



Administrative Variance Committee

Kim Learnard, Mayor
Justin Strickland, City Manager
Robin Cailloux, Planning & Development Director

Special Called Meeting Agenda

October 16, 2024 | 11:30 AM
City Hall

1. **Call to Order**
2. **Minutes**
 - A. June 21, 2024 Meeting Minutes
3. **New Items**
 - A. 236 Clifton Lane
4. **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 and are in compliance with Title VI of the Civil Rights Act of 1964. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA or need assistance per Title VI, please contact the City's Title VI and ADA Coordinator, Dr. Teaa Allston-Bing at (770) 632-4276 or e-mail tallston-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: Administrative Variance Committee
FROM: Robin Cailloux, Planning Director 10/10/2024
DATE: October 16, 2024
SUBJECT: 236 Clifton Lane

Discussion:

The Applicant is requesting relief in the form of an administrative variance from the rear setback requirement of the GR-4 zoning district which is 20 feet. The applicant is requesting to rebuild a deck that encroaches into the rear setback by 3.6 feet. The original deck was permitted and built in 2007.

The applicant applied for the administrative variance on September 3rd and paid for it on the 4th. This vests their application under the ordinances that were in place prior to the Council adoption of the new Administrative Variance ordinance on September 5th.

As part of the application, the Applicant has included a narrative, survey showing the deck location, approval letter from the HOA, and letters of support from adjacent property owners.

Administrative Variance Process Requirements

Section 1204 of the Peachtree City *Zoning Ordinance* lists the requirements to qualify for the administrative variance process for a proposed 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 homeowners' 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 homeowners' 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 (b) such that the request is to encroach into the rear setback by no more than 50% and they have provided written consent from the HOA and adjacent property owners.

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, which include the desire to “promote desirable living conditions and neighborhood stability.”

Budget Impact:

There is no budget impact associated with this item.

Attachments:

- 1. Applicant Narrative
- 2. Survey
- 3. HOA Approval
- 4. Letters of Support
- 5. Pictures

September 3 2024

Peachtree City Planning Department

Variance Request

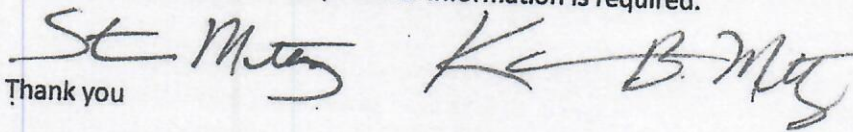
In 2007 we remodeled our deck to add a staircase from the upper to lower levels and added a small amount of space to the lower deck – squaring off the corner by the stairs, which previously was tapered like the other side. We pulled permits and made several revisions to that plan based on feedback from the City (such as tempered glass on windows next to the stairs and adding a graspable handrail). We don't know what, if any, changes have been made to the City's requirements, but in 2007 we didn't need to get a variance.

We apologize for having started this project without permits, we were led to believe our contractor had done so. At any rate, we want to rebuild the deck in the same footprint as the one we just tore down, except we will reduce the lower level slightly by going back to a tapered corner. We plan to use a Trex-like product (Deckorators) and a much nicer railing, so the result should be more attractive as well as requiring much less maintenance.

We opted to rebuild rather than replace some rotten wood and cleaning and re-staining another time as we've done in years past. Attached is a photo taken from the cart path behind our house - due to trees and bushes the deck isn't very visible and the new deck should be more attractive.

Also attached are letters from both of our neighbors stating that they support the issuance of the variance, approval from our HOA and a recent survey.

Please let us know if we any further information is required.



