

CITY OF PEACHTREE CORNERS
ZONING BOARD OF APPEALS MINUTES
April 20, 2016

The City of Peachtree Corners held a Zoning Board of Appeals meeting. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Zoning Board of Appeals: Wayne Knox, Post B
 Marcia Brandes, Post A
 Amreeta Regmi, Post C - Absent
 Eric Christ, Post D
 James Blum, Post E

Staff: Diana Wheeler, Com. Dev. Director
 Jennifer Davis, Deputy City Clerk

MINUTES: Approval of February 17, 2016 Minutes.

MOTION TO APPROVE THE FEBRUARY 17, 2016 MINUTES

By: Eric Christ

Seconded: Marcia Brandes

Vote: (4-0) (Christ, Brandes, Knox, Blum)

NEW BUSINESS:

1. V2015-010 4038 Grove Hill Ct.

Request Variance to Zoning Code Article X, Off-Street Parking, Section 1001-5(b), for property located at 4038 Grove Hill Ct., Peachtree Corners, Ga., 6th Dist., LL314, Parcel 152 in order to park a recreational vehicle in the side yard instead of the required rear yard.

Diana Wheeler, Community Development Director, provided background information regarding the applicant's request. The applicant's property is located off Spalding Drive in the Spalding Corners subdivision. The applicant requests a variance in order to allow their recreational vehicle to remain parked in their side yard, approximately 5 ft. from their property line. Zoning regulations restrict the locations where recreational vehicles can be parked in residential areas, as follows: Any recreational vehicle or any non-motor vehicle may only be parked in a carport, enclosed structure, or in the rear yard. The property owners keep a recreational vehicle (motor home) parked at the end of their driveway to the side of their single family home. The motor home is situated immediately adjacent to the existing garage and is parked approximately 5 ft. from their property line and the neighboring property.

The applicant has a diamond shaped lot with a narrow frontage, a steep drive, and a wooded backyard. As can be seen from the photographs, there is a grouping of trees located between the end of the driveway and the rear yard. The property's configuration and existing landscaping would make it difficult to maneuver the motor home behind the house and place it in the rear yard as the code requires. If the applicant has to relocate the RV behind their home, they will be required to remove several existing trees and shrubs that add value to their property and the neighborhood.

If they were to build an enclosure to screen the motor home, it would negatively affect the aesthetics of the home and, by extension, its value. Such an enclosure would necessarily be much taller than the motor home in order to allow for the vehicle to access the enclosure onto a steep driveway. This means that the enclosure would be much more visible than the vehicle it is intended to screen and, therefore, more of a visual intrusion into the neighborhood. After reviewing the applicant's request and the variance criteria, Staff finds that maintaining the camper in its current location can be justified.

Christina & Vonley Starkey, applicant, spoke briefly regarding the variance application.

Chairman Knox opened the floor to anyone wanting to speak in favor or opposition to the application. Mark Shepherd, Bryan Kennedy, and Catherine Reuther spoke in opposition to the variance application. Dan Huber, Terri Huber, and Jeff Francis spoke in favor to the variance application.

A motion was made after discussion concerning, among other items, hardship of topography, no opposition from any close neighbors, and sunsetting the variance request.

BASED ON A THOROUGH REVIEW OF THE ENTIRE RECORD AND THE HEARING BEFORE THIS BODY, I MOVE THAT THE ZONING BOARD OF APPEALS MAKE THE FOLLOWING FINDINGS AND CONCLUSIONS AND APPROVE THE APPLICATION BEFORE IT; FIRST, THERE ARE EXTRAORDINARY OR EXCEPTIONAL CONDITIONS PERTAINING TO THIS PARTICULAR PROPERTY; TWO, THE CONDITIONS OF THE ZONING RESOLUTION AS APPLIED TO THIS PROPERTY ARE NOT THE RESULT OF ANY ACTIONS OF THE PROPERTY OWNER; THREE, THE CONDITION OF THE PROPERTY, ITSELF, IS NOT THE RESULT OF THE ACTIONS OF THE PROPERTY OWNER; FOUR, THE APPLICATION, IF GRANTED, WOULD NOT CAUSE SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD; FIVE, A LITERAL ENFORCEMENT OF THE ZONING RESOLUTION WILL RESULT IN UNNECESSARY HARDSHIP TO THE APPLICANT; AND SIX, GRANTING OF THIS APPLICATION WILL NOT RESULT IN A DETRIMENT TO THE PUBLIC SAFETY OR WELFARE; I FURTHER MOVE THAT THIS VARIANCE BE GRANTED WITH A CONDITION THAT IT EXPIRE (SUNSET) UPON TRANSFER OF PROPERTY TO A NEW OWNER.

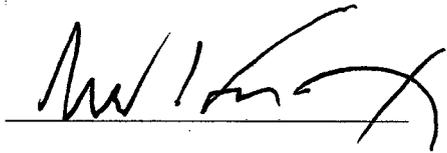
By: Eric Christ
Seconded: Marcia Brandes
Vote: (4-0) (Christ, Brandes, Knox, Blum)

CITY BUSINESS ITEMS:

Diana Wheeler, Community Development Director, gave an update on the Town Center, Town Green, Botanical Garden, Multi-Use Trail, and Peachtree Parkway Bridge.

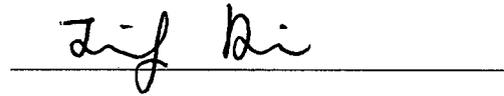
The Zoning Board of Appeals meeting concluded at 9:01 PM.

Approved,



Wayne Knox, Chairman

Attest:



Jennifer Davis, Deputy City Clerk

