



Planning Commission

Revised Meeting Agenda

June 24, 2024 | 6:30 PM

Peachtree City City Hall

A quorum of the Peachtree City Mayor & Council may be in attendance.

I. Pledge of Allegiance

II. Additions or Deletions

III. Announcements and Reports

IV. Approval of Minutes

1. Planning Commission Meeting April 22, 2024

V. Public Hearing

1. Administrative Variance text amendment to Zoning Ordinance

VI. Old Agenda Items

VII. New Agenda Items

1. Elevations - Request for Waiver, Hoshizaki Expansion, 618 HWY 74 S
2. ~~Conceptual Site Plan, Magnolia Dental Center, 100 Gates Entry~~
Postponed
3. Building Elevations, Peachtree City Self-Storage, 425 HWY 74 S

VIII. Workshop Items

Planning Commission of Peachtree City
Meeting Minutes
Monday, April 22, 2024
6:30 PM

Pledge of Allegiance

Chairman Scott Ritenour opened the meeting with the pledge of Allegiance. Other Commissioners in attendance included Andrew Kriz, Mitzi Johnston, and Alternate Ray Liotta. Commissioner Felicia Reeves arrived after the approval of the minutes, and Vice Chairman Kenneth Hamner was absent. Also present were Planning Director Robin Cailloux, Senior Planner Lora Hooks, Recording Secretary Martha Barksdale, and IT Specialists Steven Shelton and Chase Cargle.

Additions or Deletions

Cailloux said there were no agenda items for the first meeting in May. Kriz moved to cancel the meeting. Johnston seconded. Motion carried unanimously.

She reminded them that because there were only three voting members present, all votes had to be unanimous. If a vote was not unanimous, the motion was denied.

Johnson then mentioned that the second meeting in May would be scheduled for Memorial Day. Cailloux said they would review what came in before May 6, and if a May meeting was needed, the Commission had the power to schedule a special called meeting and could do so for May 20.

Announcements and Reports

None

Approval of Minutes

1. Planning Commission Meeting March 25, 2024

Kriz moved to approve the March 25, 2024 Planning Commission meeting minutes. Johnston seconded. Motion carried unanimously.

Public Hearing

1. Rezoning of 1 Paschall Road from GI to LUI

Cailloux showed the property on a zoning map, pointing out SR 74 and Dividend Drive and how Paschall Road dead-ended into this large property. The applicant was requesting rezoning from General Industrial (GI) to Limited Use Industrial (LUI) to allow this property to be divided into two lots.

There were two buildings on the property, and the subdividing line would run between them. Cailloux noted that staff could approve a minor subdivision administratively but was not authorized to create lots that were non-conforming to the zoning conditions, as this would be. The requirements this lot wouldn't meet were both the side setbacks as well as public road frontage of 200 feet or more. In fact the current lot did not meet that 200-foot standard.

The applicant met with staff and the City Manager and were given two options. He could ask for a variance, but that would require proving a hardship that he did not create or ask for an LUI rezoning process and come forward with a specific plan. The applicant did not request any changes in land use.

She reminded the Commission that an LUI zoning was site plan-specific and some questions had come up about what would happen if the property was redeveloped. The property would not be allowed to completely redevelop without coming back to the Planning Commission for a rezoning.

Ritenour asked her what type of uses were allowed in an LUI? Cailloux replied that LUI allowed for any uses in the GI, General Industrial, and the LI, Light Industrial, zoning districts. This request was for the GI land uses. There would be an ordinance tied to this that would enumerate the specific uses.

The applicant, Adam Baaklini, said he lived in Fayette County on Quarters Road. His company name was Salvage Trading and his real estate holding company was Azalea Capital. He related that this property was one of the oldest industrial sites in Peachtree City, with the main building built in the 1960s. He said they were proud of the history and had revamped the cotton gin that was initially put there. The second building was mostly used by his trade company, but he was having to pay high insurance rates as though it, too, was being used for cotton.

He said the buildings were separated by an abandoned rail line and overhang space that interfered with the setback. He was currently redoing the roofs and pouring new concrete as part of his refurbishing of these buildings. He said this type of business did not do well over the past few decades, but things were looking up, and he mentioned a new contract they had with the United Nations.

Ritenour opened the public hearing. No one wished to speak in favor or in opposition, and he closed the hearing.

Kriz wondered about access to the property with the second building if it was ever sold off. Would there be some type of easement? Baaklini said the easement would include the road in front of the offices. There was an access easement for the Paschall Business Center that had been sold previously by the former owners, and they would just continue that.

Reeves, who had arrived a few minutes earlier, was concerned about access in case of a fire in the future under new owners. Cailloux said the City provided fire protection, and Georgia's platting process required providing access to public roads for land-locked parcels.

Johnston had no questions.

Liotta asked the applicant to indicate buildings one and two. He asked him to point

out the easement, and Baaklini did, saying there was a ramp to facilitate truck traffic to the Paschall Business Center.

Liotta confirmed with Cailloux that Georgia required an easement for a landlocked lot. Was that similar for utilities? Cailloux replied that the language in 43-3 didn't specify utilities, and that was something the Commission could require for the rezoning.

Liotta asked if there were other LUI zonings that did not have lot frontage? The Panasonic campus was divided in half, Cailloux noted, and the back half, owned by a different branch of the umbrella company, had no road frontage. Perrigo Direct also had no frontage.

One of the general LUI conditions said site development should not take place within 300 feet of a residential district, Liotta noted. Cailloux pointed out where that area was on this property, but said it wasn't an issue because the land between them and the residential area was environmentally sensitive land.

He asked Baaklini to explain the zero setback since there was 50 feet between the buildings. He explained that was because of the overhangs that provided shelter when unloading rail cars years ago.

Would future additions have to come back to the Planning Commission? They would if they were 5,000 square feet or more, Cailloux responded. What if a building was demolished? Cailloux said the only way they could get a permit without going through the rezoning process was if the replacement was built in the exact configuration.

Reeves had no comments, and Johntson said she was in favor. She was glad to hear about other examples and thought the utilities easement was a good idea. Kriz said he supported that, and Cailloux said they could approve the rezoning with that condition.

Liotta said they would want to see the proposed access and utility easement on the plans. He thought it should be a condition.

Ritenour said he was always glad to see redevelopment.

Kriz moved to recommend approval of the rezoning of 1 Paschall Road from GI to LUI with the condition that the applicant provide appropriate utility and access easements and indicate it on the plans. Reeves seconded. Motion carried unanimously.

Old Agenda Items

1. Conceptual Plat, Peachtree Court Townhomes, 135 Peachtree Court

This had been on the agenda at the previous meeting, and the Commissioners had some questions on driveways, rights-of-way, open space, and unit design. Some of those items pertained to the platting process, and some did not, particularly some of the discussion regarding design. Cailloux had created a slide showing the revised proposal and highlighted the various items that could be reviewed in the platting stage.

The revised proposal showed that a side road had been moved closer to the property lines in order to create a 50-foot right-of-way. In addition, the lots were part of the plat review. Cailloux pointed out the interior green space had been revised. On the previous plat, there were meandering sidewalks, but those had been straightened out. For the purpose of the plat discussion, it was the lot configuration of the green space, not the design elements, that mattered, Cailloux stated.

Some additional unit detail was provided, showing that now there were detached garages, but that had nothing to do with platting. However, the Planning Commission did need to look at access and circulation from the rights-of-way or the greenspace. There were fewer parking spaces, but that was a design element. The stormwater detention pond was smaller in the revised version and as a result there was an additional lot added to the plan. Cailloux noted that the stormwater facility would still have to be approved by the City's Engineering Department, so the additional lot may or may not be possible should the stormwater pond need to be larger.

The applicant had provided detail sheets illustrating various features of the development, but Cailloux said she would let him discuss it. She noted that one thing the Commissioners would be considering for approval was the right-of-way widths. The main road was 50 feet and then there were three alleyways to consider.

Developer Roch deGolian thanked the Planning Commission for their comments at the last meeting, saying it spurred them to dig a little deeper and improve the project. He noted that the main road, or Road A, would ultimately be a City street. Roads B, C, and D were private roads with 30-foot rights-of-way.

Previously, the garages were connected to the living structure, but deGolian explained that they eliminated that connectivity in order to enlarge the courtyards between the homes and the garages to create more outdoor living space. The courtyards would be separated unit-to-unit by a six-foot brick wall. DeGolian said they decided to separate the garages for neighboring units, which had previously been connected, to create a more private walkway to each unit.

A photo showed how the linear walkways between the buildings would appear. Another photo gave an idea of the six-foot walls between the courtyards. Another photo illustrated how the buildings would look, with pitched roofs and two stories. A

photo from North Cove depicted the alleyways, while another taken at Everton showed inverted roadways with underground drainage in the middle.

The footprint of the units would be 25 feet wide. End units would have an additional five feet that would not impact the footprint but would allow them to add interest to the end walls with a bay window or awning. They did end up with an additional unit in this plat, going from 37 to 38. That was based on the stormwater area being smaller. If that didn't work, they would revert back to 37 units, deGolian commented.

Ritenour thanked deGolian for this information, telling him he was aware the Commissioners went beyond the scope of a conceptual plat, but that extra information helped them and the public, as well, visualize what was happening on a site. He understood there probably would be changes, but it did help them see what was planned.

Liotta said he liked the plan and the changes. He asked deGolian to explain how visitors would access the units. There were four spaces per unit, deGolian said, two in the garage and two in the driveway. Additionally, there were 27 additional parking spaces that could be used for overflow. Guests could park there and get to the units on the internal pathways. Delivery vans could stop at a parking spot and go to the front doors, but they also planned to set up a centralized dropoff spot in the rear.

Liotta said he wished the units were numbered on the graphic. He wondered about pedestrian access to units 32 through 38. There was no pedestrian access shown to the front doors. DeGolian said they might have a steppingstone path around the corners to access the front doors which might require shortening the courtyards on the end units in order to make room.

This would require a significant encroachment into the landscape buffer, Liotta pointed out, but deGolian said reducing the courtyard area would prevent that on the upper unit; also, each of those units were 30 feet wide on the diagram, but they would be more narrow than that. Units 32 through 38 did not function the same way as the others, Liotta commented, because they were missing walkways. However, he felt that could be adjusted.

Kriz verified that the applicant would have no objection to using one of the walkways as a cart path. He asked if deGolian would be amenable to eliminating one of the units to provide space to access 32 through 38?

Cailloux suggested they require a minimum pavement width of five feet. Then, the developers could do the math and see what was required. DeGolian told Kriz the current proposed paths were 10 feet wide. He said he was willing to make a commitment that there would be a path to the front doors of the building, but he didn't want to give up a unit unless engineering required it.

Would they be allowed to go into the buffer with a sidewalk? Kriz asked, and Cailloux said they could because those buffers were not mandated by the ordinance. Kriz suggested a condition that the path not encroach into the buffer.

The first plat they saw had one less unit, Johnston noted.

Reeves asked how a guest would get from the driveway to the front door. DeGolian said they could enter through a back gate into the courtyard. Reeves then asked about a photo showing an example of a linear walkway, and deGolian pointed out where those walkways would be.

Ritenour had no questions. Johnston said she would be fine with allowing this to move forward with the recommendations they had discussed.

Reeves agreed, saying units 32 through 38 could be adjusted. She didn't know how buyers would feel about their front doors looking out on the stormwater area. Johnston said she would like to see numbers on future plans and how units 32 through 38 would be accessed.