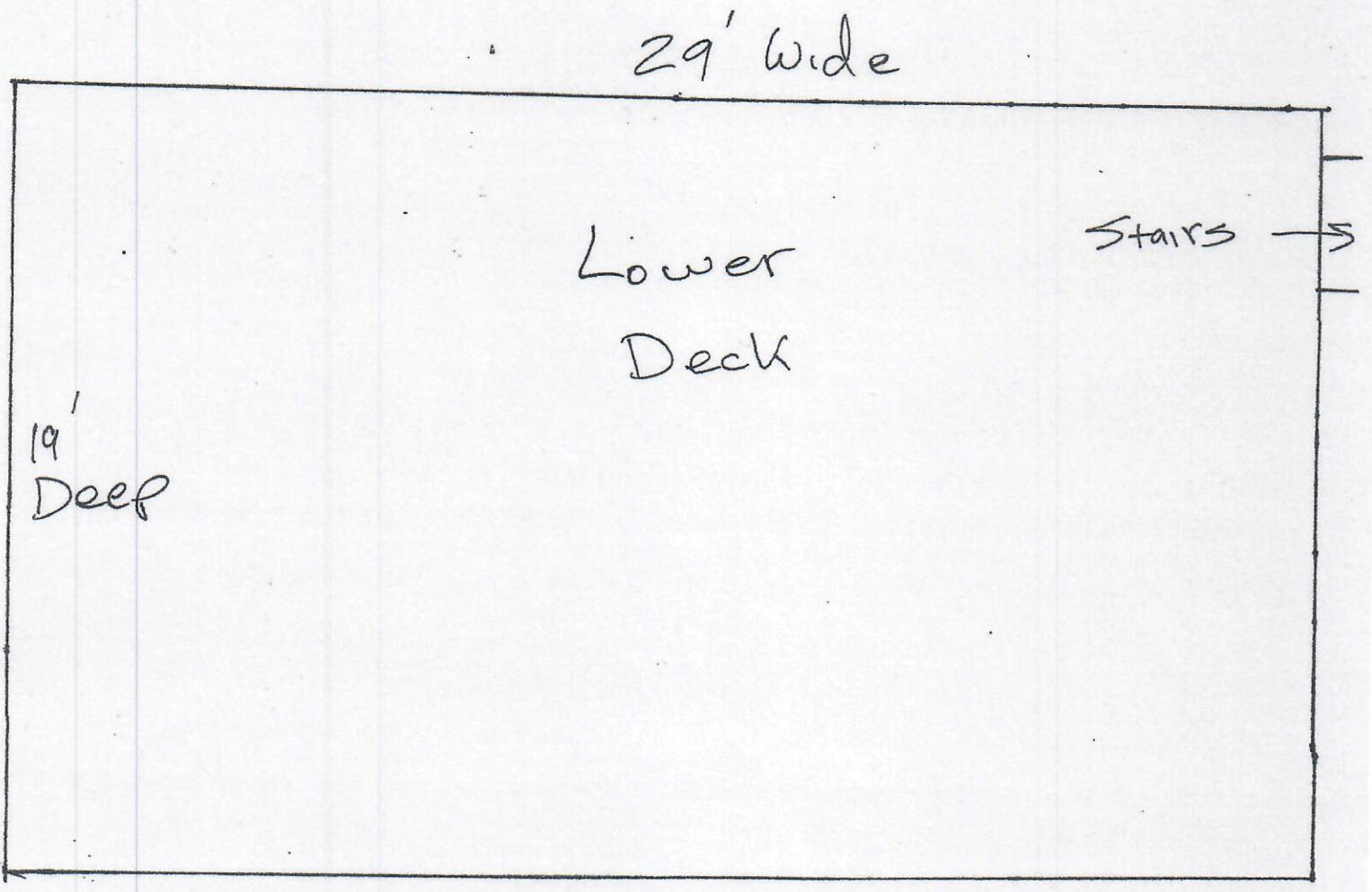
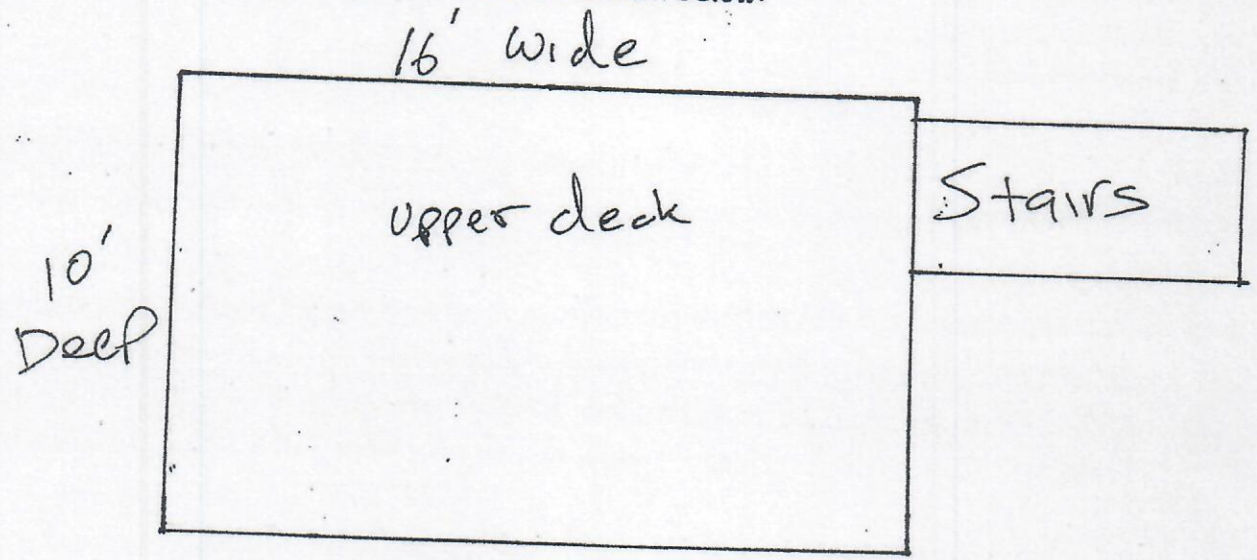
Thank you

