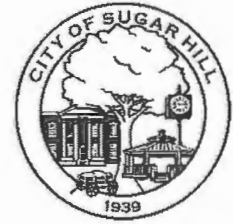


City of Sugar Hill  
Planning Staff Report  
VAR 17-005



**DATE:** June 22, 2017; *Updated July 31, 2017*  
**TO:** Mayor and City Council  
**FROM:** Planning Director *KA*  
**SUBJECT:** Variance Request VAR 17-005 | Sugar Hill Auto Collision –  
Gravel employee parking

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RECOMMENDED ACTION

**Denial.**

**ISSUE** The City of Sugar Hill received an application dated May 24, 2017 from Sugar Hill Auto Collision requesting a variance to leave the gravel construction exit in place to be used as an employee parking lot.

DISCUSSION

- *The applicant has recently acquired the property at 5255 Nelson Brogdon Boulevard (Lanphear Motorsports) and initiated a request for a commercial driveway on Old Cumming Road to facilitate inter-parcel access from the Sugar Hill Auto Collision facility to Highway 20.*
- *The applicant has stated they only need the gravel on a temporary basis because they intend to develop the remaining property at 1090 Old Cumming Road (Sugar Hill Auto Collision) within the next one to two years.*
- *Should the Council wish to consider a conditional approval of the variance which would allow the gravel parking area to remain until the remaining property is developed, staff recommends the following conditions:*
  1. *The gravel parking area shall be allowed to remain for a period of time not to exceed 12 months or such time as the applicant secures a land disturbance permit for future development, whichever occurs earlier.*
  2. *The gravel surface shall be less than 10,000 square feet in area, maintained to a uniform depth of at least two (2) inches of crusher run or stone aggregate not larger than #57 stone; and kept free of debris, weeds and uneven holes or depressions; and be contained with concrete vertical curbing or minimum twelve inch height earthen berm; and graded to ensure storm water runoff does not violate storm water management requirements.*
  3. *Said gravel parking area shall be incorporated as a revision to the approved site development plans and storm water management report in accordance with standard development review policies.*
  4. *The gravel parking is intended to accommodate employee vehicles and is to be clearly posted "Employees Only".*
  5. *Landscaping or a 6' opaque privacy fence shall be provided to effectively screen the parking lot as viewed from Highway 20.*

- The Zoning Ordinance Article 11, Section 1101 requires all off-street parking lots whether public or private, for five (5) or more passenger or commercial vehicles to be concrete, asphalt, or another approved paving material.
- Within HM-1, graveled surface lots are allowed as storage yards for off-road construction equipment, with certain provisions, but not allowed solely for employee parking.
- Applicant plans to screen the parking lot with a privacy fence.
- This property is adjacent to Highway 20 and sits much lower than the grade of the road. Therefore, even with a privacy fence the parking lot will be visible from the street.

## BACKGROUND

Applicant / Owner: Sugar Hill Auto Collision – Kevin Morland and Doug Duffee

Existing Zoning: Heavy Manufacturing District (HM-1)

Request: To allow existing gravel to remain for employee parking.

Property Size: ± 3.05 Acres

Location: 1090 Old Cumming Road, Tax Parcel's #7-306-045, 7-306-046, & 7-306-091

Public Notice: Sign Posted on 6/21/17. Ad in Gwinnett Daily Post on 6/21/17.

## FINDINGS OF FACT

The property in question is the site of an automotive auto body repair and painting facility, zoned HM-1.

The gravel area was put in place for the construction of the new automotive body repair and painting facility as a construction exit for shipping and staging of construction materials.

The applicant is requesting to leave the gravel area and screen with a privacy fence to allow for employee parking.

## VARIANCE CRITERIA

The applicant is requesting to continue to use the 100' X 90' gravel lot for employee parking. The applicant intends to add a privacy fence to screen the area.

There are no special conditions or circumstances existing on the property peculiar to the land, structure, or building(s) involved that are not applicable to other lands, structures, or building in the same vicinity.



The Zoning Ordinance does not allow gravel parking for more than five parking spaces.

