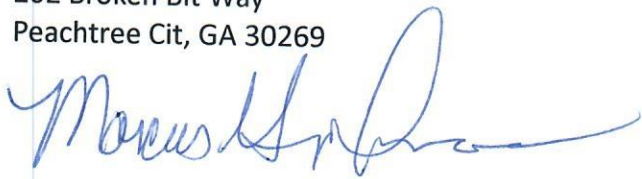
I agree to an administrative variance to John Proffitt, 517 Salt lick Trace, Peachtree City, GA 30269. For replacement of fence and deck in the exact location as the previous, in the setback.



Ronald Plauche
103 Silver Spur
Peachtree Cit, GA 30269

I agree to an administrative variance to John Proffitt, 517 Salt lick Trace, Peachtree City, GA 30269. For replacement of fence and deck in the exact location as the previous, in the setback.

Marcus Goodman
202 Broken Bit Way
Peachtree Cit, GA 30269

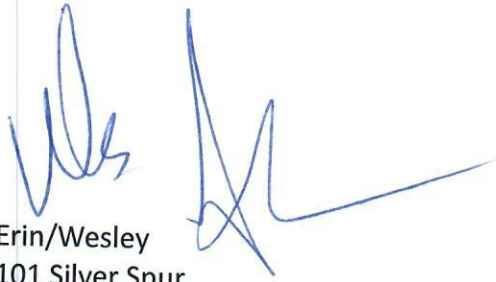
A handwritten signature in blue ink, appearing to read "Marcus Goodman", written over the printed name and address.

I agree to an administrative variance to John Proffitt, 517 Salt lick Trace, Peachtree City, GA 30269. For replacement of fence and deck in the exact location as the previous, in the setback.

A handwritten signature in blue ink, appearing to read 'J. McBride', with a stylized flourish at the end.

Jessie J. McBride
513 Saltlick Trace
Peachtree Cit, GA 30269

I agree to an administrative variance to John Proffitt, 517 Salt lick Trace, Peachtree City, GA 30269. For replacement of fence and deck in the exact location as the previous, in the setback.



Erin/Wesley
101 Silver Spur
Peachtree Cit, GA 30269

I agree to an administrative variance to John Proffitt, 517 Salt lick Trace, Peachtree City, GA 30269. For replacement of fence and deck in the exact location as the previous, in the setback.

A handwritten signature in cursive script, reading "Nancy B. Kendall". The signature is written in dark ink and is positioned above the printed name.

Nancy Kendall
521 Saltlick Trace
Peachtree Cit, GA 30269