Kriz said he could approve this with the condition of adding a walkway to the back units and that any walkways not be within any landscape buffer. He wasn't sure it needed to be a 10-foot buffer, though. Also, he wanted to add staff's recommended condition would be the third condition.

Ritenour asked about required widths of sidewalks, and Cailloux said the minimum was four feet, but the Americans with Disabilities Act (ADA) required five feet for specified distances, so it was simpler to just say five feet.

Liotta said he concurred with Kriz's comments about access around the easternmost units and thought a recommendation should be to provide a five-foot minimum sidewalk that did not impinge on the landscape buffer.

Ritenour agreed there needed to be adjustments around 32 through 38 and that the sidewalks should be kept out of the landscape buffer. He also agreed with the staff condition. He thanked deGolian for his work and said he was sure they would find a solution.

Was there anything like this in Peachtree City or nearby? Liotta asked. Not exactly, deGolian said. There were townhomes in Lexington that had been there for 15 years or so, and there were some in Everton, but nothing like this design. Ritenour said it was similar to North Cove, but not the same.

Could they do some more landscaping around the stormwater pond? Reeves asked. There would be a fence around it, deGolian responded. Cailloux noted that market might demand that the pond be treated more like an amenity rather than a

utility, and deGolian assured her they wanted to make it attractive to buyers.

Liotta wanted to know the target market. These were aimed at people who were downsizing, deGolian replied, although there might be some younger residents who were moving to Fayette County for work. Cailloux added that the townhomes at Aberdeen were originally planned to sell at \$500,000 to \$600,000, but now were listed at \$950,000.

Kriz moved to approve the conceptual plat for Peachtree Court Townhomes, 135 Peachtree Court with the following conditions: staff condition that the sidewalk along Peachtree Court be constructed as a multi-use path and that the easternmost buildings (32-38) be surrounded by a walking path of at least five feet in width that did not impinge upon any landscape buffers. Reeves seconded. Motion carried unanimously.

New Agenda Items

1. Landscape Plan, Moon Valley Nursery, 1401 Moba Drive

The Commission was familiar with this property, Hooks remarked, pointing it out in the MOBA development off SR 74 South. There were 32,748 square feet of impervious surface, which required at least 98 caliper inches of canopy trees and 65 caliper inches of understory trees under the landscape ordinance. No tree-save areas were identified on the plan, and the applicant was not requesting to use an alternative compliance method. This plan exceeded the requirements by calling for 102 inches of canopy trees and 66 inches of understory trees.

Three varieties of hardwoods were represented: red maples, willow oaks, and lacebark elms. Cryptomerias and bald cypresses were evergreens included on the plan, and eastern redbuds would provide blooms. These plantings were mixed throughout the perimeter of the property. Since this was a nursery, Hooks pointed out, the product yard would also be filled with plants.

A large portion of the 60-foot buffer was taken up with a Georgia Power easement, she noted, but the remainder would be replanted with a variety of evergreens and hardwoods, including red maples and willow oaks for fall color and redbuds for spring blooms.

Hooks said this plan met the requirements, and staff recommended it be approved. Ritenour commended her on the color coding of the presentation, saying it made it easier to envision the plantings.

Jason Walls of Highland Land Planning represented property owner Southtree Development. He said the tenant would be Moon Valley Nursery, which would be selling larger diameter trees than could be purchased at most nurseries.

Johnston asked why the redbuds were on three, not four, sides. Walls said they

could move some around. He noted that the road on that side was 12 feet or so above the lot. There were already some trees there, and Cailloux said oaks were planted in the right-of-way at regular intervals when this lot was developed.

Reeves, too, commended Hooks for the colors on the plan. Kriz had no comments.

Liotta suggested more evergreens between the site and the Georgia Power easement. Walls said they could work on that with staff.

More buffering would be good, Ritenour agreed.

Kriz moved to approve the landscape plan for Moon Valley Nursery, 1401 Moba Drive, with the condition that staff work with the applicant to provide more evergreens on the SR 74 side of the property. Johnston seconded. Motion carried unanimously.

2. Building Elevations, Primrose School, 110 Wilshire Village Drive

David Wallace from Primrose Schools corporate offices said he represented the franchisee and could answer questions.

This also was a property familiar to the Planning Commission, on the south end of town adjacent to West Georgia Dermatology and a new convenience store/gas station. It was zoned General Commercial (GC) with conditions.

Hooks described the architecture as having a “modern cottage” look with warm neutral colors, stone, and metal accents. Brick and stone were the primary materials on all four sides, which met one of the conditions for the zoning. Stack stone created a wainscot base to the building, then the rest of the building was a brick veneer, and the top section was separated by a soldier course of brick. The brick and stone had color variations that added interest, Hooks remarked.

The tower portion of the building had a gabled metal roof topped with a cupola and weathervane. The metal material was carried to the awnings over the windows and doors on all four sides. That was a unifying element and the canopies and windows broke up the long façade.

Another zoning condition said buildings should comply with the color guidelines for the Wilshire Pavilion district, and also said materials from the design guidelines could be used at the architect’s discretion. In the meeting packet, she had listed the materials that would be used and the colors in the Wilshire Pavilion palette. The brick that was proposed drew on the parchment color and the anodized aluminum. The stack stone echoed the vanilla and parchment colors, as well as some grays and even dark red/chocolate. The board and batten siding would be painted to match the Starbright color, as would some shutters. The roof and awnings would be charcoal gray, which coordinated with the iron ore color used on the surrounding buildings.

The Land Development Ordinance had some general goals for design. It said buildings within a development should complement one another and design, materials and colors should blend with the natural surroundings. High-quality design was encouraged. Staff felt these goals were met and recommended approval, Hooks concluded.

Liotta said this was a great-looking building. He thought the HVAC on the rooftop should be screened on all four sides, not three as stated. Wallace said that could be done. Liotta said the west elevation did not show the screening, and Wallace said that was an oversight.

Kriz agreed about the building's appearance. He asked if it should have a designated bottom, middle and top section, and Cailloux said that was required for all commercial and industrial buildings on major thoroughfares. Kriz suggested the brick between the middle and the top be a darker color.

Johnston said she liked the colors and the mix of materials. Reeves agreed, saying it would blend well with other buildings in the area. Ritenour said that was something he liked, as well. This pulled different parts of other buildings, but with variations. He was glad it was not a stark white but had a warm feel.

Cailloux suggested that, rather than require a different color for the soldier brick course between the middle and upper sections, it be pulled forward to add shadow for dimension. She was afraid it would look like a racing stripe if it was a more contrasting color. The Commissioners agreed that should be a condition.

Kriz moved to approve the building elevations at 110 Wilshire Village Drive with the conditions that there be screening on all four sides of the HVAC unit and that the soldier course of bricks near the top be brought forward. Reeves seconded. Motion carried unanimously.

Wallace asked if they needed elevations showing the changes, and Cailloux said they did not, but all future elevations should reflect them.

Workshop Items

No workshop items.

Cailloux said the Commissioners would hear from staff by May 6 regarding the need for a called meeting in May.

There being no further business, Kriz moved to adjourn at 7:54 p.m. Johnston seconded. Motion carried unanimously.

Martha Barksdale

Scott Ritenour

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Planning Commission

FROM: Robin Cailloux, Planning Director 6/21/2024

DATE: June 24, 2024

SUBJECT: Administrative Variance text amendment to Zoning Ordinance

Recommendation:

There are no staff recommendations to this item.

Discussion:

Councilman Holland initiated a request to amend the Administrative Variance section of the Zoning Ordinance (Sec 1204) during the May 2, 2024, Council meeting. After discussing the history of the ordinance and the annual frequency of requests, City Council directed that this item proceeds to the Planning Commission for review and recommendation.

The Planning Commission is asked to review the current Administrative Variance ordinance and determine if it should be amended. If a revision is warranted, Councilman Holland's recommended changes are a good place to start the conversation; however, all elements of the ordinance are open for discussion. The information in this memo is outlined below:

- Timeline of the Administrative Variance Ordinance creation and revisions
- Data on the quantity of administrative variances and standard variances
- Summary of the existing Administrative Variance Ordinance
- Summary of Councilman Holland's recommended changes to the ordinance and the comments from the Mayor and other Council members
- Staff analysis of Administrative Variance Ordinances of metropolitan Atlanta cities similar to Peachtree City

History of the Administrative Variance Ordinance

The Administrative Variance ordinance was adopted in April 1992. Only existing setback violations that were not created by the current property owner were applicable under the original ordinance. This ordinance created the Administrative Variance Committee, which consisted of one (1) Council member, one (1) Planning Commissioner, and the Planning Director.

The criteria for an administrative variance is considered 'ministerial' under Georgia legal

precedent, meaning that review is made based on a set of objective data and does not require personal judgment or discretion. In this case, the set objective criterion is whether the violation was created by a previous owner and not the current property owner.

The City Council updated this ordinance on February 21, 2008. The Administrative Variance Committee makeup was modified to replace the Planning Commissioner with the City Manager. The 2008 update also created a new category of variance called the Special Exception variance. A request for the following items would have qualified as a Special Exception variance:

- Maximum 25% reduction of any setback when adjacent to publicly-owned land
- Maximum 25% reduction in parking if required parking could be constructed on site if needed in the future
- Increase fence height for safety or privacy, no maximum height set.

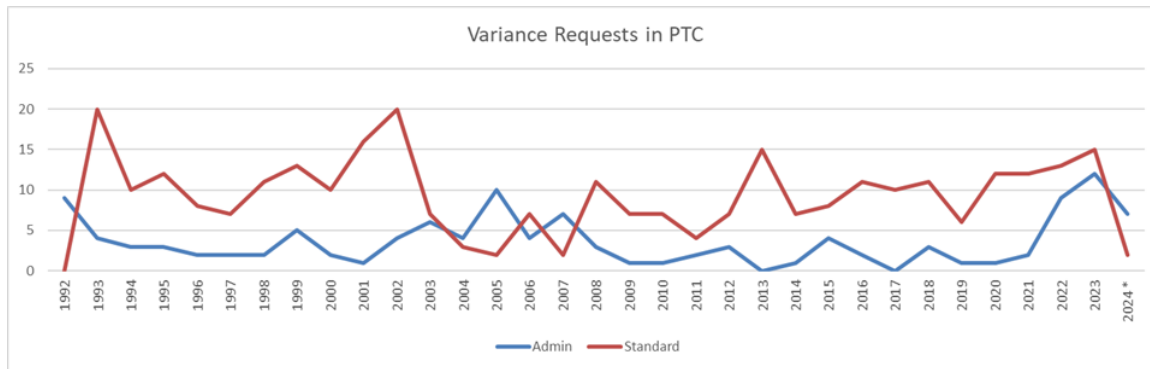
Although the review criteria for a Special Exception variance was 'ministerial' like an Administrative variance, the required process was a 'quasi-judicial' action that required a public hearing held by the City Council.

Then in December 2021, City Council amended the Administrative Variance ordinance again to combine the ministerial variances (Administrative and the Special Exception) into one type: Administrative variance. All requirements for the Administrative and Special Exception variance were kept. Additions and changes included:

- Limiting the maximum fence height increase to 25%
- Adding requirement for written consent from adjacent property owners for the proposed setback reduction next to city-owned land
- Adding proposed rear setback reduction up to 50% with written consent from adjacent property owners

Quantity of Requests Over Time

Figure 1 below depicts the number of each type of variance that have been requested each year since 1992. (Data for 2024 is partial year up to June 21, 2024). Not shown on the graph is one (1) Special Exception variance requested in each year of 2012, 2017, 2018, and 2021.



