

City of Sugar Hill  
Planning Staff Report  
VAR 17-003



**DATE:** Updated April 26, 2017 April 18, 2017  
**TO:** Mayor and City Council  
**FROM:** Planning Director *KA*  
**SUBJECT:** Variance for metal siding on storage building.  
Linda and Robert Johnson, 1005 J. Dorothy Place

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RECOMMENDED ACTION

- *Approve variance with the condition that the accessory building be painted to match the principal building color.*

**ISSUE** The City of Sugar Hill received an application dated March 15, 2017 from Linda and Robert Johnson requesting a variance of the requirement for metal siding on a 12' X 16' storage building already constructed in the rear yard of their property at 1005 J. Dorothy Place, Sugar Hill, Georgia.

DISCUSSION

- In response to recent feedback, planning staff reviewed the use restrictions associated with minor accessory buildings and is recommending that City Council consider amending its ordinance. The planning staff will plan to present a text amendment for consideration at the June Planning Commission and July City Council meetings.
- The current restrictions regarding smaller accessory buildings are significantly more restrictive than Gwinnett County and neighboring cities in regards to materials and exterior surface treatments.
- The applicants purchased the property in October 2016 and have stated they were unaware that a permit was required and of the size limits associated with accessory structures.
- A **192 square feet** green storage building with **metal siding** has been placed in the rear yard without a permit. According to the applicant, the green color was selected to match the shutters and front door of the home.
- Because the floor area of the storage building **exceeds 120 square feet** the Zoning Ordinance (Section 407 Restrictions on Accessory Uses) requires its exterior to be constructed of **wood, fiber cement, brick or stone siding.**

BACKGROUND

Applicant / Owner: Linda and Robert Johnson  
Existing Zoning: Low Density Single Family Residential (RS-150)  
Request: Allow the 12' X 16' green galvanized steel accessory use structure to remain as constructed in the rear yard.

Purpose: Avoid financial hardship of removing structure.  
Property Size: ± 0.340 Acres  
Location: 1005 J. Dorothy Place, Tax Parcel #7-306-218  
Public Notice: Sign Posted on 3-22-17. Ad in Gwinnett Daily Post on 3/22/17.  
Public Response: Rosemary Walsh, nearby resident, is opposed to the request (3/28/2017).

#### FINDINGS OF FACT

The property in question was purchased by Linda and Robert Johnson in October 2016. It is located on a corner lot in the Sugar Hill Plantation Subdivision and has road frontage on Connor Miles Drive, J. Dorothy Place, and Old Cumming Road NE. The front of the home faces J. Dorothy Place. The building is situated on the side of the property closest to Old Cumming Road in the rear yard.

#### VARIANCE CRITERIA

***a. Are there extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography?***

No. While lots with more than two frontages are less common, corner lots with multiple frontages do occur in many neighborhoods.

***b. Does application of the Ordinance to this particular piece of property create an unnecessary hardship?***

No. The ordinance does not prohibit the use itself only places reasonable restrictions on the design and construction of customary residential accessory structures.

***c. Are there conditions peculiar to the particular piece of property involved?***

Yes, the property is adjacent to a public road on three sides.

