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| <b>TO:</b>                                        | MAYOR & CITY COUNCIL                                                                                                                        |
| <b>FROM:</b>                                      | HELEN BALCH, PLANNING & DEVELOPMENT DIRECTOR                                                                                                |
| <b>MEETING DATE:</b>                              | MONDAY, OCTOBER 5, 2026                                                                                                                     |
| <b>CASE:</b>                                      | DRB-CBD-26-003; CATHI GOMEZ; 4934 HANNAH STREET                                                                                             |
| <b>APPLICANT REQUEST:</b>                         | VARIANCE TO ALLOW AN EXISTING ACCESSORY BUILDING, MAJOR, CONSTRUCTED WITHOUT A PERMIT, TO ENCROACH INTO THE REQUIRED REAR AND SIDE SETBACKS |
| <b>PLANNING &amp; DEVELOPMENT RECOMMENDATION:</b> | REVIEW OF PROPOSAL                                                                                                                          |
| <b>PLANNING COMMISSION RECOMMENDATION:</b>        | N/A                                                                                                                                         |

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### **Summary**

The applicant requests design review approval for an accessory building, major, constructed without permits, along with concurrent variances to allow the accessory building to encroach into the required side and rear setbacks. The accessory building was constructed using materials similar to those of the principal structure.

There is a discrepancy between the two property surveys. The property line shown on the original survey does not align with the property line depicted on the most recent survey. Additionally, the original survey indicates a potential 20-foot easement (shown in pink) along the drainage pipe that is not clearly reflected on the most recent survey.

### **Attachments/Exhibits**

- Report
- Application



## **DESIGN REVIEW- CENTRAL BUSINESS DISTRICT**

|                                                         |                                                                           |
|---------------------------------------------------------|---------------------------------------------------------------------------|
| <b>CASE</b>                                             | DRB-CBD-26-003                                                            |
| <b>APPLICANT</b>                                        | CATHI GOMEZ                                                               |
| <b>PROPERTY OWNER(S)</b>                                | ARMOUR STRUCTURES LLC                                                     |
| <b>LOCATION</b>                                         | 4934 HANNAH STREET                                                        |
| <b>PARCEL IDENTIFICATION NUMBER(S)</b>                  | R7291 007                                                                 |
| <b>APPROXIMATE ACREAGE</b>                              | ± 0.5 ACRES                                                               |
| <b>CURRENT ZONING</b>                                   | RS-100 (MEDIUM DENSITY RESIDENTIAL<br>SINGLE-FAMILY RESIDENTIAL DISTRICT) |
| <b>PROPOSED ZONING</b>                                  | NO CHANGE                                                                 |
| <b>PROPOSED DEVELOPMENT REQUIRING<br/>DESING REVIEW</b> | EXISTING ACCESSORY BUILDING, MAJOR                                        |
| <b>VARIANCE TO ALLOW</b>                                | ENCROACH INTO THE REAR SETBACK                                            |

## **PROJECT SUMMARY**

The applicant requests design review approval for an accessory building, major, constructed without permits, along with concurrent variances to allow the structure to encroach into the required side and rear setbacks. The structure was constructed using materials similar to those of the principal structure.

The applicant constructed a two-story, approximately 1,920-square-foot accessory building in the rear yard on an existing 960-square-foot concrete pad that previously served as the foundation for a detached garage.

Site improvements also include brick walls along the north side of the property, however, these are within the five(5)-foot side setback for accessory uses and structures.

Should by the Major and City Council choose to approve the request, the applicant will be required to submit a building permit along with third party inspection reports for the work that has been executed and will be required to pay double the permit fees per the fee schedule.



## ZONING HISTORY

Records show the property has been zoned RS-100 (Medium-Density Single-Family Residential) since at least 1990.

