

City of Sugar Hill  
Planning Staff Report  
VAR-20-004



DATE: August 25, 2020; *Updated 10/23/2020.*  
TO: Mayor and City Council  
FROM: Planning Director  
SUBJECT: Variance Request VAR-20-004  
6409 Grand Loop Road – Andrew Ponzio

RECOMMENDED ACTION:

Approval of the variance to allow a 22' front yard setback along Deer Crossing Drive with the following conditions:

1. The setback reduction shall be limited to the proposed attached garage as shown on the attached Exhibit 1.
2. A five-foot-wide landscape strip and no access easement shall be recorded and maintained along the length of Deer Crossing Drive. Existing trees and shrubs may be used to satisfy this requirement.

ISSUE

The City of Sugar Hill has received an application from Andrew Ponzio requesting a **22' front yard setback variance (amended application 10/23/2020)** to install a garage addition connecting to the house for the property located at 6409 Grand Loop Road.

DISCUSSION

- ***Applicant has met with neighbors and amended his request based on those conversations from a 19' setback to a 22' setback.***
- Minimum front yard setbacks in suburban neighborhoods provide space for accessory structures such as sheds, arbors, fences and play equipment as well as landscaping and open views alongside roadways and sidewalks.
- The subject property is a corner lot. Corner lots are required to have two front yards.
- Typically, one of the front yards on a corner lot is secondary and reads more like a side yard due to placement of the driveway or situation of the home.
- In this case, the Grand Loop Road frontage may be considered the primary front yard because the driveway enters from and the front door of the home faces Grand Loop Road. Consequently, the Deer Crossing Drive frontage in practical terms reads as a side yard.
- Shortened driveway lengths resulting in vehicles overhanging or obstructing sidewalks is a common concern that is raised with residential front setback variances. Since the lot's driveway access is on the other frontage, this is not a factor for this particular request.
- The visual presence of the garage addition is further reduced for the following reasons:
  - it steps down in height and overall mass as compared to the principal structure.

- its finished floor elevation is well below street level,
- and the existing trees buffer views from the street.

## BACKGROUND

APPLICANT/OWNER: Andrew Ponzio

EXISTING ZONING: Low-Density Single-Family Residential District/Planned Unit Development (RS-150/PUD).

REQUEST: Reduce the front yard setback from 35' to **22'** for an attached garage.

PROPERTY SIZE: ± .376 Acres

LOCATION: Tax Parcel #7-341-103  
6409 Grand Loop Road

Within the Wild Timber subdivision, the minimum front yard ranges from 25' to 35' depending on how wide the lot is. The minimum side yard ranges from 7' to 10' with a minimum of 20' between houses with adjoining side yards.

Granting the relief requested would reduce the set back to **22** feet from the property line. The reduction is nearly **half (48%)** the standard dimensional requirements for this particular lot; however, most homes (10 of 17) with frontage on Deer Crossing Dr including the house behind the subject property (5881 Deer Crossing Drive) have a 25' setback.

The request is six feet closer to the property line than the nearest neighboring structure and at 19 feet is almost twice the distance when compared to the standard side yard.

## VARIANCE CRITERIA

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

No. The lot is designed in conformance with subdivision standards and is similar in size, shape and topography to most lots in this zoning category.

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

Yes. The required setback does not permit the proposed building without a variance.

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

Yes. This is a typical corner lot but placement of the driveway, situation of the home, nearby setbacks, landscaping and proposed design of the addition create unique conditions as it relates to application of the setback requirements.

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

No. The design of the lot was established in the plat process.

