

City of Sugar Hill
Planning Staff Report
VAR-18-001



DATE: March 27, 2018
TO: Mayor and City Council
FROM: Planning Director KA
SUBJECT: Variance Request VAR 18-001
4719 East Broad Street

RECOMMENDED ACTION

Approval of the variance request for a reduced buffer with the following conditions:

1. A 35-foot wide enhanced buffer shall be required between the subject property and any property zoned for residential use. The enhanced buffer must consist of at least a staggered double row of evergreen and semi-evergreen trees and shrubs native or adapted to the area. Trees shall be at least 6' tall at time of planting. Plantings shall be arranged to provide an effective visual screen of at least 20' in height at maturity. Buffer must not contain more than 30% of a single species and must be shown on a landscape plan to be approved by Planning and Development prior to receiving any permits. Within enhanced buffer, any existing tree over 12" diameter at breast height (DBH) is to be preserved (except those identified by the city to be dead or dying). Prior to receiving a land disturbance permit, all hardwood trees over 12" DBH shall be identified and located on an approved tree protection plan.
2. The zoning buffer may be disturbed for easement maintenance, grading activity, fence construction, additional landscaping and construction of a storm water management facility. However, the storm water management facility itself shall not encroach into the 35-foot enhanced buffer.

ISSUE

The City of Sugar Hill has received an application from Licet Naranjo requesting a reduction of the 50-foot undisturbed buffer adjacent to residentially zoned property to a 35-foot enhanced landscape buffer.

DISCUSSION

- In August of 2016, the temporary use of three 500 square foot buildings and a gravel parking area was approved, essentially, as a change in conditions (RZ 16-003).
- A Georgia Power Company (GPC) easement traverses the rear of the property and coordination with the utility company took several months as the owner prepared to initiate the development review process.
- While the property owner has negotiated permission from the GPC to locate the storm water management facility in the GPC easement, the proposed location is within the 50' undisturbed zoning buffer required between dissimilar zoning districts. Note that the prior zoning application (RZ 16-003) didn't include a detailed site plan to contemplate a potential buffer encroachment.

- Many of the surrounding residential uses are lower in elevation than the subject property. Periodic easement maintenance carried out by the GPC provides very little existing vegetation in the buffer area.
- When a buffer includes a utility easement, a 20' buffer is required outside of the easement. Since the only development proposed in the buffer is for the storm water management facility more effective screening may be implemented along the rear of the storage building and gravel parking lot.
- By placing the detention pond lower on the site in an area that was already cleared and incorporating additional landscaping toward the interior of the site and higher in elevation should provide more effective screening than if the original buffer were left as it is.

BACKGROUND

APPLICANT/OWNER: Licet Naranjo

EXISTING ZONING: Light Manufacturing District (LM)

REQUEST: Reduction of 50' undisturbed buffer to a 35' enhanced landscape buffer.

PROPERTY SIZE: ± 2 Acres, Tax Parcel #7-292-123 & 196

LOCATION: 4719 East Broad Street.

FINDINGS OF FACT

The subject property is an undeveloped two-acre parcel located at 4719 East Broad Street. The rear (northwest) of the property contains a powerline and associated easement. Adjacent to the rear (northwest) and side (southwest) property line is the Peachtree Mobile Home Park, zoned Mobile Home District (MH). Adjacent to the northeast is an undeveloped parcel zoned LM. Across East Broad Street is the Norfolk Southern Railway. Vacant and older developed properties are characteristic of the surrounding area.

The property has been zoned LM since 2003 and in August 2016 a change in conditions was approved (RZ 16-003) placing the following restrictions on the property:

1. Temporary wood storage shelters shall be allowed for a maximum of three years.
2. No more than three such temporary wood shelters shall be permitted on the subject property. No such shelter shall exceed 500 square feet in area.
3. Gravel parking shall be for no more than 10 vehicles for a maximum of three years.
4. Gravel parking areas shall be effectively screened from view from the right-of way by privacy fence and or landscaping.
5. Provide an approval letter from Georgia Power allowing the applicant to construct a parking storage area in the rear of the property prior to disturbing the land for such use

VARIANCE CRITERIA

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

Yes. The subject property slopes downward to the rear and contains a powerline and its associated easement.

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

Yes. The easement is kept clear by the utility company eliminating the screening effectiveness of the existing standard buffer areas encompassed by the utility easement.

3. *Are there conditions peculiar to this particular piece of property involved?*

Yes. The arrangement of the proposed development and its relationship to the property boundaries and easement make it such that providing additional landscaping toward the interior of the property will likely provide more effective screening than an undisturbed buffer area along the edges.