## ZONING & DEVELOPMENT STANDARDS

### Design:

|                                                                                                                                                                                                                               |                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Is the proposed project consistent with the adopted design guidelines for the type of development, and/or the proposed use?</i></b>                                                                                     | Yes. The proposed improvements conform to the guidelines in scale and overall architectural type of the CBD district.                                              |
| <b><i>Is the proposed project consistent and compatible with the nature and character of the surrounding areas?</i></b>                                                                                                       | Yes, this proposal is consistent with the design standards of the Central Business District and will continue the trend of investment in the area's housing stock. |
| <b><i>Are the site design, landscaping, general design, character, arrangement and scale of buildings, texture, materials and colors of the project similar to or compatible with features or structures in the area.</i></b> | Yes.                                                                                                                                                               |
| <b><i>Will the interior arrangement or use have any effect on exterior architectural features and otherwise complies with the standards of this ordinance?</i></b>                                                            | No.                                                                                                                                                                |
| <b><i>Does the project contribute or resemble the following criteria for considering a design inappropriate?</i></b><br><br><i>a. Character foreign to the area.</i><br><i>b. Arresting and spectacular effects.</i>          | No.                                                                                                                                                                |



|                                                                                      |  |
|--------------------------------------------------------------------------------------|--|
| <p><i>c. Violent contrasts of material or color, or intense or lurid colors.</i></p> |  |
|--------------------------------------------------------------------------------------|--|

|                                                                                                              |  |
|--------------------------------------------------------------------------------------------------------------|--|
| <p><i>d. A multiplicity or incongruity of details resulting in a restless and disturbing appearance.</i></p> |  |
|--------------------------------------------------------------------------------------------------------------|--|

|                                                                                                                                                                   |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p><i>e. The absence of unity and coherence in composition not in consonance with the density and character of the present structure or surrounding area.</i></p> |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

**Colors:**

Sherwin Williams-

Wall base color is Coastal Plain

Gable area is Green Garden

The trim is Casablanca

Brick watertable.

**Materials:**

Fiber cement siding

Brick for the watertable



## Elevations:

### Front



### Right elevation





## Left elevation

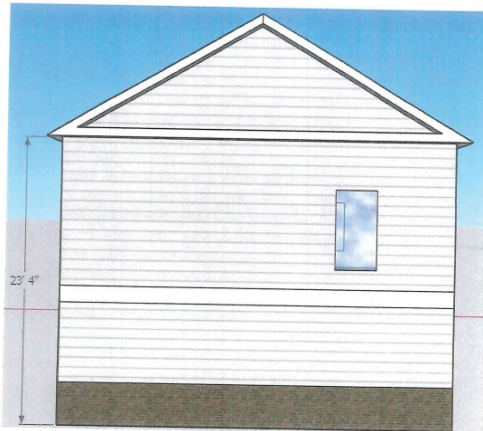
ADU  
Left Elevation



4945 Hannah St  
Sugar Hill GA 30518

## Rear elevation

ADU  
Rear Elevation



4945 Hannah St  
Sugar Hill GA 30518

## Variance:

Section 407. Restrictions on accessory uses. Per the ordinance, all accessory uses and structures shall be setback at least five (5) from any lot line.

The brick fireplace and the brick wall are setback five (5) feet from the lot line and do not need a variance to encroach.



The structure is classified as a major accessory structure because it does not meet the requirements for an accessory dwelling unit, as it does not include an indoor kitchen.

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| Accessory building, major | All accessory buildings 240 square feet of floor area or more shall be constructed of wood, fiber-cement, brick or stone siding; finished to match the principal building's exterior; shall meet the minimum setback from right-of-way and side yard requirements for the underlying zoning district; <b>shall be setback at least ten (10) feet from the rear property line;</b> and shall be maintained in accordance with all other applicable city ordinances and regulations. | The accessory building is 9.1 feet front the rear property line and 6.8 feet on the side yard. |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|

There is a discrepancy between the two property surveys. The property line shown on the original survey does not align with the property line depicted on the most recent survey. Additionally, the original survey indicates a potential 20-foot easement (shown in pink) along the drainage pipe that is not clearly reflected on the most recent survey.

Though the most recent survey likely benefits from the most advanced technology, there remain unresolved questions on which survey is most accurate. Despite this, across all three surveys, the accessory structure is within bounds of the required setback on the property's north side (5-foot setback requirement) and encroaches only minorly into the rear setback (10-foot setback requirement).