There are typically fewer administrative variance requests per year than standard variance requests; however, this pattern is broken during the years 2004, 2005 and 2007. Otherwise, there does not appear to be a clear pattern or trend revealed in this data. The table below summarizes the administrative variance types since 2020 when the ordinance was revised:

TYPE OF ADMINISTRATIVE VARIANCE	COUNT SINCE 2020
Existing Encroachment	12
Proposed Rear Setback	12
Proposed Setback Reduction next to Public Land	4
Parking Reduction	1
Fence Height Increase	2

Summary of Existing Ordinance

A copy of the current Administrative Variance ordinance is attached to this memo. The existing Administrative Variance Ordinance establishes five (5) types of items that the administrative process can apply:

1. Existing encroachment not created by current property owner; or
2. Rear setback reduction of up to 50% if written consent by adjacent property owners and an active home owners' association is provided; or
3. Any setback reduction next to a publicly-owned property (i.e. city greenbelt) up to 25% if written consent by adjacent property owners and an active home owners' association is provided' or
4. Parking reduction up to 25% if required parking can be built on the property should it be needed in the future; or
5. Increase in maximum fence height up to 25% if the fence is around a pool or if there are topographic reasons.

The ordinance also stipulates that the decision is made by a committee consisting of the City Manager, the Zoning Administrator (i.e. Planning Director) and one (1) member of City Council. The ordinance stipulates that the committee must make a decision within 15 business days after the application is confirmed to be complete.

Summary of Council Member Recommendations and Comments

Table 1, attached to the end of this memo, summarizes Councilman Holland's recommended changes and each member's comments. Where the table lists "No Comment", no comment was provided. This could indicate support for the recommended change or no strong opinion for or against the recommended change. Also attached to this memo are the specific council comments. Please review these to eliminate the possibility of any unintended interpretation errors.

Summary of Administrative Variance ordinances from Similar Metro Cities

Table 2, attached to the end of this memo, summarizes Administrative Variance ordinances of ten (10) surrounding metropolitan Atlanta communities that are comparable to Peachtree City. This table includes:

- Jurisdiction name
- Types of items that can be approved through the administrative variance process
- Review criteria for an administrative variance
- Decision maker
- Appeal body if the applicant disagrees with the decision

As demonstrated by this table, each jurisdiction has tailored a process meeting their specific circumstances. Apart from Peachtree City, the Planning Director or similar titled position is the decision maker for administrative processes. This is because the process is considered to be 'ministerial' per Georgia legal precedent and not 'quasi-judicial'.

Table 3, attached to the end of this memo, sorts the typical types of items applicable to an administrative variance within these ten (10) ordinances. The typical items often contained in an ordinance are:

- Setback reductions
- Parking reductions or increases
- Maximum height increases
- Others

This table sorts the scale and scope of the item type. For example, one item often found in an administrative variance ordinance is a setback reduction. This table sorts the setback reduction type by scale (e.g. 33% down to 10%) or property line (e.g. rear, side or front). Another type of administrative variance is a parking reduction; this table sorts the reduction by scale (30% down to 10%).

As evident from this data, each jurisdiction has determined what items and scope are appropriate for administrative variances to meet their community's unique circumstances and needs.

Budget Impact:

There are no budget impacts associated with this item.

Attachments:

1. Table 1 Council Comments
2. Table 2 Jurisdiction Summary
3. Table 3 Types Sorted
4. Current Administrative Ordinance
5. Council Comments Verbatim

Table 1: Council Comments

Holland's Recommendations	Learnard	Johnson	Brown	Destadio
Remove the zoning administrator (i.e. Planning Director) from the committee makeup and add a second Council member to the committee.	Does not support Suggests considering the elimination of the committee altogether and leaving the decision solely to the Planning Director	Does not support Suggests considering the elimination of the committee altogether and leaving the decision solely to the Planning Director	Outlines new review process. Rather than having a committee, the application would be sent through this sequential review process: 1. Planning Director 2. City Manager 3. Planning Commissioner 4. City Council member Each reviewer would document why they would approve or disapprove the request. Although it's unclear from her comments, it appears that an application would only move forward to the next reviewer if the application is approved. If the application is denied, the applicant could submit for a regular variance, which is the case under the current ordinance.	Does not support
Reduce the maximum rear setback encroachment from 50% to 2 feet of the rear setback and remove the requirement of having written consent from adjacent property owners.	Does not support Would consider supporting reducing 50% maximum to 25% maximum	Does not support Prefers reducing 50% maximum to 25% maximum	Supports	Does not support Suggests reducing 50% max to 10% max Suggests re-writing written support to "immediate neighbor as determined by the zoning administrator", which appears to mean the same as the current text

Table 1: Council Comments

Holland's Recommendations	Learnard	Johnson	Brown	Destadio
Reduce maximum setback reduction adjacent to publicly-owned property (i.e. city greenbelt) from 25% to 2 feet and remove the requirement of having written consent from adjacent property owners.	Does not support	No comment	Supports	Does not support Suggests this should only apply to a rear setback next to public land Suggests re-writing written support to "immediate neighbor as determined by the zoning administrator", which appears to mean the same as the current text
Reduce the maximum parking reduction from 25% to 10%.	Does not support	No comment	Supports	No comment
Increase the maximum height increase of a fence from 25% (from 4 feet to 5 feet in a front yard, or from 6 feet to 7.5 feet elsewhere) to 2 feet (from 4 feet to 6 feet in a front yard, or from 6 feet to 8 feet elsewhere).	Does not support	No comment	Does not support	No comment, but suggests striking "security" from pool fence language
Increase the timeframe for a decision from 15 business days from application completion to 30 days. (One reference states 30 working days, the other says 30 days).	No comment	No comment	Supports	No comment

Table 2 Summary of Administrative Variance Ordinances from the Atlanta Region

Administrative Variance Text Amendment Review: Comparison of Administrative Variance Processes within Similar Sized Metro-Atlanta Cities				
Jurisdiction	Types of Administrative Variances and Limitations	Review Criteria	Decider	Appeals To
Peachtree City	- Existing setback violation if current property owner not responsible - Up to 50% rear setback reduction if adjacent neighbors/HOA approve - Up to 25% any setback reduction if adjacent to city-owned greenbelt and if adjacent neighbors/HOA approve - Up to 25% parking reduction if there is space on the lot to build that parking in the future - Up to 25% fence height increase if for a pool fence	(1) Will not cause a substantial detriment to other property owners in the surrounding area; (2) Would not impair the purposes of the zoning ordinances	Admin. Variance Committee: 1 Council Person 1 City Manager 1 Planning Director	City Council
Alpharetta	Up to 20% variance of any stipulated code requirement except those related to storm water, flood plain and tree protection	(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property because of its size, shape or topography; (2) The application of the Ordinance to this particular piece of property would create an unnecessary hardship; (3) There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned.	Director of Community Dev'pment	Board of Appeals
Fairburn	- Up to 1 foot in any setback - Up to a 10% reduction of any setback if no objection submitted after notifying adjacent property owners via email or certified mail - Any technical change to a zoning condition	Does not negatively impact a public interest and would be in harmony with the general purpose of the zoning ordinance	Planning Director	Planning Commis.
Fayetteville	- Up to 10% reduction of any setback - Up to a 10% increase to lot coverage maximum - Up to 10 feet additional building height (not signs or fences) - Up to 50% landscape buffer reduction - Elimination or width reduction for required sidewalk - Can increase maximum parking with design requirements	(1) There are clear and compelling reasons that are not purely financial demonstrating that the required standard cannot be met; (2) The requested modification is the minimum amount necessary to meet the objectives above; and (3) The requested adjustment will not contravene the public interests or negatively impact adjoining properties.	Planning Director	City Council

Table 2 Summary of Administrative Variance Ordinances from the Atlanta Region

Administrative Variance Text Amendment Review: Comparison of Administrative Variance Processeses within Similar Sized Metro-Atlanta Cities				
Jurisdiction	Types of Administrative Variances and Limitations	Review Criteria	Decider	Appeals To
Johns Creek	- Up to 10 feet into the required setback along a buffer - Up to a 10% reduction in the number of required parking spaces	(1) Would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance (2) 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 (3) Where a reduction or increase in such requirements will not adversely affect the spirit or intent of this article	Director of Community Dev'pment	Board of Zoning Appeals
Newnan	- Up to 15% reduction in any setback - Up to 33% reduction in any setback for residential additions - Up to 25% decrease in minimum residential unit size - Stream buffer reduction on lots platted before 2008	(1) Strict application of the ordinance would cause undue hardship; (2) Such hardship in not shared by other properties in the same zoning district and the same vicinity; (3) Authorization of modification will not be substantially detrimental to contiguous properties; (4) Intent of the ordinance can be achieved with equal performance and protection of public interests	Planning Director	BZA (Board of Zoning Appeals)
Peachtree Corners	- Up to 10 feet into front or rear setback ; 5-foot side setback - Up to 30% reduction or increase in parking requirement - Up to 50% stream buffer reduction - Up to 10-foot (residential) or 15-foot (non-residential) sign or fence height	(1) The intent of the ordinance can be achieved and equal performance obtained by granting a variance (2) Shows specific and valid reasons why the requirements of Section 1002 cannot reasonably be met (3) Where a reduction or increase in such requirements will not adversely affect the spirit or intent of this article	City Manager/ Planning Director	Planning Commis.
Roswell	- Up to 15 feet in front setback or setback adjacent to public street - Up to 2 feet into side setback - Up to 10 feet into rear setback - Distance between buildings on the same lot: variance not to exceed 10 ft - Landscaped open space and outdoor amenity space may have a combined total of 10% below the minimum required percentage.	(1) There are practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography; (2) The requested variance will be in harmony with the purpose and intent of this UDC and will not be injurious to the neighborhood or to the general welfare; and (3) The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure	Zoning Director	Board of Zoning Appeals

Table 2 Summary of Administrative Variance Ordinances from the Atlanta Region

Administrative Variance Text Amendment Review: Comparison of Administrative Variance Processeses within Similar Sized Metro-Atlanta Cities				
Jurisdiction	Types of Administrative Variances and Limitations	Review Criteria	Decider	Appeals To
Sandy Springs	• Up to 10% of any measurable standard in this Development Code • Variances are not allowed for any of the following: 1. Minimum lot area, minimum lot frontage on a street or minimum lot width 2. Building height 3. Sign height, sign area allocation or individual sign area 4. Fence and building materials 5. Standards for Conditional Use Permits 6. Elimination of frontage improvement requirements 7. Permitted or accessory uses	(1) There are practical (not financial) difficulties pertaining to the particular piece of property in question because of its size, shape or topography; (2)The requested variance will be in harmony with the purpose and intent of this Development Code and will not be injurious to the neighborhood or to the general welfare; and (3) The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure.	Planning Director	Board of Appeals
Senoia	• Up to a 10% setback reduction, maximum 10 feet	(1) Will not cause a substantial detriment to other property owners in the surrounding area; (2) Would not impair the purposes of the zoning ordinances	Planning Director	City Council
Tyrone	• Up to a 25% setback reduction, maximum 10 feet	(1) Will not cause a substantial detriment to other property owners in the surrounding area; (2) Would not impair the purposes of the zoning ordinances	Planning Director	Town Council