***d. Are these conditions the result of any actions of the property owner?***

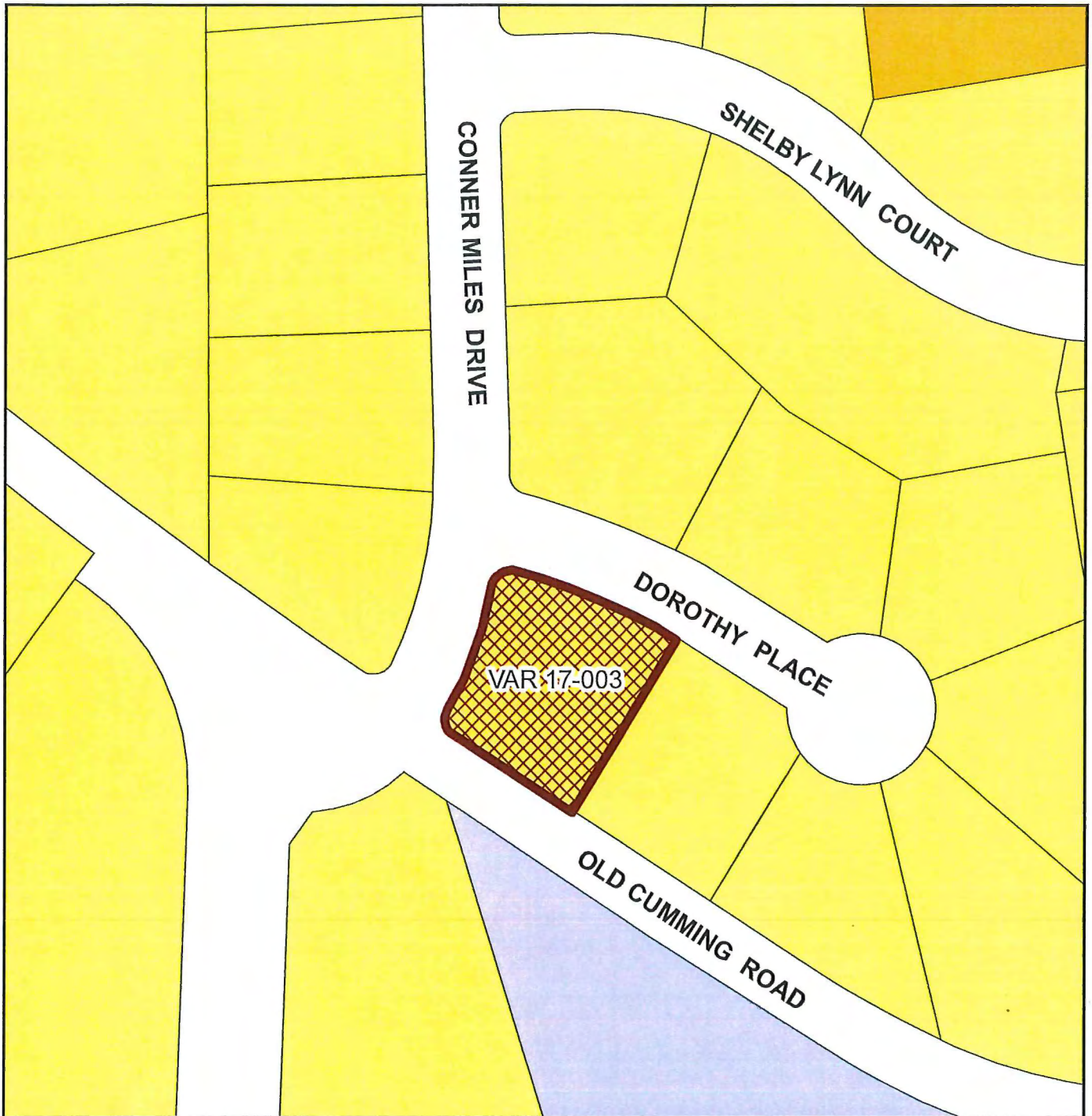
No.

***e. Would relief, if granted, cause substantial detriment to the public good or impair the purposes or intent of this Ordinance?***

Yes. The purpose of the requirement is to maintain consistent visual character within residential zoning districts. As such, larger accessory buildings have been restricted to materials more commonly found on principal residential buildings. The shed is visible from the public right-of-way on N. Old Cumming Road and neighboring properties and does not appear to match the residential character of the neighborhood.




**Variance Case**  
**VAR 17-003**

**Applicant:** Linda and Robert Johnson  
**Zoning:** RS-150 **Location:** 1005 J. Dorothy Place  
**Request:** Allow 12' x 16' galvanized metal shed in rear yard



**Legend**

**Zoning District**

-  RS150-Low Density Single Family Residential
-  RS100-Medium Density Single Family Residential
-  LM-Light Manufacturing

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1 inch = 100 feet





To whom it may concern:

We have recently purchased our home in Sugar Hill.

Our subdivision has no HOAs we did not know we had to obtain a building permit for our outside storage building.

Our storage building is made of high grade steel it will not fall down or fade over the years. It does not have power, heat, or water, its only use is storage. We estimate the building is worth about \$3,000<sup>00</sup>.

It is our intention to continue improving our home. Since our moving to Sugar Hill several months ago we have spent approximately \$9,000 in repairs & improvements and site spending.

We do not feel our building is an eyesore to our neighborhood and we ask you

to please accept our application  
for a variance.

We are older and in poor health.  
We have most of the work  
done on our home by professionals.

Thank you

Robert + Linda  
Johnson

P S We chose the color green  
for our 12 X 16 storage  
building, because it matches the  
shutters + door of front of our home.

In reference to a previous letter, I would like to share with the city more information.

We store my disabled equipment in our shed. The equipment cannot be stored in the garage because our vehicle has to be parked in garage. Our driveway is elevated. I cannot enter or exit the truck parked in driveway. It is very dangerous that I might fall. The floor in the garage is level.

It would be very difficult to live without my equipment or access to my garage.

We were traveling on Austin Lammers Road last week. We saw several metal storage sheds with - in a mile of our home. These buildings were similar to the size of our building but were constructed of a lesser quality of metal than our building.

Sincerely,

Juda Johnson





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