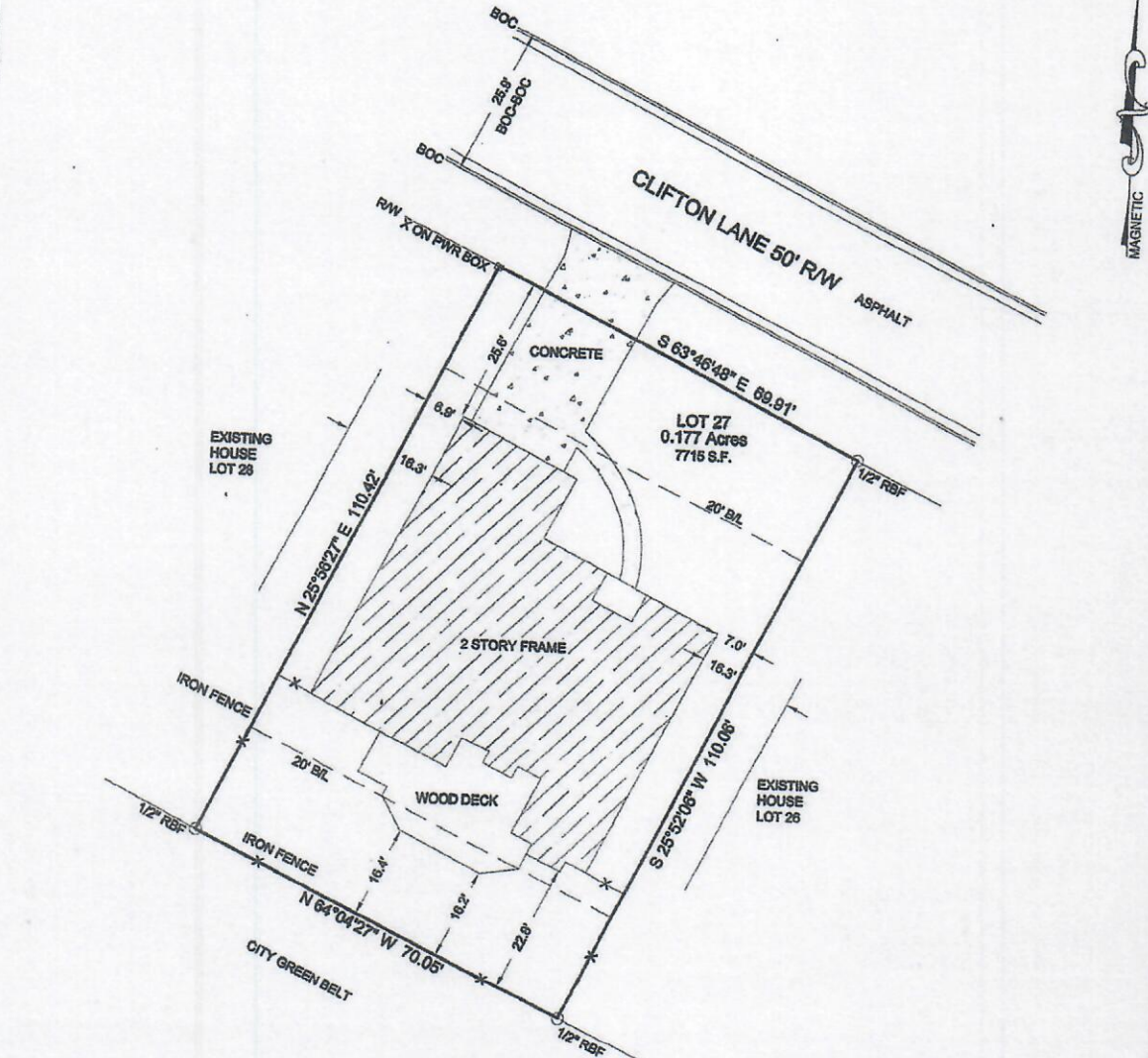
Steve & Kathy Metz

236 Clifton Lane

267-252-4274

We want to replace our existing upper & lower decks (and stairs). The current deck is made of wood, we will replace it with Deckorators (similar product to Trex). The color is called Mesa, it is a medium brown. The overall dimensions will be identical to the existing deck or slightly smaller. Dimensions of the existing structure are shown below:





CLOSURE STATEMENT
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 40,200 FEET AND AN ANGULAR ERROR OF 00° 00' 01" PER ANGLE POINT AND HAS BEEN ADJUSTED USING THE COMPASS RULE METHOD.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.