#### **1981 Survey Conducted by Borders and Associates**

Shows a five-sided shape that is almost rectangular

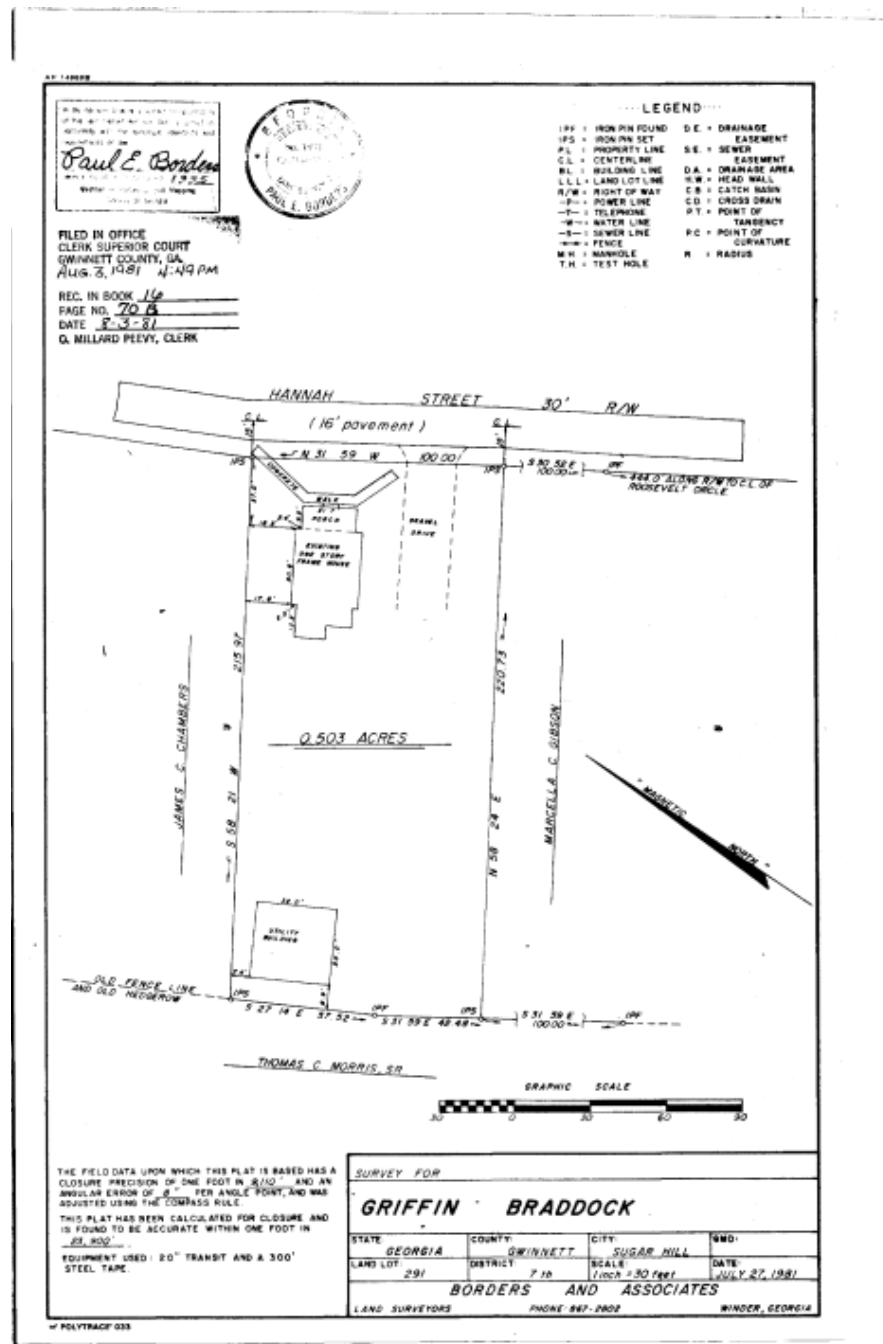
Facing the street and moving clockwise each side is shown as 100 feet, 220.73 feet, 42.48 feet, 57.52 feet and 215.97 feet.