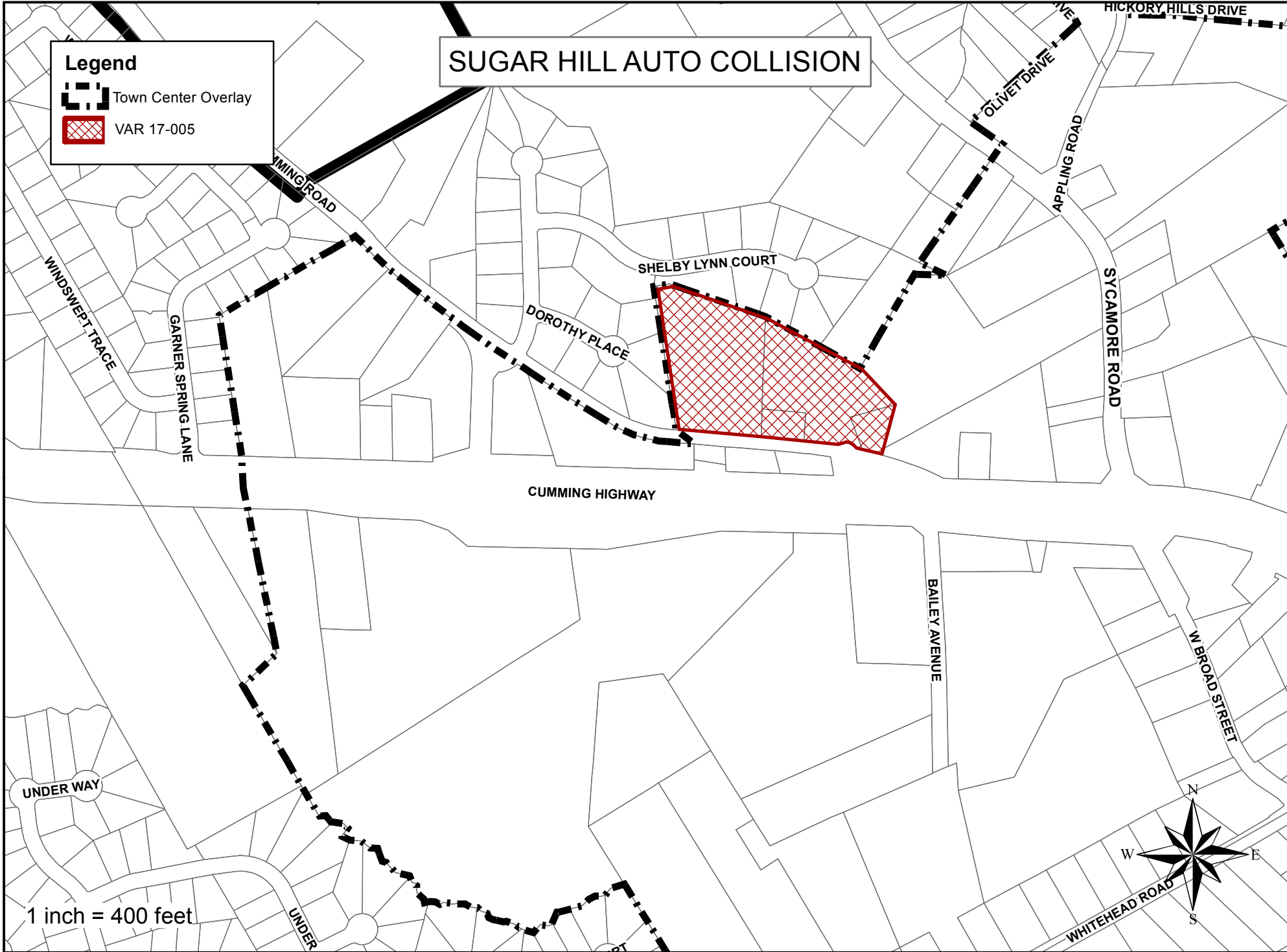
This property is adjacent to Highway 20 and sits much lower than the grade of the road. Therefore, even with a privacy fence, the parking lot will be visible from the street. Sufficient justification has not been provided to allow a variance for the applicant and the granting of this variance would set precedent to allow gravel parking lots on other properties throughout the city.