Table 3: Typical Administrative Variance Types Sorted By Scale

Administrative Variance Text Amendment Review: Typical Types and Limitations Comparison
Setback Reductions (Sorted by Measurement)
Existing encroachment when not created by current owner
50% reduction for rear setback
33% reduction for any setback for residential additions
25% reduction of any setback
25% reduction of any setback, maximum 10 feet
25% reduction of any setback when next to city greenbelt
20% reduction of any setback
15% reduction of any setback
10% reduction of any setback
10 % reduction of any setback, maximum 10 feet
15 feet into front setback or next to street
10 feet into front setback
10 feet into rear setback
10 feet into any setback when next to buffer
5 feet into side setback
2 feet into side setback
1 foot into any setback
Setback Reductions (Sorted by Property Line)
Existing encroachment when not created by current owner
rear: 50% reduction for rear setback
rear: 10 feet into rear setback
front: 15 feet into front setback or next to street
front: 10 feet into front setback
side: 5 feet into side setback
side: 2 feet into side setback
any: 33% reduction for any setback for residential additions
any: 25% reduction of any setback
any: 25% reduction of any setback, maximum 10 feet
any: 25% reduction of any setback when next to city greenbelt
any: 20% reduction of any setback
any: 15% reduction of any setback
any: 10% reduction of any setback
any: 10 % reduction of any setback, maximum 10 feet
any: 10 feet into any setback when next to buffer
any: 1 foot into any setback

Table 3: Typical Administrative Variance Types Sorted By Scale

Administrative Variance Text Amendment Review: Typical Types and Limitations Comparison, Cont.
Parking
30% reduction
25% reduction
20% reduction
10% reduction
30 % increase
Increase to maximum with design criteria
Heights
25% increase to max. fence height for pools
20% increase to max. fence height
10 foot max. height for residential fences
15 foot max. height for commercial fences
20% increase to max. building height
10 foot increase to max. building height
15 foot increase to max. sign height
Others
50% reduction of landscape buffer
10% increase to maximum lot coverage
Stream buffer reductions with criteria
10% reduction in required open space
Sidewalk requirement eliminations

Sec. 1204. Administrative variance.

Review and approval of a request for an administrative variance shall be administered by a special administrative variance committee consisting of the zoning administrator, the city manager and a member of city council. Applications may be considered only if the following requirements are met:

- (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; or
- (b) The request is for a rear setback encroachment that would not exceed 50 percent of the required setback per the zoning district ordinance, 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; or
- (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; or
- (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; or
- (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 this Code, and is not incompatible with the surrounding neighborhood.

In no case shall an administrative variance be granted from the conditions of approval imposed on a parcel through a zoning change granted by the city council.

In reviewing the application, the administrative variance committee shall analyze the application to determine whether granting the request would cause substantial detriment to other property owners in the surrounding area or would impair the purposes of the zoning ordinance. If it is found that the request is in conformance with these requirements and does not adversely affect the area, the administrative variance committee shall issue an official determination in writing approving the request. The property owner, the city clerk, and the building official shall be provided with a copy of this determination.

If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the administrative variance committee shall deny the appeal in writing, stating the reasons for the denial.

The administrative variance committee shall act on all appeals within 15 working days after the application is deemed complete by the zoning administrator.

If a request for an administrative variance is denied by the administrative variance committee, the property owner may appeal this decision to the city council in accordance with the procedures identified herein.

(Ord. No. 934, § 1, 2-21-2008; Ord. No. 1195, § 2, 12-16-2021)

• **Sec. 1204. - Administrative variance.**

Review and approval of a request for an administrative variance shall be administered by a special administrative variance committee consisting of ~~the zoning administrator,~~ the city manager and ~~a 2~~ members of city council. Applications may be considered only if the following requirements are met:

(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; ~~or~~ and

(b)

The request is for a rear setback encroachment that would not exceed ~~50 percent~~ 2 feet of the required setback per the zoning district ordinance, 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;~~ or

(c)

The request is for a decrease of not more than ~~25 percent of the minimum~~ 2 feet of the 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;~~ or

(d)

The request is for a decrease of not more than ~~10-25~~ 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; or

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(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~~ 2 foot increase in maximum height standards per chapter 18 of this Code, and is not incompatible with the surrounding neighborhood.

In no case shall an administrative variance be granted from the conditions of approval imposed on a parcel through a zoning change granted by the city council.

In reviewing the application, the administrative variance committee shall analyze the application to determine whether granting the request would cause substantial detriment to other property owners in the surrounding area or would impair the purposes of the zoning ordinance. If it is found that the request is in conformance with these requirements and does not adversely affect the area, the administrative variance committee within 30 days shall issue an official determination in writing approving the request. The property owner, the city clerk, and the building official shall be provided with a copy of this determination.

If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the administrative variance committee shall deny the appeal in writing, stating the reasons for the denial.

The administrative variance committee shall act on all appeals within ~~45~~ 30 working days after the application is deemed complete by the zoning administrator.

If a request for an administrative variance is denied by the administrative variance committee, the property owner may appeal this decision to the city council in accordance with the procedures identified herein.

(Ord. No. 934, § 1, 2-21-2008; Ord. No. 1195, § 2, 12-16-2021)

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- **Sec. 1204. - Administrative variance.**

Review and approval of a request for an administrative variance shall be administered by a special administrative variance committee consisting of ~~the zoning administrator,~~ the city manager and ~~a 2~~ members of city council. Applications may be considered only if the following requirements are met:

Kim's comment: Fairburn, Senoia, Tyrone, Newnan, Fayetteville, and most likely the majority of cities with an Administrative Variance empower the Planning Director to make the call. To leave the Planning Director out of the equation would be a mistake, as it would eliminate the single most knowledgeable source of information on the issue at hand. We should either keep the Planning Director on the Committee or eliminate the Committee altogether and have the Planning Director make the call in keeping with standard best practices. Asking the CM and two politicians to make the call eliminates the essential technical expertise of the Planning Director and leans too political. Not a good idea.

(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; ~~or and~~

(b)

The request is for a rear setback encroachment that would not exceed ~~50 percent~~ 2 feet *Kim's note: I am not interested in changing the 50 percent. However, if the majority of Council or the Planning Commission think this should go to 25 percent I would support that.* of the required setback per the zoning district ordinance, 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;~~ or *Kim's comment: requiring adjacent property owners to provide written consent assures that those property owners are informed of the situation at hand. Our existing Administrative Variance process, which includes neighbors' consent, has resulted in zero pushback or concerns after the fact, probably in large part because the neighbors were informed and provided their consent ahead of time. If a neighbor does not provide consent, then the issue comes before Council. This situation came up a few months ago, and Council made a decision that resolved the issue. The existing process worked well and we need to keep this in our ordinance.*

(c)

The request is for a decrease of not more than ~~25 percent of the minimum~~ 2 feet of the *Kim's note: I am not interested in changing the 25 percent.* building setback, provided that the property line in question and the associated building setback adjoins a publicly-owned property and there is no other

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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;~~ or *Kim's comment: requiring adjacent property owners to provide written consent assures that those property owners are informed of the situation at hand. Our existing Administrative Variance process, which includes neighbors' consent, has resulted in zero pushback or concerns after the fact, probably in large part because the neighbors were informed and provided their consent ahead of time. If a neighbor does not provide consent, then the issue comes before Council. This situation came up a few months ago, and Council made a decision that resolved the issue. The existing process worked well and we need to keep this in our ordinance.*

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(d)

The request is for a decrease of not more than ~~10-25~~ *Kim's note: I am not interested in changing the 25 percent.* 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; or

(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 2 foot~~ *Kim's note: I am not interested in changing the 25 percent.* increase in maximum height standards per chapter 18 of this Code, and is not incompatible with the surrounding neighborhood.

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In no case shall an administrative variance be granted from the conditions of approval imposed on a parcel through a zoning change granted by the city council.

In reviewing the application, the administrative variance committee shall analyze the application to determine whether granting the request would cause substantial detriment to other property owners in the surrounding area or would impair the purposes of the zoning ordinance. If it is found that the request is in conformance with these requirements and does not adversely affect the area, the administrative variance committee within 30 days shall issue an official determination in writing approving the request. The property owner, the city clerk, and the building official shall be provided with a copy of this determination.

If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the administrative variance committee shall deny the appeal in writing, stating the reasons for the denial.

The administrative variance committee shall act on all appeals within ~~45~~30 working days after the application is deemed complete by the zoning administrator.

If a request for an administrative variance is denied by the administrative variance committee, the property owner may appeal this decision to the city council in accordance with the procedures identified herein.

(Ord. No. 934, § 1, 2-21-2008; Ord. No. 1195, § 2, 12-16-2021)

Robin Cailloux

From: Justin Strickland
Sent: Friday, May 10, 2024 4:51 PM
To: Robin Cailloux
Subject: FW: Administrative Variance Ordinance

Laura's comments below.

Thanks,



Uncompromised Excellence

Justin Strickland

Interim City Manager
151 Willowbend Road
Peachtree City, GA 30269
P: 770-631-3340
jstrickland@peachtree-city.org

From: Justin Strickland <jstrickland@peachtree-city.org>
Sent: Saturday, May 4, 2024 10:06 PM
To: Laura Johnson <ljohnson@peachtree-city.org>; Stacey Collins <scollins@peachtree-city.org>
Subject: Re: Administrative Variance Ordinance

Received. Thanks!

Thanks,

Justin Strickland
Interim City Manager
City of Peachtree City

Please excuse any grammatical errors. Sent from phone.

From: Laura Johnson <ljohnson@peachtree-city.org>
Sent: Saturday, May 4, 2024 9:19:07 PM
To: Justin Strickland <jstrickland@peachtree-city.org>; Stacey Collins <scollins@peachtree-city.org>
Subject: Administrative Variance Ordinance

I would like the rear setback encroachment reduced from 50% to 25%. I agree with Mayor Learnard's statement that says, "*Fairburn, Senoia, Tyrone, Newnan, Fayetteville, and most likely the majority of cities with an Administrative Variance empower the Planning Director to make the call. To leave the Planning Director out of the equation would be a mistake, as it would eliminate the single most knowledgeable source of information on the issue at hand. We should either keep the Planning Director on the Committee or eliminate the Committee altogether and have the Planning Director make the call in keeping with standard best practices.*"

Thank you,

Laura Johnson

Council Member Post 1

151 Willowbend Road

Peachtree City, GA 30269

P:770-487-7657

ljohnson@peachtree-city.org



Ordinance section to be changed:	Clint's recommendations	Suzanne's recommendations	Laura	Frank	Kim
1 st paragraph	Admin Variance committee members: City Manager, Two Councilmen	Admin Variance "Approval Procedure" – Signatures required: SEE NARRATIVE First the Planning Director Second the City Manager Then one member of the Planning Commission and finally, One Council Member Develop a form			
(a)	No change recommended; Leave admin variance for existing zoning setback violation provided the current owner is not the one responsible for the violation.	No change recommended; Agree to Leave admin variance for existing zoning setback violation provided the current owner is not the one responsible for the violation"			
(b)	Rear setback encroachment not to exceed 2 ft	Rear setback encroachment not to exceed 2 ft			
(b)(2)	Remove requirement for adjacent property owners to submit approval letter	Remove requirement for adjacent property owners to submit approval letter			
(c)	Reduce reduction in setback limit to just 2 ft if adjacent to	Agree to Reduce reduction in setback limit to just 2 ft			
(c)(2)	Applicant provides HOA approval	Agree applicant provides HOA approval			
(d)	Request to decrease parking space reduction up to 10% instead of 25%	Agree to decrease parking spaces reduction up to 10% instead of 25%			
(e)(2)	Change the fence height increase to 2 feet.	Disagree. Leave the height increase a maximum of 25%.			
In reviewing . . . paragraph at the end	Change the two timeframes for committee to respond to 30 days after application determined to qualify; and if an appeal is filed.	Agree the time should be 30 days for each of the two timeframes outlined in the final paragraphs			

Also see my "**PROPOSED NEW PROCEDURE FOR ADMINISTRATIVE VARIANCES**" on the next page.