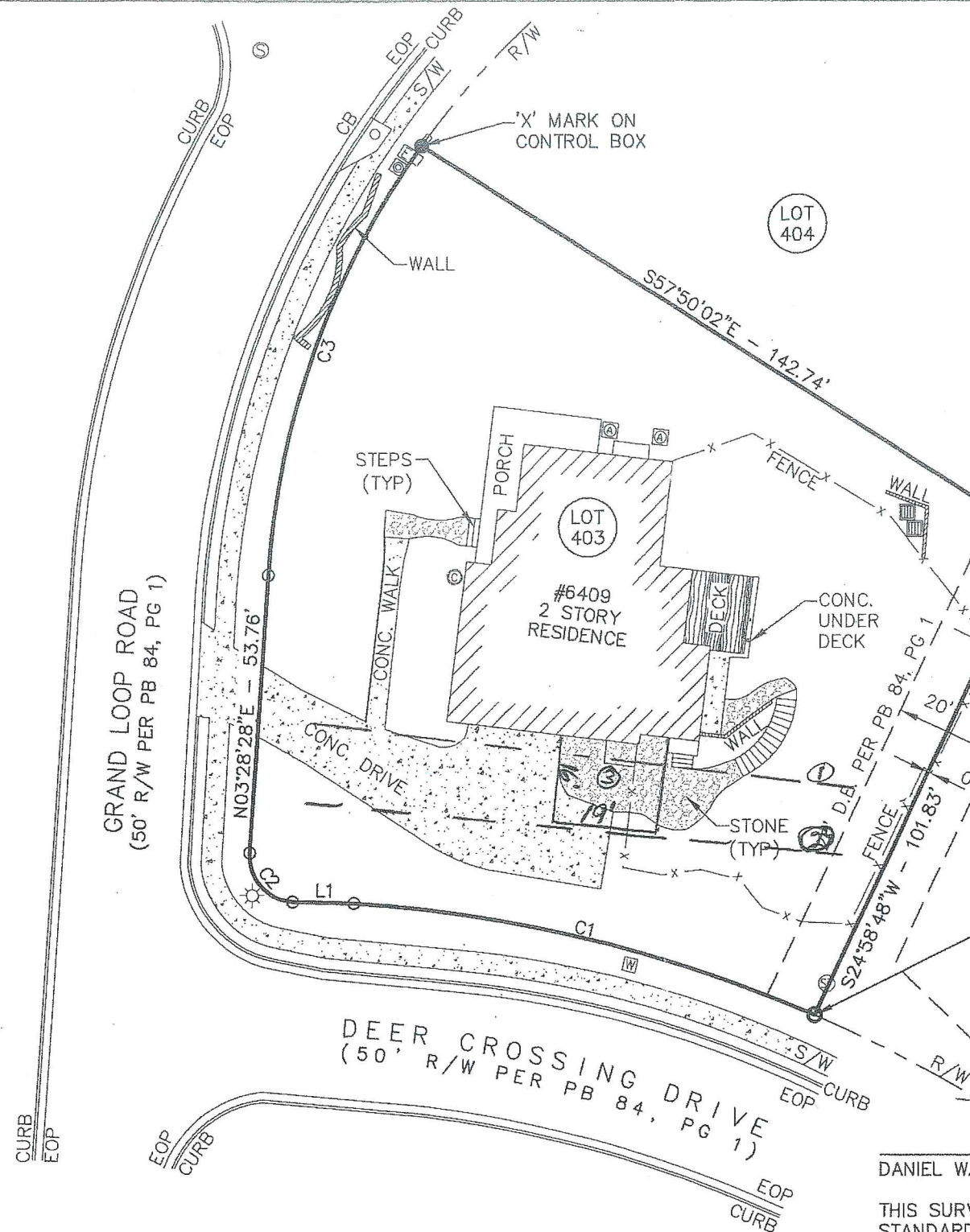
5. *Would relief, if granted, cause substantial detriment to the public good or impair the purpose or intent of this ordinance?*

No. There is sufficient right of way to accommodate all future public use and the visual characteristics of the proposed improvements are in general harmony with the rest of the neighborhood.