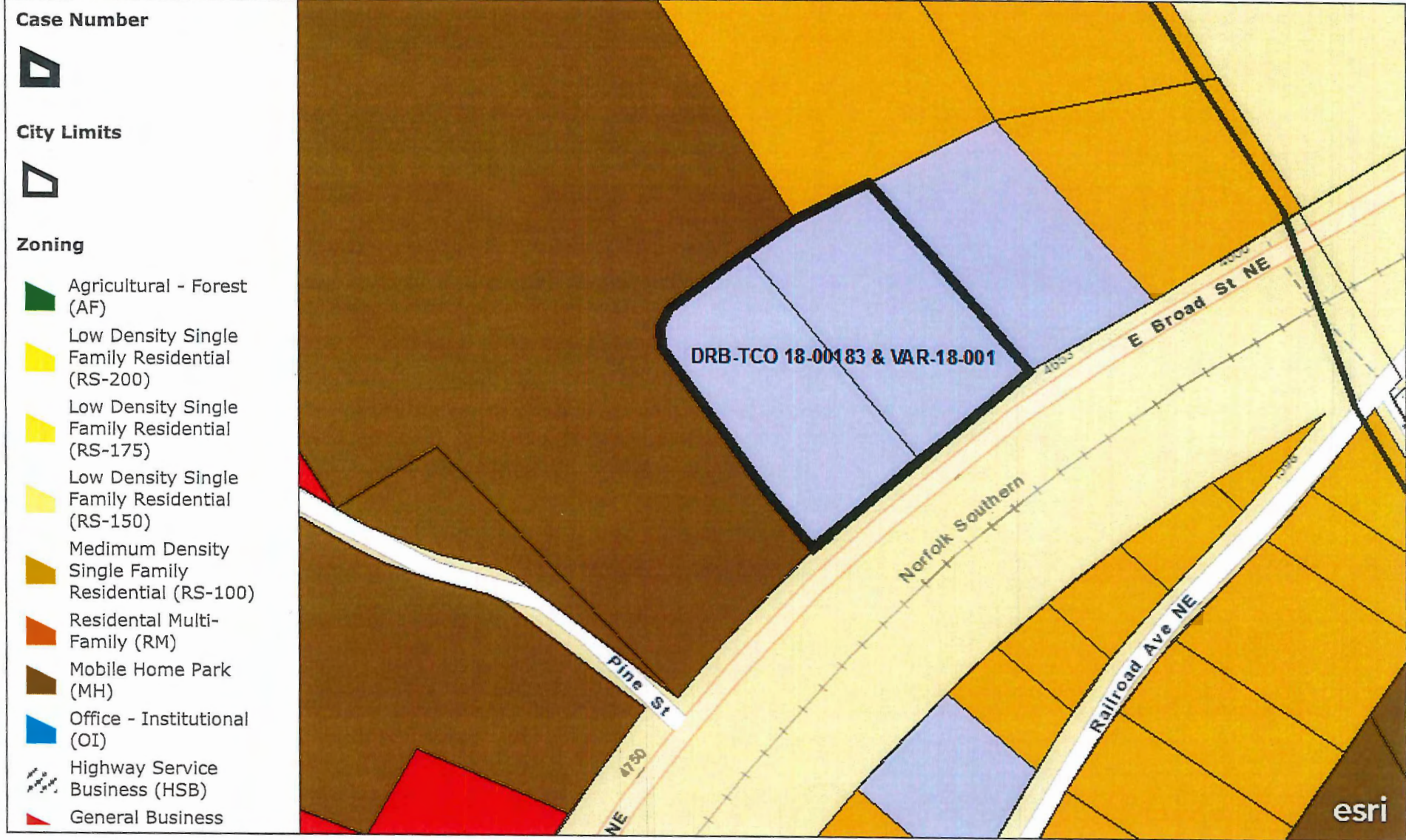
4. *Are these conditions the result of any actions of the property owner?*

No

5. *Would relief, if granted, cause substantial detriment to the public good or impair the purpose or intent of this ordinance?*

No. The required rear 50-foot buffer would have a portion located in the power line easement with no existing vegetation. The recommended enhanced buffer condition should provide more effective screening than the full buffer with no enhancements.

DRB-TCO 18-00183 & VAR-18-001



Upcoming Zoning Cases within the City of Sugar Hill.



**CONCRETE
INNOVATIONS**

March 7th, 2018

City of Sugar Hill
Attn: Kim Landers
5039 West Broad Street
Sugar Hill, GA 30518

Reference: 4719 E Broad Street – Sugar Hill, GA 30518

This is a formal letter of Intent for the property located at the address referenced above, based on the attached zoning dating August 8, 2016 (please see approval zoning attached) we have being approved to build 3 temporary wood storage shelters on our two acres tract, each building is not going to exceed 500 square feet. Gravel parking will not exceed 10 vehicles maximum for a three years period. The gravel parking will be screened from view from right of way by a private fence and/or landscaping. We have already receive approval from Georgia Power to develop our project. Georgia Power easement is 25 feet from the power lines.


On the past this property has being used by homeless, drug addicts, also to dump all kind of trash and residues, the power lines have being clear for years, therefore we are requesting a design review approval and a variance request. We want to give the property a better looking that can actually bring value to the City of Sugar Hill.