Narrative summary of agenda changes from Suzanne Brown:

Last summer, Councilman Holland outlined procedural problems with Ordinance 1204, that violated the Open Meetings Law.

A change was made to “post” a sign in the lobby of City Hall announcing that an Administrative Variance Committee meeting would be held at a specific date and time and minutes were taken at the meeting. But that fell short of the intent of the Open Meetings Law requirements so members of the public may attend.

Far too few members of the public enter the City Hall lobby and read notices for compliance with the true intent of the Open Meetings Law.

Thus, I think establishing a specific procedure, not a committee meeting, is the correct step.

PROPOSED NEW PROCEDURE FOR ADMINISTRATIVE VARIANCES:

1. Citizen submits an application with guidance from staff in the Planning Dept.
2. Planning Director reviews the application for compliance with the Ordinance and signs off on the form that they have reviewed the application and it **complies** with Ordinance 1204 for an Administrative Variance; they specify under which section it complies; they make notes regarding any concern they have; an application that does not comply, should not be sent any further it should be given back to the applicant for more information or documentation. If the applicant refuses to make the changes recommended, then the appeal process begins.
3. The City Manager is then tasked with reviewing the packet for compliance with Ordinance 1204; they ensure the packet contains adequate paperwork, photos, survey plats, etc. to show what is being requested, and why; if the City Manager agrees it is ready for the next review stage, they sign off on the review form and send it to a member of the Planning Commission for their review and approval.
4. The Planning Commission member examines the packet, reviews Ordinance 1204, and if they agree the application meets all requirements as outlined in the ordinance, they sign the form.
5. The packet is then sent to a City Councilman for their review and signature. By the time it reaches this stage, there may be some notes made at each level of the review process. The City Councilman should make formal notes whether they agree with all comments made by the City Manager or Planning Commission member. If serious issues were raised, the application should be denied and the applicant would then need to seek remedy through the regular Variance process.
6. If they agree that the application meets all the requirements and qualifies under Ordinance 1204, then their signature on the Review Form completes the process and the Administrative Variance is approved.

By using the review procedure I just outlined, there is no “committee” meeting that needs to be announced. There are no “minutes” required to be taken or maintained.

The procedure has a “multi-level” sequential review process that utilizes the knowledge and expertise of the Planning Director, the City Manager, a Planning Commission member and a City Council member. There should be agreement from all of the reviewers that the application is complete and complies with Ordinance 1204 in order to get final approval.

Once it is approved or denied by the City Councilman, there should be adequate documentation in the packet to support the basis for the denial.

Any application that is denied, would be required to be submitted by the applicant as a regular Variance application.

As far as the remaining changes I would like to see:

- a- approval for a zoning violation built by a former owner **This should remain**
- b- up to a 50% reduction of the rear setback on their property. **This is excessive and should not exceed a 2 foot infringement into a rear setback.**
- c- a decrease of up to 25% of a setback (front, side or rear) if the property adjoins a publicly-owned property and there is no other location for a proposed building expansion **This is excessive and should not exceed a 2 foot infringement into any setback. And if the property adjoins publicly owned property the application must apply under section c.**
- d- a decrease of up to 25% in the minimum number of parking spaces required by the parking ordinance **This is excessive and should not exceed a 10% reduction.**
- e- a 25% increase in the maximum height of a fence or wall with certain conditions. **This is okay as written. A 4 foot fence should only be able to be increased to 5 foot, and a 6 foot fence increased to 8 foot.**

Other editorial comments about the variance and the need to amend it at this time:

Furthermore, when it was modified in December 2021, there was a claim that the number of variance public hearings would be reduced as some applicants would qualify for an administrative variance instead.

The statistics prove otherwise. With “variances by council” in 2020 and 2021 were 10 and 14, respectively. After the ordinance was changed, we saw 11 and 13 in 2022 and 2023, respectively. **No reduction at all.**

The number of “Administrative Variances” was 3 in the 2 years prior, versus 18 in the 2 years after the ordinance was changed.

That’s a significant increase in fact it’s 6 times as many!

From a legal standpoint, I question the advisability of the Director of Planning and Development being part of the approval process after they have had numerous conversations with applicants, guiding them through the application process. How does that comply with the quasi-judicial hearing requirement for a variance?

The Planning Director does have a level of expertise that is needed, but only in guiding the applicant and making the initial determination that the packet is ready for the procedural review necessary for approval.

Since the City Manager is the supervisor of the Planning Director, it is appropriate for them to be the next reviewer in the procedure. If the Planning Director is doing everything correctly it gets approved by the City Manager.

The Planning Commission, as an appointed board also brings additional expertise that the a City Councilman may not have. Their review of the packet is in integral part of making sure everyone is aware of what is being submitted and approved.

Both the Planning Commissioner and City Council member can easily raise issues about Ordinances that may need to be addressed.

For all the reasons I outlined, the ordinance truly needs to be revised.

• Sec. 1204. - Administrative variance.

Review and approval of a request for an administrative variance shall be administered by a special administrative variance committee consisting of ~~the zoning administrator,~~ the city manager and ~~a 2~~ members of city council. Applications may be considered only if the following requirements are met:

(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; ~~or and~~

(b)

The request is for a rear setback encroachment that would not exceed ~~50 percent~~ 2 feet of the required setback per the zoning district ordinance, 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; or just the immediate property owner as determined by the zoning Administrator.~~

(c)

The request is for a decrease of not more than ~~25 percent of the minimum~~ 2 feet of the 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; or~~

(d)

The request is for a decrease of not more than ~~10-25~~ 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; or

Commented [FD1]: I would like to see the zoning administrator remain on the committee.

Commented [FD2R1]: Not Just the rear setback, but any encroachment the owner wants to submit. I concur with a limit of 10% for the rear setback.

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Commented [FD3]:

Commented [FD4R3]: For the rear setback only

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Commented [FD5]: Only the immediate neighbor as determined by the zoning administrator.

(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 2 foot~~ increase in maximum height standards per [chapter 18](#) of this Code, and is not incompatible with the surrounding neighborhood.

In no case shall an administrative variance be granted from the conditions of approval imposed on a parcel through a zoning change granted by the city council.

In reviewing the application, the administrative variance committee shall analyze the application to determine whether granting the request would cause substantial detriment to other property owners in the surrounding area or would impair the purposes of the zoning ordinance. If it is found that the request is in conformance with these requirements and does not adversely affect the area, the administrative variance committee ~~within 30 days~~ shall issue an official determination in writing approving the request. The property owner, the city clerk, and the building official shall be provided with a copy of this determination.

If it is found that the request is not in conformance with these requirements or may possibly have an adverse effect on the surrounding area, the administrative variance committee shall deny the appeal in writing, stating the reasons for the denial.

The administrative variance committee shall act on all appeals within ~~15.30~~ working days after the application is deemed complete by the zoning administrator.

If a request for an administrative variance is denied by the administrative variance committee, the property owner may appeal this decision to the city council in accordance with the procedures identified herein.

(Ord. No. 934, § 1, 2-21-2008; Ord. No. [1195](#), § 2, 12-16-2021)

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CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Planning Commission

FROM: Lora Hooks, Senior Planner 6/20/2024

DATE: June 24, 2024

SUBJECT: Elevations - Request for Waiver, Hoshizaki Expansion, 618 HWY 74 S

Recommendation:

Staff is of the opinion that the requested waiver meets the ordinance requirement of not being visible from the street after completion of the project and therefore recommends approval. Should the Planning Commission approve the architectural waiver, Staff recommends the following condition be considered for adoption:

1. Evergreen trees, 10-12 feet in height, shall be added to the landscape island adjacent to the access driveway to provide screening for the new building from HWY 74. Placement of the trees shall be approved through the Landscape Plan approval process.

Discussion:

Per Section 724 of the Land Development Ordinance, the Planning Commission has the authority to waive an architectural review for a building if it, "will not be visible from the road once the project is completed."

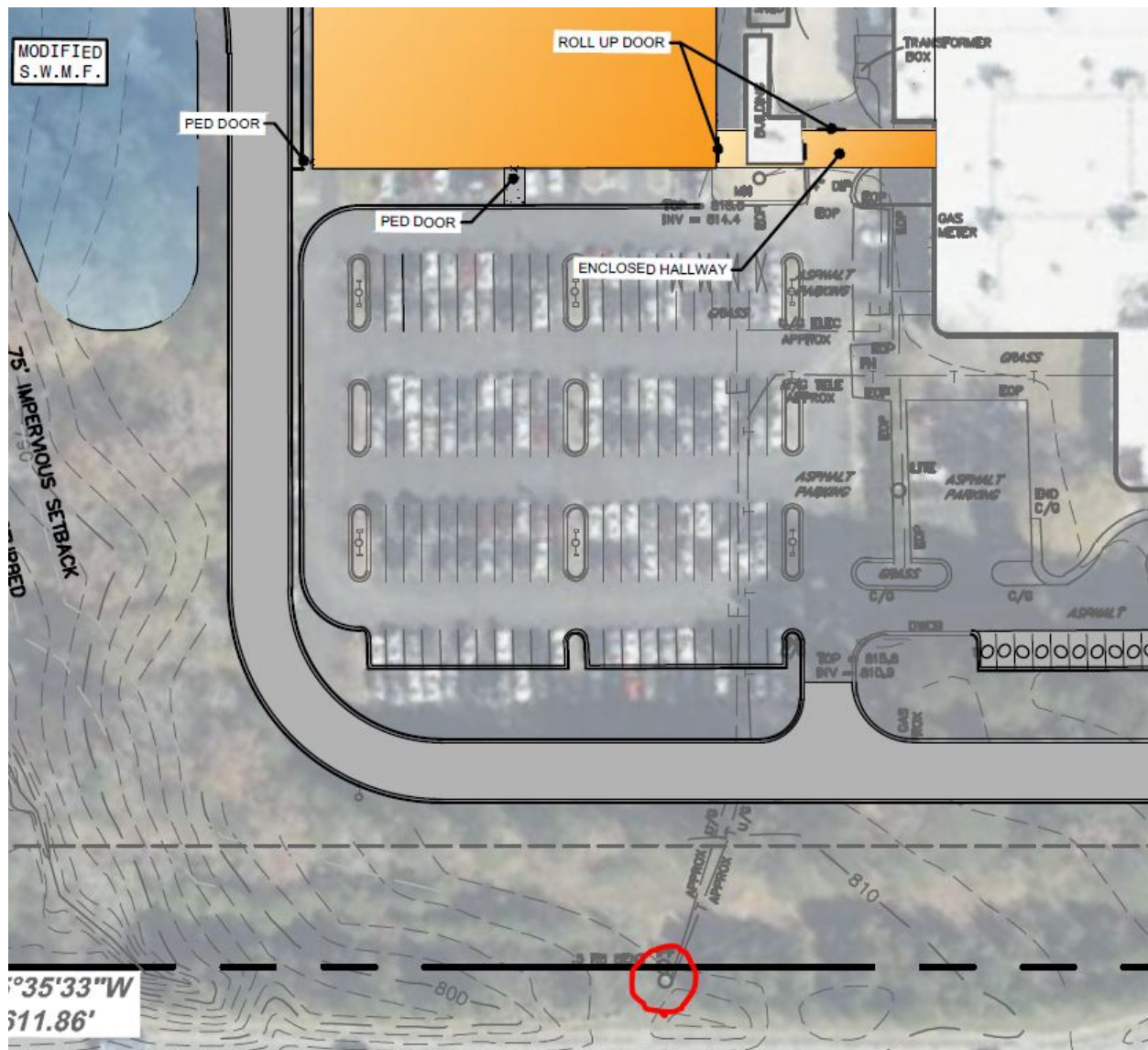
On behalf of Hoshizaki, the building contractor is requesting a waiver of the architectural review for the building expansion. The proposed expansion was approved by the Planning Commission in August of 2023. A copy of the approved plan is attached to this memo.