**LEGEND:**

- PROPERTY CORNER FOUND (AS NOTED)
- 1/2" REBAR WITH CAP SET LSF# 839
- R/W MONUMENT
- ⊕ FIRE HYDRANT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ POWER POLE
- ⊕ LIGHT POLE
- ⊕ POWER/LIGHT POLE
- GUY WIRE
- ⊕ POWER METER
- ⊕ POWER BOX
- ⊕ A/C UNIT
- ⊕ SANITARY MANHOLE
- ⊕ CLEAN OUT
- ⊕ STORM MANHOLE
- ⊕ JUNCTION BOX
- ⊕ OUTFLOW STRUCTURE
- ⊕ DRAINAGE INLET
- ⊕ GAS METER
- ⊕ GAS VALVE
- ⊕ CABLE BOX
- ⊕ TELEPHONE BOX
- ⊕ SIGN
- W- WATER LINE
- U- OVERHEAD UTILITY LINE
- S- SEWER LINE
- G- GAS LINE
- C- CABLE LINE
- T- TELEPHONE LINE
- X- FENCE LINE
- 920- CONTOUR LINE
- BSL BUILDING SETBACK LINE
- CONC. CONCRETE
- EOP EDGE OF PAVEMENT
- L.L. LAND LOT
- N/F NOW OR FORMERLY
- P/L PROPERTY LINE
- R/W RIGHT-OF-WAY
- S/W CONCRETE SIDEWALK
- D.E. DRAINAGE EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- CB CATCH BASIN
- OH OVERHANG
- (TYP) TYPICAL
- CNT CANTILEVER
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE



LINE TABLE		
LINE	LENGTH	BEARING
L1	11.96	N88°31'31"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	93.43'	275.00'	92.98'	N76°28'09"W
C2	14.14'	9.00'	12.73'	N41°31'32"W
C3	89.38'	158.00'	88.20'	N19°41'05"E

- ① Current Setback - 35 feet from Property Line
- ② Proposed Setback - 22 feet from Property Line
- ③ Proposed Garage 16' wide 18'-19' feet deep

POINT OF BEGINNING SOUTHWEST PROPERTY CORNER OF LOT 403 OF WILD TIMBER SUBDIVISION, PHASE 3A, PB 84, PG 1 1/2" REBAR  
*\*All measurements done from front corner of proposed garage*

*4/17/14*  
 DANIEL W. VENABLE / GEORGIA LICENSE NUMBER: 2897

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

**BOUNDARY SURVEY**  
 PREPARED FOR: ANDY PONZIO  
 LOT 403, WILD TIMBER SUBDIVISION,  
 LAND LOT 341, 7TH DISTRICT,  
 GWINNETT COUNTY, GEORGIA -04/17/14

**GEORGIA**  
 REGISTERED  
 No. 2897  
 LAND SURVEYOR  
 DANIEL W. VENABLE  
*4/17/14*  
 FOR THE FIRM  
**BOUNDARY ZONE, INC.**  
 NOT VALID WITHOUT ORIGINAL SIGNATURE

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

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TOTAL AREA: 0.376 ACRES / 16,393 SQUARE FEET.

BOUNDARY REFERENCE: DEED BOOK 36005, PAGE 172 & PLAT BOOK 84, PAGE 1. FIELDWORK PERFORMED ON 04/14/14.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 32,893 FEET.

THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 723,999 FEET, AND ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

**BOUNDARY zone, inc.** LAND SURVEYING SERVICES  
 WWW.BOUNDARYZONE.COM  
 (770) 271-5772 / (919) 363-9226

4195 SOUTH LEE STREET SUITE 1, BUFORD, GA 30518  
 235 PEACHTREE STREET NE SUITE 400, ATLANTA, GA 30303  
 2205-C CANDUN DRIVE APEX, NC 27523

GRAPHIC SCALE - IN FEET  
 15 0 30 60

PROJECT  
 1491701

SHEET  
 1 OF 1

Update 10-24-2020 VAR-20-004