We are seeking for a seeking for a review approval, we are going to use exterior siding HardiePlank HZ10 5/16 in. x 8.25 in x 144 Fiber Cement Select Cedarmill Lap Siding (please see attachment #2) in this is going to be paint with Glidden Premium #HDGY33U French Lemon Flat Latex Exterior Paint (please see attachment 1) . We are going to build a 6 feet tall fence by 1,067 feet long with Gauge Galvanized Steel Chain Link Fabric (please see attachment 1) we are going to build a enhanced 35' buffer with the followings: Forsythia, White Spruce, Canadian Hemlock (please see attachment 1)

We are requesting a variance for the buffer since the require buffer is 75' but we are asking to please be reduced to 35' enhanced Buffer. A detention pond will be placed after the proposed Buffer line. We are going to plan Forsythia, White Spruce and Canadian Hemlock on the side and rear property line and we clarify detention pond is not going to be inside the buffer.

We understand the temporary conditions placed on the property (3 years) our plan after this is to develop this property with permanent structures to keep improving the uses and look of the same.

Sincerely,



Micet Naranjo
Owner

EMAIL: nash@conceptengr.com

CLIENT:

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SEAL:

Joseph J. Ash

REVISIONS:


NO.	DATE	DESCRIPTION
1	3/5/2018	SITE PLAN REVISION
2	3/9/2018	CITY COMMENTS

PROJECT:
 4719 E. BROAD STREET
 BUFORD, GA 30518

SHEET TITLE:
SITE PLAN

DESIGNED BY: DO-CES
 DRAWN BY: DJ
 CHECKED BY: DJ
 APPROVED BY: DO-CES

SCALE: AS SHOWN
 DATE:
 PROJECT NO.: CES-2017-001-S
 SHEET:

C2

 Know what's below.
 Call before you dig.

SITE LEGEND

- EXISTING PROPERTY LINE
 - EXISTING RIGHT-OF-WAY
 - EXISTING SETBACK LINE
 - PROPOSED RIGHT-OF-WAY
 - PROPOSED SETBACK LINE
 - 100 YEAR FLOOD PLAIN
 - 18" CURB AND GUTTER
- PARKING SPACE COUNT
 - SIGN
 - TRANSFORMER PAD
 - DOUBLE WING CATCH BASIN
 - HEADWALL
 - STORM MANHOLE
 - SANITARY SEWER MANHOLE
 - FORSYTHIA TREE
 - CANADIAN HEMLOCK TREE
 - WHITE SPRUCE TREE
 - CONCRETE
 - STANDARD DUTY PAVING

SITE NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
- REFERENCE ARCHITECTURAL PLANS FOR BUILDING OBSTRUCTIONS, SIDEWALKS, STEPS, TRANSFORMERS, PAVES, ETC.
- TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY.
- ALL DIMENSIONS AND PADS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
- ALL HANDICAP ACCESSIBLE PARKING SPOTS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
- ALL TRAFFIC SIGNS SHALL CONFORM TO THE NATIONAL TRAFFIC CONTROL MANUAL AND THE STATE OF GA DEPARTMENT OF TRANSPORTATION.
- ALL STRIPPED OR CURBED PADS SHALL BE 6' UNLESS OTHERWISE NOTED.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, CURBS OR GUTTERS, SUCH AS MANHOLES, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
- SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, HEADS AND FIXTURES WITH LAMP SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
- CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
- THE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
- ANY DEVIATIONS FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
- ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
- ALL CONCRETE SHALL BE 3,000 PSI 28 DAY COMPRESSIVE STRENGTH.
- ALL CURBS AND GUTTERS WITHIN THE DEVELOPMENT SHALL BE 24". IT SHALL BE 24" WITHIN THE R.O.W. UNLESS NOTED OTHERWISE.
- PARKING LOT STRIPING SHALL BE INCLUDED IN PAYING CONTRACTOR'S SCOPE OF WORK. STRIPING WILL BE ACCORDING TO OWNER'S SPECIFICATIONS UNLESS NOTED OTHERWISE. ALL STRIPING TO HAVE TWO (2) COATS OF PAVY (ONE) ALL STRIPING IN ROW SHALL BE THERMOPLASTIC.
- LIGHT POLE BUSES SHALL BE PAINTED TRAFFIC YELLOW PER SITE WORK SPECIFICATION.
- THE SIDE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL WORK AND APPURTENANCE TO WITHIN 5' OF THE BUILDING. THIS INCLUDES TRANSFORMER AND SUBSTATION PADS AS WELL AS ALL UTILITY CONNECTIONS.

SITE DATA

TOTAL PROPERTY AREA	2.00 +/- AC (57,572 +/- S.F.)
TOTAL DISTURBED AREA	0.65 +/- AC (28,314 +/- S.F.)

BUILDING DATA

BLDG #1	500 S.F.
BLDG #2	500 S.F.
BLDG #3	500 S.F.
TOTAL BUILDING S.F.	1,500 S.F.

PARKING DATA

PARKING REQUIRED	3 SPACES
PARKING PROVIDED	8 SPACES

ZONING DATA

EXISTING ZONING	LM (LIGHT MANUFACTURING)
BUILDING HEIGHT LIMIT	50'

SETBACKS

FRONT SETBACK	20'
SIDE SETBACK	20'
REAR SETBACK	20'