ANGULAR & LINEAR MEASUREMENTS WERE OBTAINED USING A LIECA TS02 TOTAL STATION & GEOMAX CHAMPION PRO GPS ON THE TRIMBLE NETWORK.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN WERE NOT SUPPLIED TO THIS OFFICE.

LEGEND

- B/L-BUILDING LINE
- CL-CENTERLINE
- CTP-CRIMP TOP PIPE
- D.B.-DEED BOOK
- D.E.-DRAINAGE EASEMENT
- ESMT.-EASEMENT
- EP-EDGE OF PAVEMENT
- F.W.P.D.-FIELD WORK PERFORMED DATE
- L.L.-LAND LOT
- L.L.L.-LAND LOT LINE
- N/F-NOW OR FORMERLY
- P.B.-PLAT BOOK
- PG.-PAGE
- P.O.B.-POINT OF BEGINNING
- F/H-FIRE HYDRANT
- RBF-REBAR FOUND
- RBS-REBAR SET
- R/W-RIGHT OF WAY
- U/P-UTILITY POLE
- O/H UTIL-OVERHEAD UTILITY LINES



FLOOD STATEMENT
 ACCORDING TO FEMA FLOOD INSURANCE RATE MAP OF FAYETTE COUNTY AND UNINCORPORATED AREAS DATED SEPTEMBER 26, 2008 MAP NUMBER 13113C0086E, NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA.

Prepared For:		STEVE METZ	
Subdivision: ARDENLEE PHASE II P.B. 28 PG. 13	Date: 08/30/24		
Scale: 1" = 20'	F.W.P.D.: 08/30/24	Job No: SA24-107A	
County: FAYETTE, GA	Land Lot: 165	District: 7 TH	



ARDENLEE COMMUNITY ASSOCIATION, INC
"A DESIGN STANDARD COMMUNITY"
MODIFICATION REQUEST FORM

Name: Steve + Kathy Metz

Date: 7-22-24

Address: 236 Clifton Ln

Phone:(Home) 267-252-4274

Email Address: _____

Phone:(Work) Same

MODIFICATION(S) REQUESTED

- A. Fence (include copy of plat with layout of fence)
Type: _____ Corner Lot: Yes ___ No ___
Height: _____ Connect/Adjacent to Existing Fence No ___
Style: _____ Yes ___ Type & Height of Existing _____
- B. Storage Building – include picture or sketch w/location, must match house.
- C. Decks (Include sketch and Materials)
- D. Satellite Dish (Must be placed out of view of street or least conspicuous place to receive signal.)
- E. Structure addition (include set of plans, must match house.)
- F. Other – Please circle and describe..
Pools & Spas(Location) Recreation(Materials & Location) Screening
Roof Repainting Tree Removal
Description: _____ Other

ARCHITECTURAL CONTROL COMMITTEE ACTION

Date received: 7/24/24 [] in person [] by mail

Date reviewed: 7/26/24

ARC reviewer(s): John McDonald
(within 10 days of receipt)

Date responded: 7/26/24

Approved [] Conditional Approval(*) [] Denied(*)
*Requires Explanation

FORM RETURN ADDRESS


E-mail to Brenda Patterson at bpatterson@camga.com; or Fax to 770-692-0156; or mail to:
Community Association Management, LLC
P.O. Box 143089
Fayetteville, GA 30214

September 3 2024

Peachtree City Planning Department

Re: Variance Request for 236 Clifton Lane

Please be advised that we consent to the variance request by our immediate neighbors at 236 Clifton Lane to rebuild the deck on the back of their house.



Gilberto Calderon Ponce

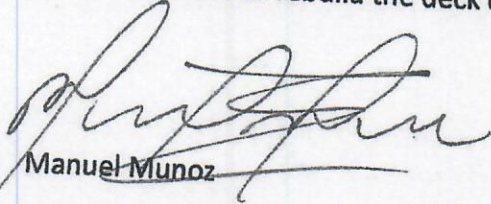
238 Clifton Lane

September 3 2024

Peachtree City Planning Department

Re: Variance Request for 236 Clifton Lane

Please be advised that I hereby consent to the variance request by our immediate neighbors at 236 Clifton Lane to rebuild the deck on the back of their house.



Manuel Munoz

234 Clifton Lane