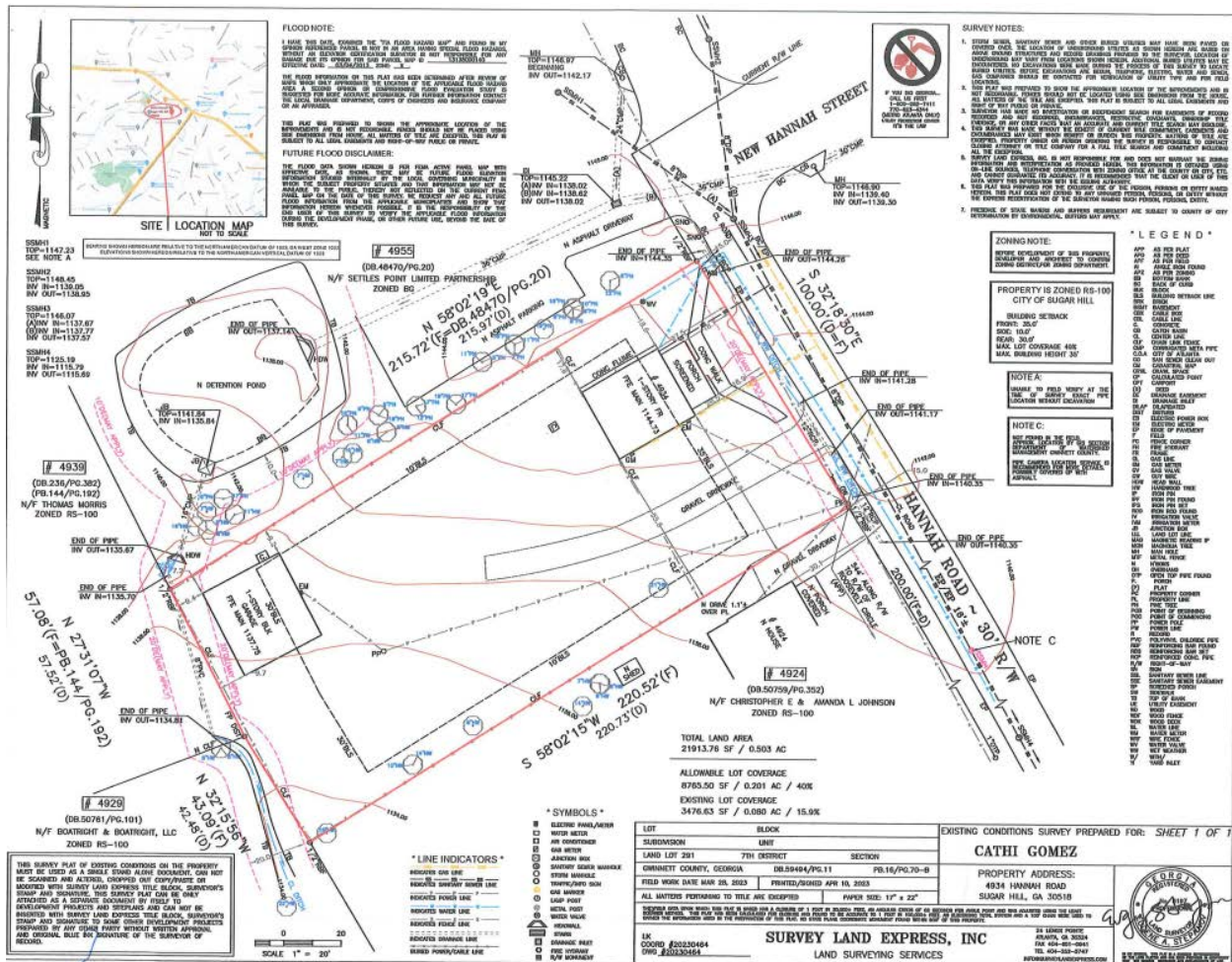
At the time of this survey the structure in the backyard was noted as a Utility Building and labeled as 32 feet wide facing the house and 30 feet deep. This aligns with the currently reported dimensions of the ground floor of the accessory dwelling unit on the site, which is



reported at 920 SF. At the time of this 1981 survey, this structure was labeled as being 9.9 feet from its southwest corner to the rear property line and 7.4 feet from its northwest corner to the north property line.