The proposed expansion is a two-story building. However, due to the topography of the site, the lower floor will be below grade and the upper floor will be at the same level as the existing building. The photos below provide a street view of the expansion area from property across HWY 74.



The majority of the vegetation seen in the photos is located in the 60-foot tree-save landscape buffer on the Hoshizaki property. The buffer provides a thick screen except for a small gap where the power line enters the property. After entering the property, the power goes underground.

A snip from the site plan (below) shows the power pole seen in the photo circled in red. The large island north of the new access road offers ample opportunity to add plant material to improve the screening of the new building where the buffer is lacking.



With additional planting of evergreen trees, the building should be camouflaged.

Budget Impact:

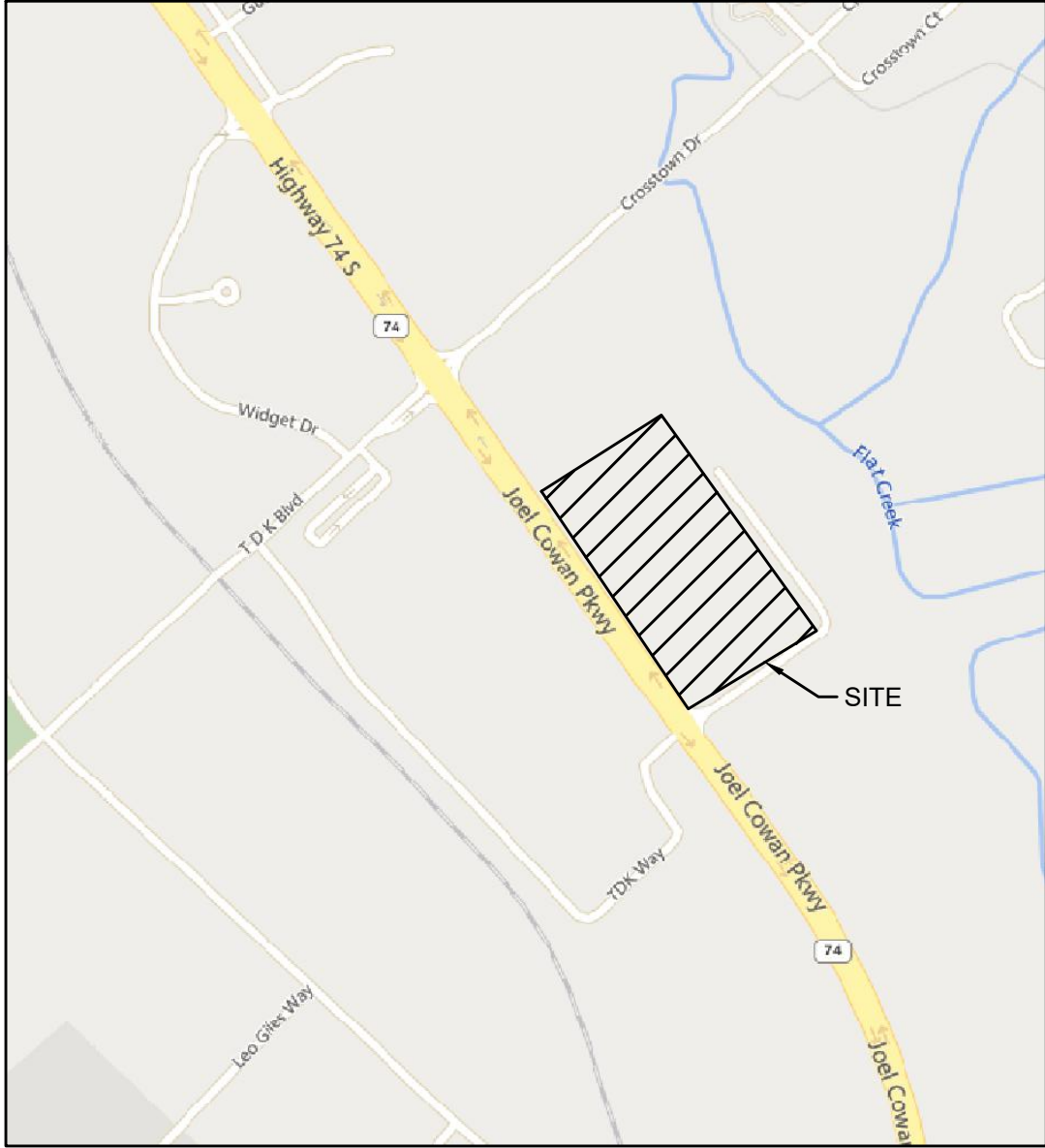
There are no budget impacts associated with this item.

Attachments:

1. Zoning map
2. Approved Conceptual Site Plan

	Road Centerlines	R	LUR	LUR	GR	LC	LUC; LUC-32; LUC-33
lakes	R	LUR	LUR	GR	GC	LUC; LUC-32; LUC-33	
Zoning	R	LUR	LUR	GR	LUC; LUC-32; LUC-33	LUC; LUC-32; LUC-33	
<Null>	R	LUR	GR	GR	LUC; LUC-32; LUC-33	LUC; LUC-32; LUC-33	
AR	R	LUR	GR	GR	LUC; LUC-32; LUC-33	LUC; LUC-32; LUC-33	
ER	LUR	LUR	GR	GR	LUC; LUC-32; LUC-33	LUC; LUC-32; LUC-33	
VR	LUR	LUR	GR	GR	LUC; LUC-32; LUC-33	LUC; LUC-32; LUC-33	
R-43	LUR	LUR	GR	OI	LUC; LUC-32; LUC-33	LUC; LUC-32; LUC-33	





VICINITY MAP
N.T.S.

SITE PLAN NOTES:

- OWNER / DEVELOPER:
HOSHIZAKI AMERICA, INC.
618 HWY 74 S
PEACHTREE CITY, GA 30269
CONTACT: JIM SCHWARTZ
PHONE: 770-487-2331
- ENGINEER / SURVEYOR:
INTEGRATED SCIENCE & ENGINEERING, INC.
1039 SULLIVAN ROAD, SUITE 200
NEWNAN, GA 30265
CONTACT: REID K. ALMAND, P.E.
PHONE: 678-552-2106
- SITE DATA:
SITE AREA: 45.59 AC
SITE ADDRESS: 618 HWY 74 S
TAX PARCEL ID NUMBER: 0612 007
ZONING: GI (GENERAL INDUSTRIAL)
USE: WAREHOUSE - NO MANUFACTURING
- SETBACKS:
50 FEET (FRONT BUILDING SETBACK)
20 FEET (SIDE BUILDING SETBACK)
50 FEET (REAR BUILDING SETBACK)
- BUILDING AREA:
EXISTING = 264,562 SF
PROPOSED = 120,000 SF
- PARKING SUMMARY:
EXISTING BUILDING REQUIRED SPACES: 277 SPACES
MANUFACTURING @ 167,391 SF (1 PER 2,000 SF)
= 84 SPACES
OFFICE @ 52,615 SF (1 PER 300 SF) = 175 SPACES
WAREHOUSE @ 44,556 SF (1 PER 2,500 SF) = 18 SPACES
PROPOSED BUILDING REQUIRED SPACES: 24 SPACES
WAREHOUSE @ 120,000 SF (1 PER 2,500 SF) = 48 SPACES
TOTAL REQUIRED SPACES: **325 SPACES**
TOTAL PROVIDED SPACES: 529 SPACES
EXISTING SPACES TO REMAIN: 318 SPACES
SPACES TO BE RELOCATED: 211 SPACES
- NO PORTIONS OF THIS PROPERTY LIE WITHIN A FLOOD ZONE OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #13113C0127E DATED SEPTEMBER 26, 2008.
- WETLANDS AND STATE WATERS ARE PRESENT WITHIN 200 FEET OF THE PROPERTY, HOWEVER WILL NOT BE AFFECTED BY THE PROPOSED DEVELOPMENT.
- THERE ARE NO STRUCTURES WITHIN 200 FT OF THE DEVELOPMENT PROPERTY LINE.
- UTILITIES: WATER SERVICES PROVIDED BY THE FAYETTE COUNTY WATER SYSTEM. SEWER SERVICE PROVIDED BY PEACHTREE CITY AND SEWERAGE WATER AUTHORITY. BOTH ARE AVAILABLE ON SITE. NO NEW CONNECTIONS AS PART OF THIS PROJECT.
- STORMWATER MANAGEMENT: STORMWATER MANAGEMENT TO BE PROVIDED BY ONSITE TREATMENT OF RUNOFF REDUCTION AND DETENTION THROUGH A PROPOSED INFILTRATION TRENCH AND EXTENDED DETENTION POND FOR THIS NEW BUILDING DEVELOPMENT.
- SITE LIGHTING TO BE BUILDING MOUNTED. NO NEW EXISTING POLES AS PART OF THIS PROJECT.

NOTE:
CONCEPT PLAN SHALL EXPIRE 12 MONTHS FROM THE DATE OF APPROVAL IF A FINAL SITE PLAN HAS NOT BEEN SUBMITTED TO THE CITY PLANNER.



DRAWING NO.
C200

SITE DEVELOPMENT PLANS
FOR
HOSHIZAKI AMERICA
PEACHTREE CITY WAREHOUSE ADDITION

ENGINEERED
CONCEPT PLAN -
OVERALL PROPERTY

LAND LOTS 48 AND 49 OF THE 5TH DISTRICT, CITY OF PEACHTREE CITY, FAYETTE COUNTY, GEORGIA



Date	Drawn by	Check by	Project #	Design by	Review by	Scale	Rev.	Description
10/14/22			16682201	RKA	RKA	1" = 100'		
10/11/22							1	ISSUED FOR CONCEPT APPROVAL
JULY								
Apr								

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Planning Commission

FROM:

DATE: June 24, 2024

SUBJECT: ~~Conceptual Site Plan, Magnolia Dental Center, 100 Gates Entry~~
Postponed

Recommendation:

Discussion:

Budget Impact:

Attachments:

None

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Planning Commission

FROM: Lora Hooks, Senior Planner 6/20/2024

DATE: June 24, 2024

SUBJECT: Building Elevations, Peachtree City Self-Storage, 425 HWY 74 S

Recommendation:

Staff is of the opinion that the proposed elevations for Peachtree City Self Storage meet the City ordinances and recommends approval.

Discussion:

Heirloom development has submitted building elevations for the Peachtree City Self Storage building. The 2.93 acre parcel is zoned GI, General Industrial and is located at 425 Hwy 74 S adjacent to the new Gerber Collision development. The proposed building is 3 stories with a total of 90,690 SF.