There are no special conditions and circumstances prohibiting the applicant from complying with the Zoning Ordinance requirements.

# SUGAR HILL AUTO COLLISION

**Legend**

-  Town Center Overlay
-  VAR 17-005



1 inch = 400 feet



## Letter of Intent

To whom it may concern,

This letter is to justify the application for a variance for 1090 N. Old Cumming Rd. Sugar Hill GA, 30518. There is a current gravel lot located on the property that was used for the shipping and staging of construction materials for the building located at this address. The variance request is to convert that lot into a area for employee parking during the day. The proposed lot would be fenced with privacy screen so that it does not impede the appearance to the community and surrounding neighbors. I feel this request is justified because the zoning of this property allows for this type of use along with the fact that gravel lots are already being used by surrounding properties. In addition, this will allow me to continue to better serve my customers and members of this community.

Sincerely,

Kevin Moreland  
President  
Sugar Hill Auto Collision



**SURVYOR'S NOTES**

1. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS PER THE FLOOD INSURANCE RATE MAP OF SUGAR HILL, GA. COUNTY, DATE 12/13/2014. OFFICIAL DATED MARCH 4, 2013. THE OFFICE IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OR DIMENSIONS OF THE FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED SURVEY AND RECORD, THIS FIRM ASSUMES NO LIABILITY FOR THE ACCURACY OF THE REFERENCED MAP OR PUBLIC DATA.
2. THIS SURVEY WAS PROVIDED ON THE GEORGIA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, NAD 83, HORIZON ANGLE OF VIEW OF 180 DEGREES. THE SCALE FACTOR FOR THIS STATE IS 0.9999999999. THE GEODETIC DATUM IS THE 1983 INTERNATIONAL DATUM. ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES UNLESS OTHERWISE STATED.
3. CONSTRUCTION EQUIPMENT USED FOR MEASUREMENT WAS A TOPCON PS 100 GPS EQUIPMENT USED FOR MEASUREMENT WAS A CHRYSLER 2010 TRUCK EQUIPPED WITH REALTIME KINEMATIC OBSERVATIONS PROCESSED THROUGH THE SURVYOR'S INSTRUMENT.
4. THE ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL SYSTEM OF 1988 (NAVD 88) AND WERE OBTAINED BASED ON FIELD LOCATED SPOT ELEVATIONS AND ARE SUBJECT TO 2-FOOT VERTICALS.
5. THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLASBIE PRECISION OF ONE FOOT IN 30,000 FEET AND AN ANGULAR CLASBIE OF 0.0007" PER HUNDRED FEET, AND WAS OBTAINED USING LEAST SQUARES FIELD PARTY C.P. & J.J.
6. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 20,000 FEET.
7. THIS SURVEY WAS PROVIDED WITHOUT THE BENEFIT OF TITLE RECORD AND IS SUBJECT TO ANY REVERSIONS, RESTRICTIONS, EASEMENTS AND ENCUMBRANCES OF RECORD.
8. THIS PLAN OF SURVEY IS FOR THE EXCLUSIVE USE OF THE PARTIES LISTED UNDER THE CAPTION "SURVYOR FOR" ANY THIRD PARTY USE TO BE AT THEIR OWN RISK.

**STATE WATERS BUFFERS**

THE SURVYOR HAS REVIEWED THE CITY AND STATE REGULATIONS AND HAS DETERMINED THAT THE FOLLOWING ARE THE REGULATIONS THAT APPLY TO THIS PROPERTY:

- 1. THE SURVYOR HAS REVIEWED THE CITY AND STATE REGULATIONS AND HAS DETERMINED THAT THE FOLLOWING ARE THE REGULATIONS THAT APPLY TO THIS PROPERTY:
- 2. THE SURVYOR HAS REVIEWED THE CITY AND STATE REGULATIONS AND HAS DETERMINED THAT THE FOLLOWING ARE THE REGULATIONS THAT APPLY TO THIS PROPERTY:

**WETLANDS CERTIFICATION**

THE SURVYOR HAS REVIEWED THE CITY AND STATE REGULATIONS AND HAS DETERMINED THAT THE FOLLOWING ARE THE REGULATIONS THAT APPLY TO THIS PROPERTY:

- 1. THE SURVYOR HAS REVIEWED THE CITY AND STATE REGULATIONS AND HAS DETERMINED THAT THE FOLLOWING ARE THE REGULATIONS THAT APPLY TO THIS PROPERTY:
- 2. THE SURVYOR HAS REVIEWED THE CITY AND STATE REGULATIONS AND HAS DETERMINED THAT THE FOLLOWING ARE THE REGULATIONS THAT APPLY TO THIS PROPERTY:

- LEGEND**
- A.P. - ASSE FOUND
  - A.M.F. - ALUMINUM MOMENT FOUND
  - C.P. - CONCRETE POINT FOUND
  - D.P. - DROP POINT
  - E.P. - ELEVATION POINT
  - F.P. - FENCE FOUND
  - G.P. - GROUND PENETRATING RADAR FOUND
  - H.P. - HOLE FOUND
  - I.P. - IRON PIPE FOUND
  - J.P. - JUNCTION FOUND
  - K.P. - KICK FOUND
  - L.P. - LIGHT POLE
  - M.P. - METER FOUND
  - N.P. - NAIL FOUND
  - O.P. - OTHER POINT FOUND
  - P.P. - POWER POLE FOUND
  - Q.P. - QUARTER POINT FOUND
  - R.P. - RAILROAD POINT FOUND
  - S.P. - SIGN FOUND
  - T.P. - TELEPHONE POLE FOUND
  - U.P. - UTILITY POINT FOUND
  - V.P. - VALVE FOUND
  - W.P. - WATER POINT FOUND
  - X.P. - X-MARK FOUND
  - Y.P. - Y-MARK FOUND
  - Z.P. - Z-MARK FOUND
  - AA.P. - ALUMINUM ANGLE FOUND
  - BB.P. - BRASS FOUND
  - CC.P. - CONCRETE FOUND
  - DD.P. - DUCTILE IRON FOUND
  - EE.P. - ENAMEL FOUND
  - FF.P. - FIBER OPTIC FOUND
  - GG.P. - GALVANNEAL FOUND
  - HH.P. - HOLLOW FOUND
  - II.P. - IRON FOUND
  - JJ.P. - JUNCTION FOUND
  - KK.P. - KICK FOUND
  - LL.P. - LIGHT FOUND
  - MM.P. - METER FOUND
  - NN.P. - NAIL FOUND
  - OO.P. - OTHER FOUND
  - PP.P. - POWER FOUND
  - QQ.P. - QUARTER FOUND
  - RR.P. - RAILROAD FOUND
  - SS.P. - SIGN FOUND
  - TT.P. - TELEPHONE FOUND
  - UU.P. - UTILITY FOUND
  - VV.P. - VALVE FOUND
  - WW.P. - WATER FOUND
  - XX.P. - X-MARK FOUND
  - YY.P. - Y-MARK FOUND
  - ZZ.P. - Z-MARK FOUND

**TAX PARCEL NUMBERS**

- THE PARCEL, No. 73 08 048
- ADDRESS 1008 OLD CUMMING ROAD BUFORD, GEORGIA 30818
- THE PARCEL, No. 73 08 048
- ADDRESS 1008 OLD CUMMING ROAD BUFORD, GEORGIA 30818
- THE PARCEL, No. 73 08 041
- ADDRESS 1008 OLD CUMMING ROAD BUFORD, GEORGIA 30818

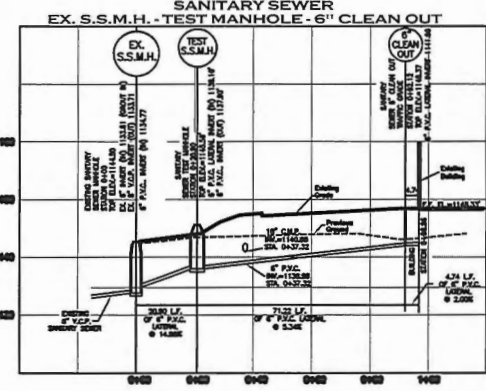
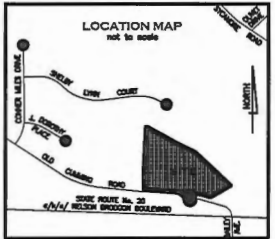
AREA: 3.05 ACRES