Architectural Design

Section 725 of the Land Development Ordinance (LDO) establishes general goals for architectural design, including high quality design, and compatibility with surrounding development. Similar building materials and colors should be used to create a visual cohesive relationship between neighboring buildings.

The building materials approved for Gerber Collision consist of a medium brown field brick, a white-washed accent brick, and wood grain composite panels for an accent on the front facade. The colors and materials proposed for the new self-storage building will complement Gerber Collision.

The proposed architecture for Peachtree City Self Storage consists of traditional brick in varying neutral shades with EIFS as a secondary material. The use of windows/glass is limited to the office area and the office and building entrances. The building entrances maintain a low profile with metal canopies that will protect users from rain and sun. Building facades are articulated with varying heights and planes as well as differentiation in material, color, and texture, creating a cohesive, high-quality design.

Building Height and Massing

Per Section 726 of the LDO, multi-story buildings should be divided into a base, middle and top to reduce the apparent bulk of the building. The proposed building is divided horizontally into three distinct sections using color and material changes. Each section is further defined by either a soldier course of brick or a painted band of a lighter color. The proposal also includes dividing the bulk of the building vertically using column features that break up the long facades into smaller bays. Alternating bays are slightly

taller and are capped with a cornice. The proposed design is proportionally divided to reduce bulk and maintain pedestrian scale.

Building Materials

Per Section 727 of the LDO, primary materials should be considered for treatment on all sides of the building. As a general rule, front facades should be at least 80% brick or stone and side facades should be at least 50% brick or stone. Rear facades do not have a minimum requirement for primary materials. The front facade of the self-storage facility is proposed to be approximately 75% brick and the sides approximately 53% brick.

The front and sides of the building will consist of two colors of brick paired with EIFS in a complementary color. The rear of the building will be primarily EIFS. Three colors are used for variety and definition. Brick is used for the column features that divide the facade into smaller sections.

Exterior Colors

- Brick - North Georgia Brick, Everest Gray
- Brick - North Georgia Brick, Castle Rock Tudor
- Brick - North Georgia Brick, Old Bailey (Soldier Course)
- EIFS - Natural Choice, SW 7011 (Field)
- EIFS - Whitetail, SW 7103 (Accent)
- EIFS - Library Pewter, SW 0038 (EIFS Cornice, Field rear)
- EIFS - Quartersawn Oak, SW 2836 (Field rear)
- Canopies - Prefinished, Clear Anodized

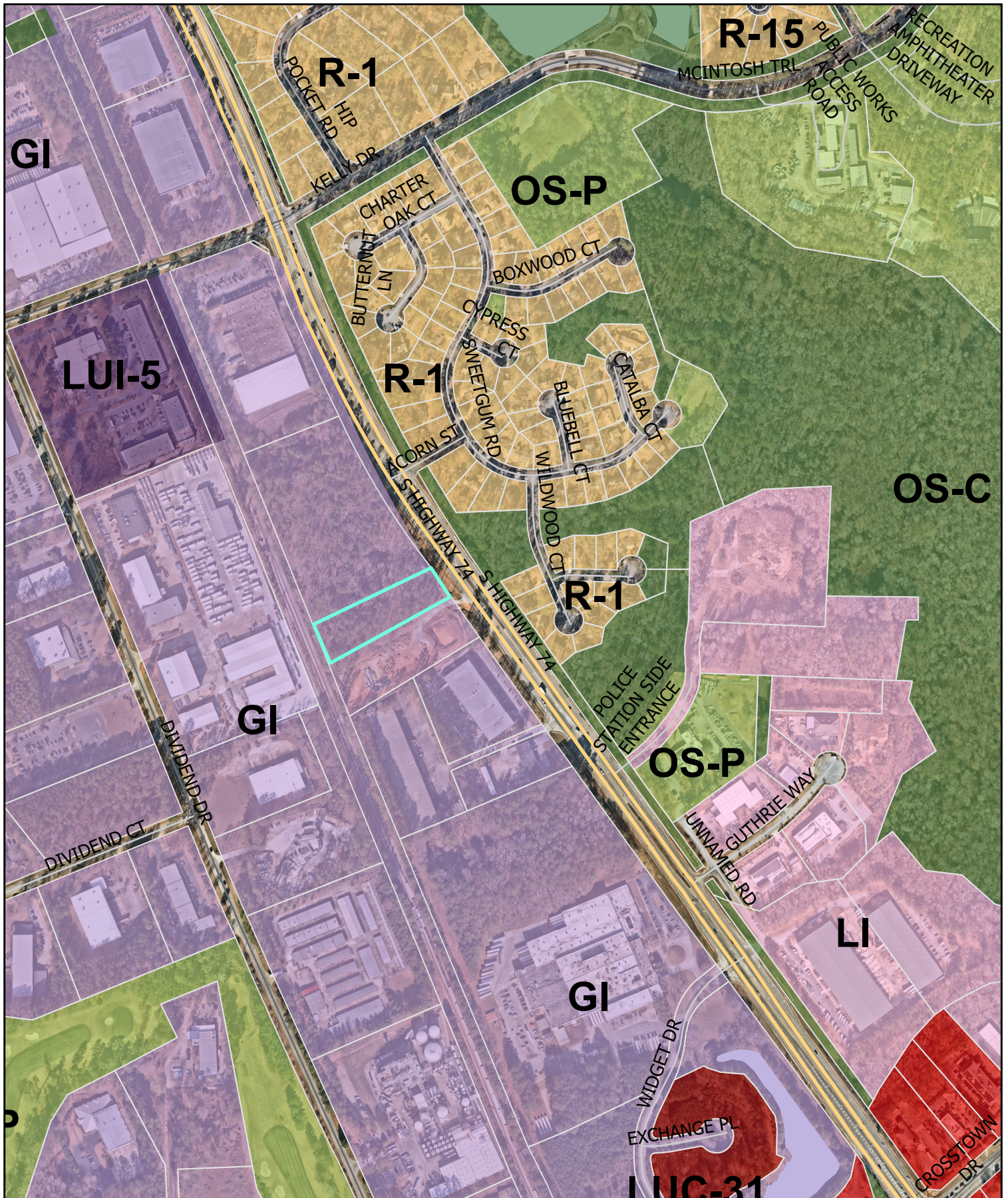
Staff feels the color selection is neutral and compatible with nearby development.

Budget Impact:

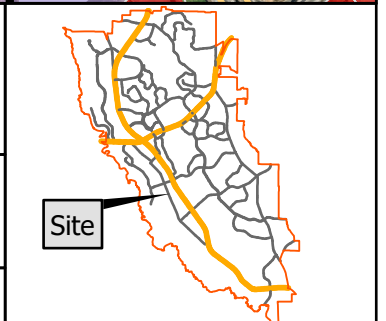
There are no budget impacts associated with this item.

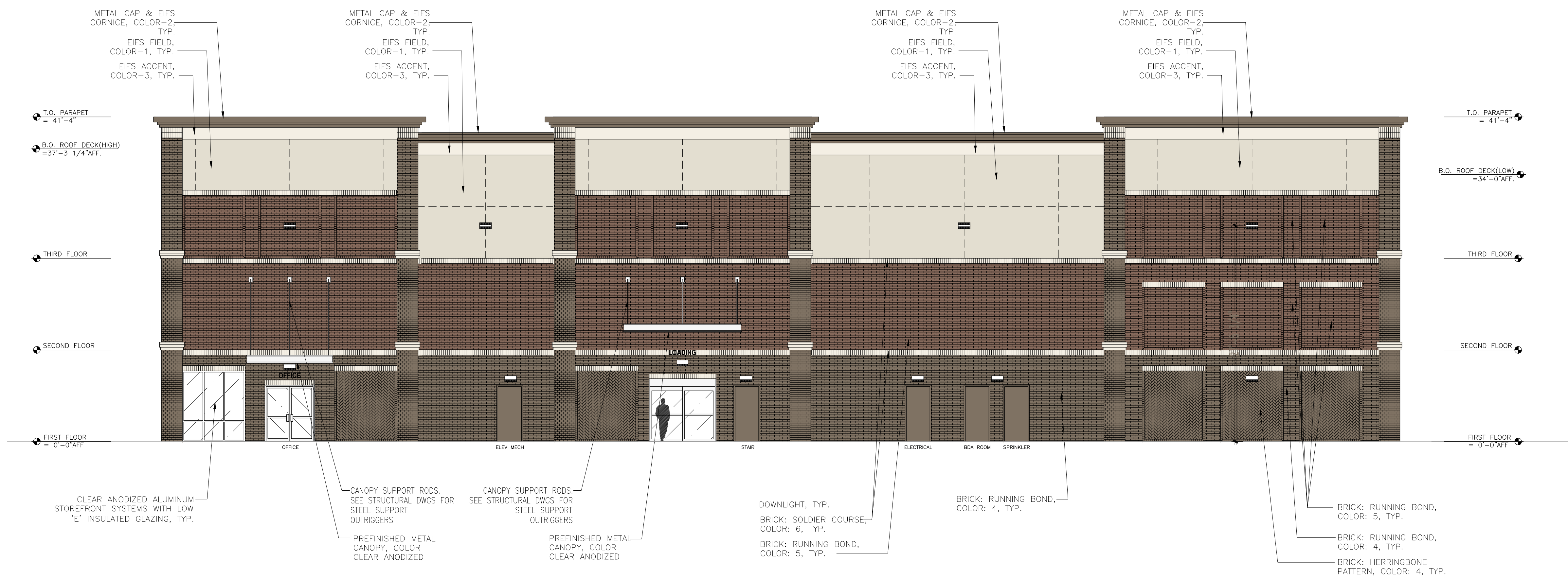
Attachments:

1. Zoning Map
2. Building Elevations
3. Building Materials



Zoning Map		
425 HWY 74 S		2024
For informational purposes only		

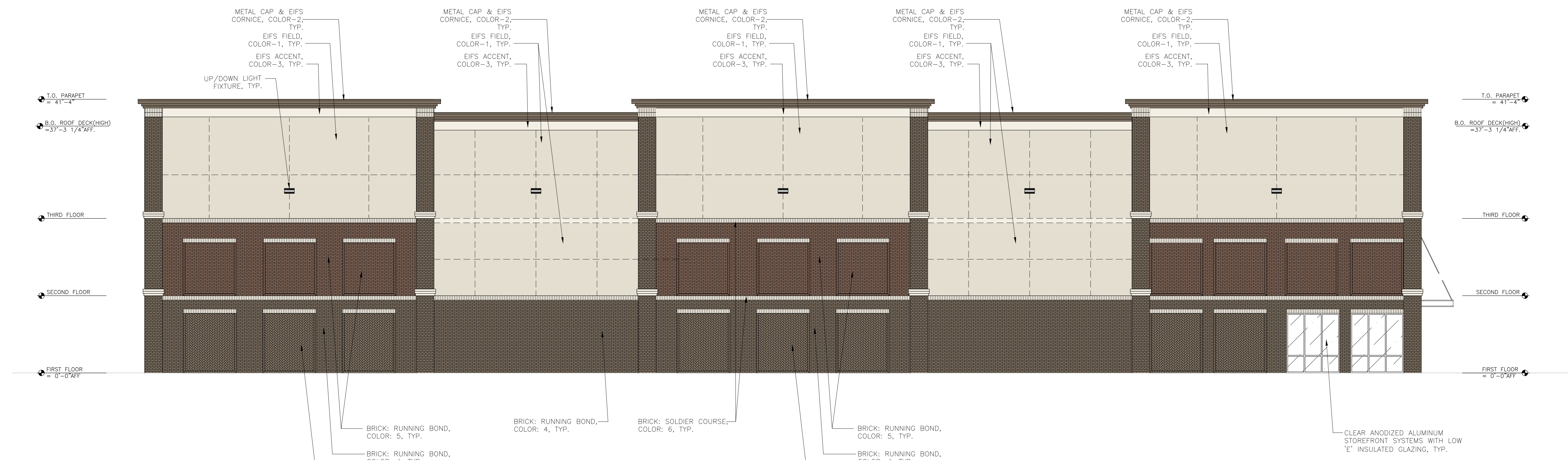




1 EAST ELEVATION (FRONT) - GA HWY 74- FINISHES
A-6.2 SCALE: 1/8" = 1'-0"

EXTERIOR FINISHES

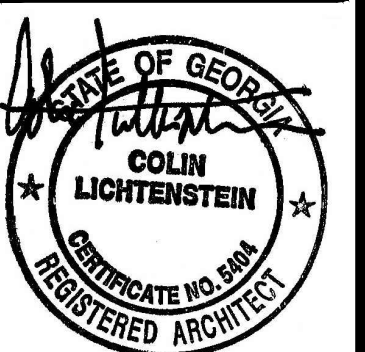
- COLOR-1: SHERWIN-WILLIAMS, NATURAL CHOICE, SW 7011
- COLOR-2: SHERWIN-WILLIAMS, LIBRARY PEWTER, SW 0038
- COLOR-3: SHERWIN-WILLIAMS, WHITETAIL, SW 7103
- COLOR-4: BRICK: QUEEN BRICK SIZE. COLOR: NORTH GEORGIA BRICK; EVEREST GRAY
- COLOR-5: BRICK: QUEEN BRICK SIZE. COLOR: NORTH GEORGIA BRICK; CASTLE ROCK TUDOR
- COLOR-6: BRICK: QUEEN BRICK SIZE, SOLDIER COURSE. COLOR: NORTH GEORGIA BRICK; OLD BAILEY
- COLOR-7: SHERWIN-WILLIAMS, QUARTERSAWN OAK, SW 2836
- CANOPIES: PREFINISHED METAL CANOPIES COLOR: CLEAR ANODIZED



2 SOUTH ELEVATION (LEFT) - FINISHES
A-6.2 SCALE: 1/8" = 1'-0"

REVISIONS	BY
09/15/23	
09/19/23	
10/16/23	

PRINTED
PERMIT
01-25-24



PROPOSED NEW BUILDING:
PEACHTREE CITY SELF STORAGE
CLIMATE CONTROLLED STORAGE
451-463 GA HWY 74 S
PEACHTREE CITY, GA 30269

SHEET TITLE
ELEVATIONS - FINISHES

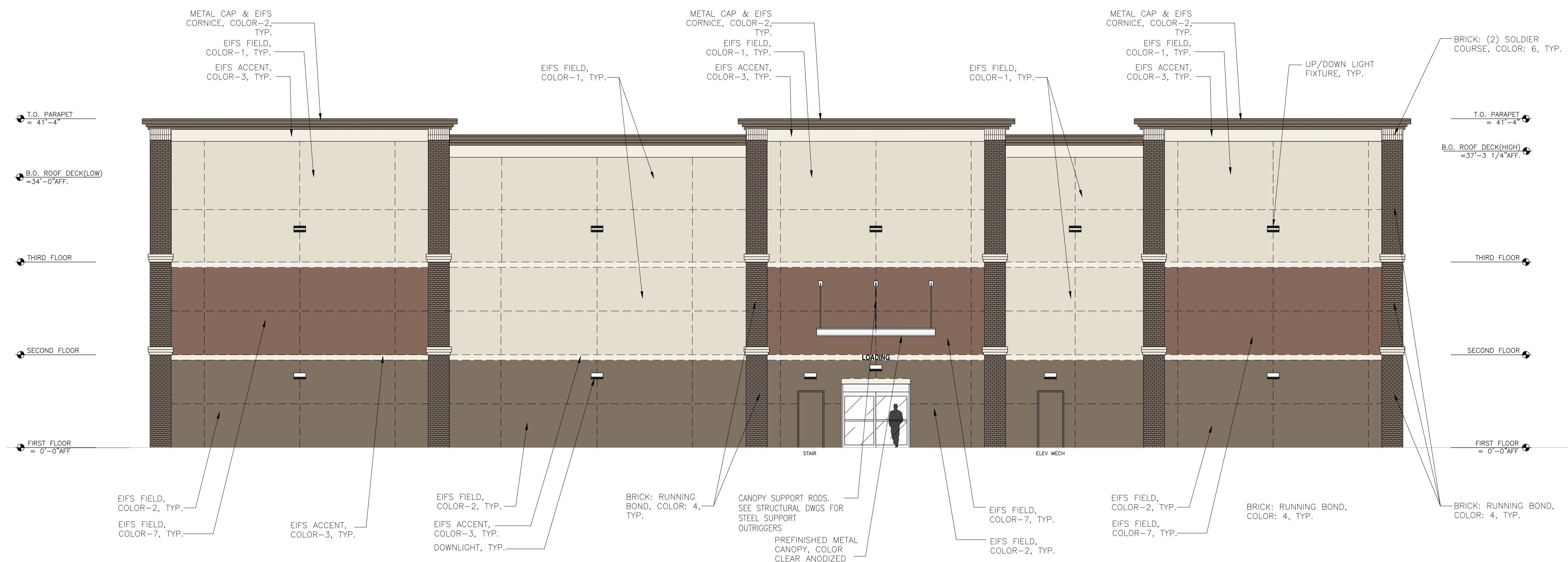
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CHECKED
DATE 10/20/23
SCALE AS NOTED
JOB NO. 0000
SHEET

A-6.2
OF SHEETS

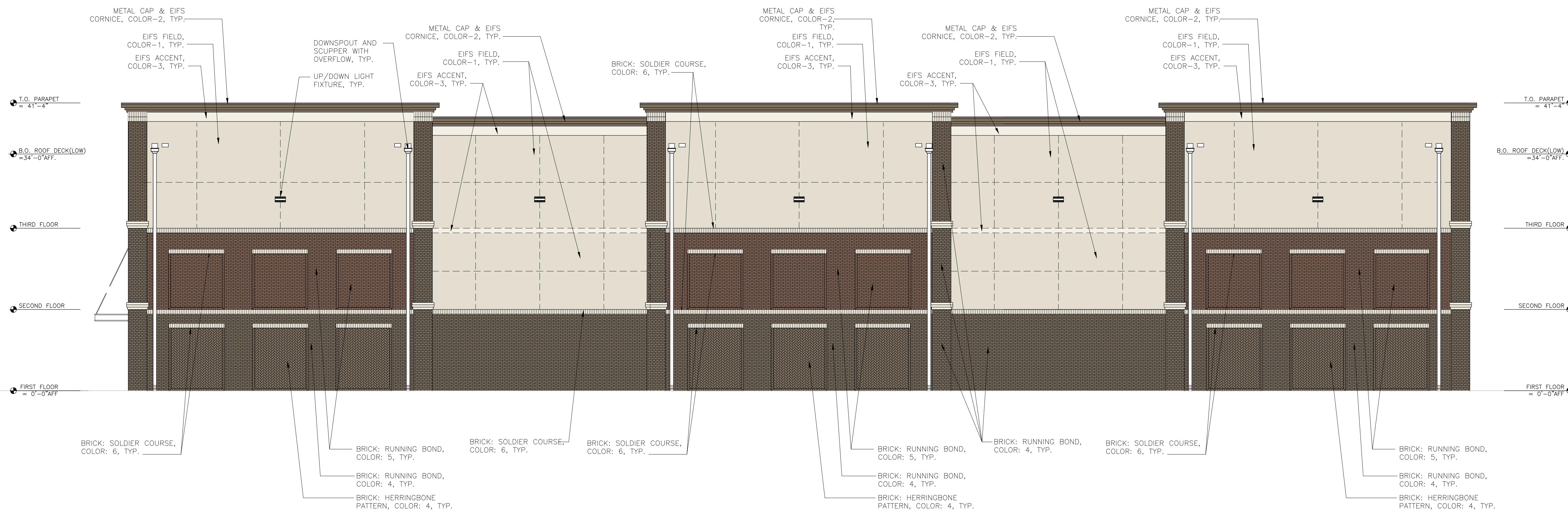
RELEASED FOR CONSTRUCTION

C.L. Architects and Associates

1150 LAKE HEARN DR - SUITE 150
ATLANTA, GA 30342 (404)303-7008



1 WEST ELEVATION (REAR)
A-6.1 SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION (RIGHT)
A-6.1 SCALE: 1/8" = 1'-0"

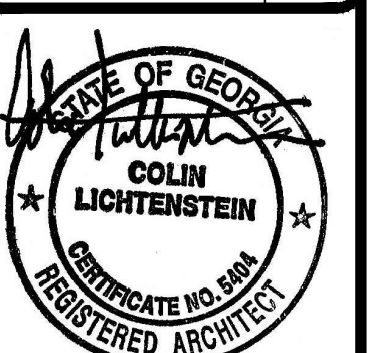
EXTERIOR FINISHES

- COLOR-1: SHERWIN-WILLIAMS, NATURAL CHOICE, SW 7011
- COLOR-2: SHERWIN-WILLIAMS, LIBRARY PEWTER, SW 0038
- COLOR-3: SHERWIN-WILLIAMS, WHITETAIL, SW 7103
- COLOR-4: BRICK: QUEEN BRICK SIZE. COLOR: NORTH GEORGIA BRICK; EVEREST GRAY
- COLOR-5: BRICK: QUEEN BRICK SIZE. COLOR: NORTH GEORGIA BRICK; CASTLE ROCK TUDOR
- COLOR-6: BRICK: QUEEN BRICK SIZE, SOLDIER COURSE. COLOR: NORTH GEORGIA BRICK; OLD BAILEY
- COLOR-7: SHERWIN-WILLIAMS, QUARTERSAWN OAK, SW 2836
- CANOPIES: PREFINISHED METAL CANOPIES COLOR: CLEAR ANODIZED

1150 LAKE HEARN DR - SUITE 150
ATLANTA, GA 30342 (404)303-7008

REVISIONS	BY

PRINTED
PERMIT 01-25-24



PROPOSED NEW BUILDING:
PEACHTREE CITY SELF STORAGE
CLIMATE CONTROLLED STORAGE
451-463 GA HWY 74 S
PEACHTREE CITY, GA 30269

SHEET TITLE
ELEVATIONS-FINISHES

DRAWN CSC
CHECKED
DATE 10/2023
SCALE AS NOTED
JOB NO. 0000
SHEET

A-6.3
OF SHEETS

RELEASED FOR CONSTRUCTION

C.L. Architects and Associates

PEACHTREE CITY SELF STORAGE

425 HWY 74 S

 North Georgia Brick, Everest Grey (Field Brick)	 North Georgia Brick, Castle Rock Tudor (Field Brick)
 North Georgia Brick, Old Bailey (Soldier Course)	
Paint Colors:	
SW 7011 Natural Choice EIFS (Field)	SW 0038 Library Pewter EIFS (Cornice, Field rear)
SW 7103 Whitetail EIFS (Accent)	SW 2836 Quartersawn Oak EIFS (Field rear)