**REFERENCES**

1. DEED BOOK 83844, PAGE 888
2. DEED BOOK 83844, PAGE 888
3. DEED BOOK 21722, PAGE 6
4. DEED BOOK 41, PAGE 1008
5. DEED BOOK 83183, PAGE 234
6. DEED BOOK 2861, PAGE 338
7. DEED BOOK 13, PAGE 1004

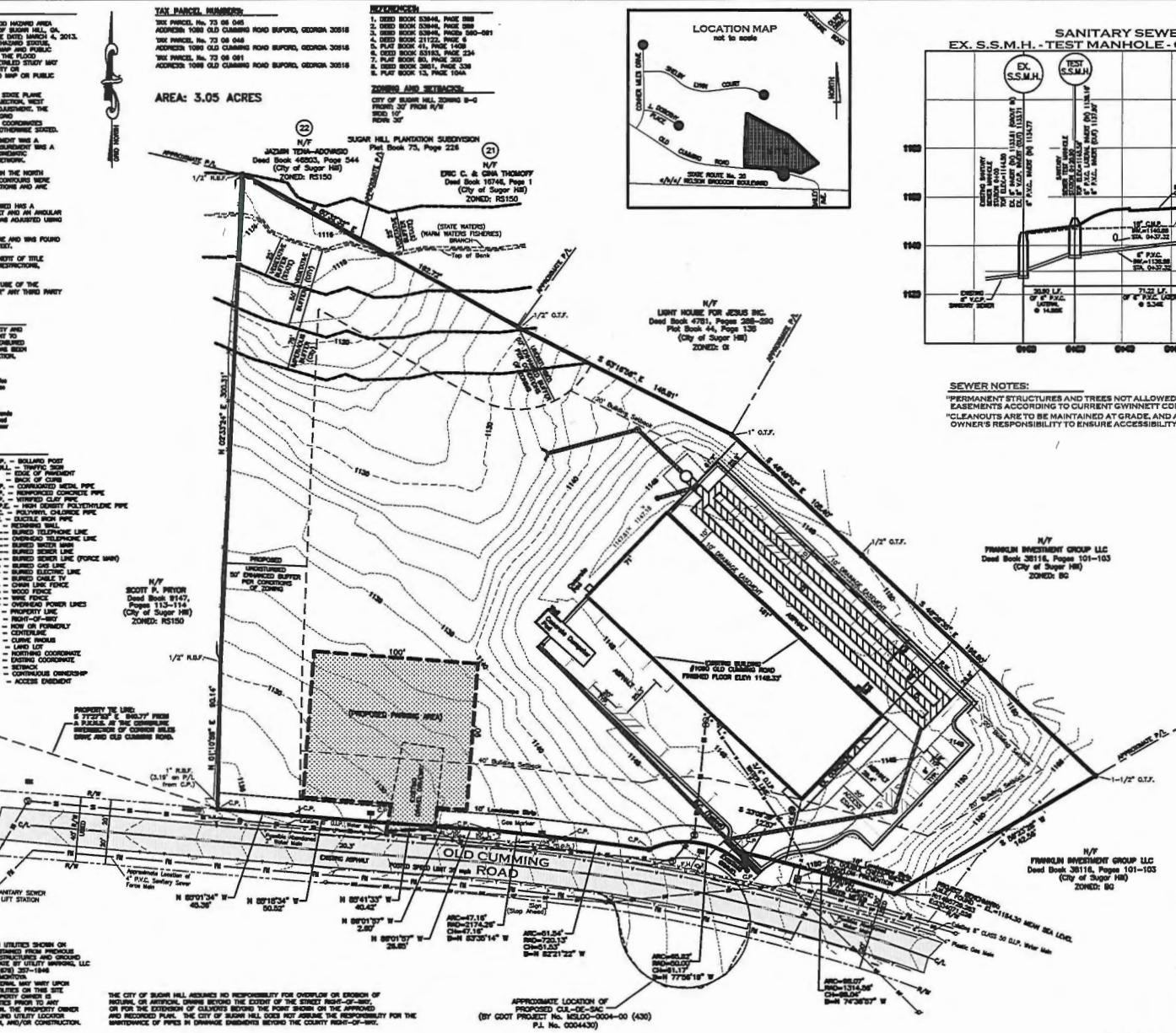
**ZONING AND EASEMENTS**

- CITY OF SUGAR HILL, ZONING R-9
- PLAT BOOK 37 FROM 1/4" 1800' 10"
- SUGAR HILL PLANNING SUBDIVISION
- PLAT BOOK 73, PAGE 228
- ERIC C. & CRA THOMPSON
- DEED BOOK 10746, PAGE 1
- (City of Sugar Hill)
- ZONED: RS150



**SEWER NOTES:**

- PERMANENT STRUCTURES AND TREES NOT ALLOWED IN SANITARY SEWER EASEMENTS ACCORDING TO CURRENT GWINNETT COUNTY POLICY.
- CLEANOUTS ARE TO BE MAINTAINED AT GRADE, AND ARE THE PROPERTY OWNER'S RESPONSIBILITY TO ENSURE ACCESSIBILITY AT ALL TIMES.



**UTILITY INFORMATION:**

THE LOCATION AND SIZE OF THE UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE SURVYOR'S BEST KNOWLEDGE AND BELIEF. THE SURVYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE SURFACE AND GROUND RECORDS TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THE SURVYOR HAS REVIEWED THE CITY AND STATE REGULATIONS AND HAS DETERMINED THAT THE FOLLOWING ARE THE REGULATIONS THAT APPLY TO THIS PROPERTY:

THE CITY OF SUGAR HILL ASSUMES NO RESPONSIBILITY FOR OVERLAP OR ERROR OF RECORDS OR APPROVAL, EITHER BEFORE THE EXPIRY OF THE EXPIRY DATE-OF-RECORD, OR FOR THE EXTENSION OF CLAIMS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED PLAN. THE CITY OF SUGAR HILL DOES NOT ASSUME THE RESPONSIBILITY FOR THE INTERFERENCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE COUNTY RIGHT-OF-WAY.

**SURVYOR:**  
PATTON LAND SURVEYING, LLC  
CHRIS PATTON, RLS  
P.O. BOX 256  
GAINESVILLE, GEORGIA 30503  
PHONE: (770) 532-6492  
CPATTON@PATTONSURVEYING.COM

**OWNER / DEVELOPER:**  
DOUGLAS G. DUFFEE  
4124 COTTONWOOD DRIVE  
BRASELTON, GEORGIA 30517  
CELL 770-318-8948  
DUFFEE@MINDSPRING.COM

THIS SURVEY WAS PREPARED IN COMPLIANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYORS AS SET FORTH IN CHAPTER 80-3 OF THE RULES OF THE GEORGIA BOARD OF SURVEYING AND MAPPING FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS SET FORTH IN THE GEORGIA PRACTICE ACT O.C.G.A. 80-3-1.

REGISTERED PROFESSIONAL LAND SURVEYORS

P.O. BOX 256  
GAINESVILLE, GA 30503  
PHONE: (770) 532-6492  
FAX: (770) 532-1985  
www.pattonlandsurveying.com



GRAVEL PARKING VARIANCE PLAN FOR:  
"SUGAR HILL AUTO COLLISION"  
DOUGLAS G. DUFFEE  
LAND LOT 306, 7TH LAND DISTRICT  
CITY OF SUGAR HILL,  
GWINNETT COUNTY, GEORGIA

**REVISIONS**

NO.	DATE	DESCRIPTION

**SHEET NUMBER:**  
C1 of C1

**SCALE:** 1"=30'

**SURVEY DATE:** 01/17/2016

**PLAT DATE:** 01/26/2016

**PLAN DATE:** 05/22/2017

15-10-revisions grand publishing  
JUN. 15-198

17-01270

Rec. 5/24/17

VAR-17-005