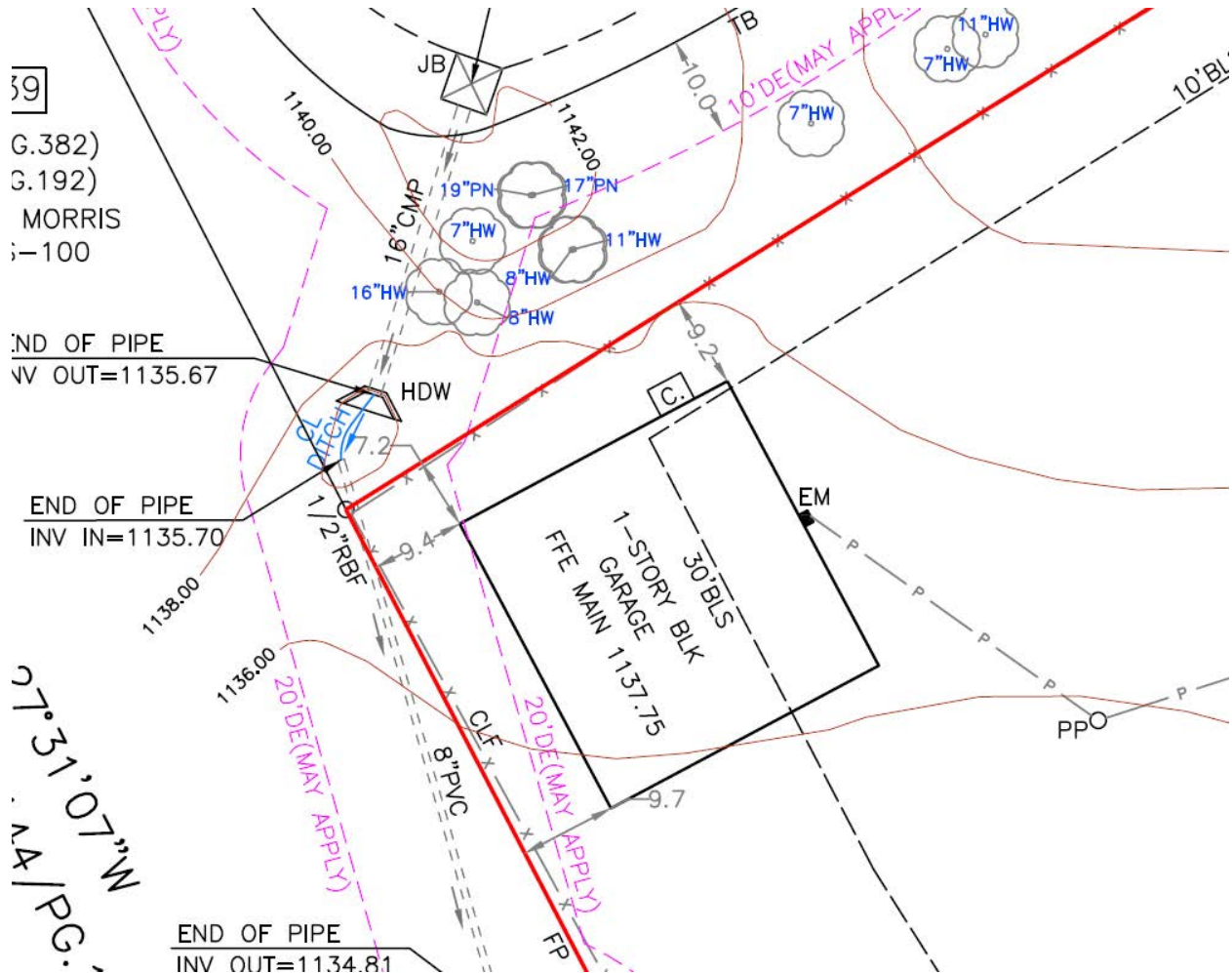
## 1981 Survey







# Survey zoomed in



The 2023 survey shows the same five sided, near-rectangular shape for the parcel

Facing the street and moving clockwise each side is shown as 100 feet, 220.52 feet, 43.09 feet, 57.08 feet and 215.72 feet. The survey reports that the deeded dimensions of the parcel are the same as those recorded in the 1981 survey.

| Side         | 1981   | 2023   |
|--------------|--------|--------|
| Front (East) | 100    | 100    |
| Side (South) | 220.73 | 220.52 |
| Rear (South) | 42.48  | 43.09  |
| Rear (North) | 57.52  | 57.08  |
| Side (North) | 215.97 | 215.72 |



At the time of this survey the structure in the backyard was noted as a 1-Story BLK Garage and its dimensions are not marked. This structure was labeled as being 9.7 feet from its southwest corner to the rear property line and 9.2 feet from its northeast corner to the north property line. At the time of this survey, the surveyor also recorded a distance of 9.4 feet between the northwest corner of the structure and the rear property line.

In this survey the fence and the north property line are considered to be one in the same.

This survey also calls out the existence of a detention easement, which touches the northwest corner of the garage structure that existed at that time.

There is no information to suggest whether the structure was altered between 1981 and 2023.

#### **Survey Conducted April 20, 2026, by Keystone Land Surveying, Inc**

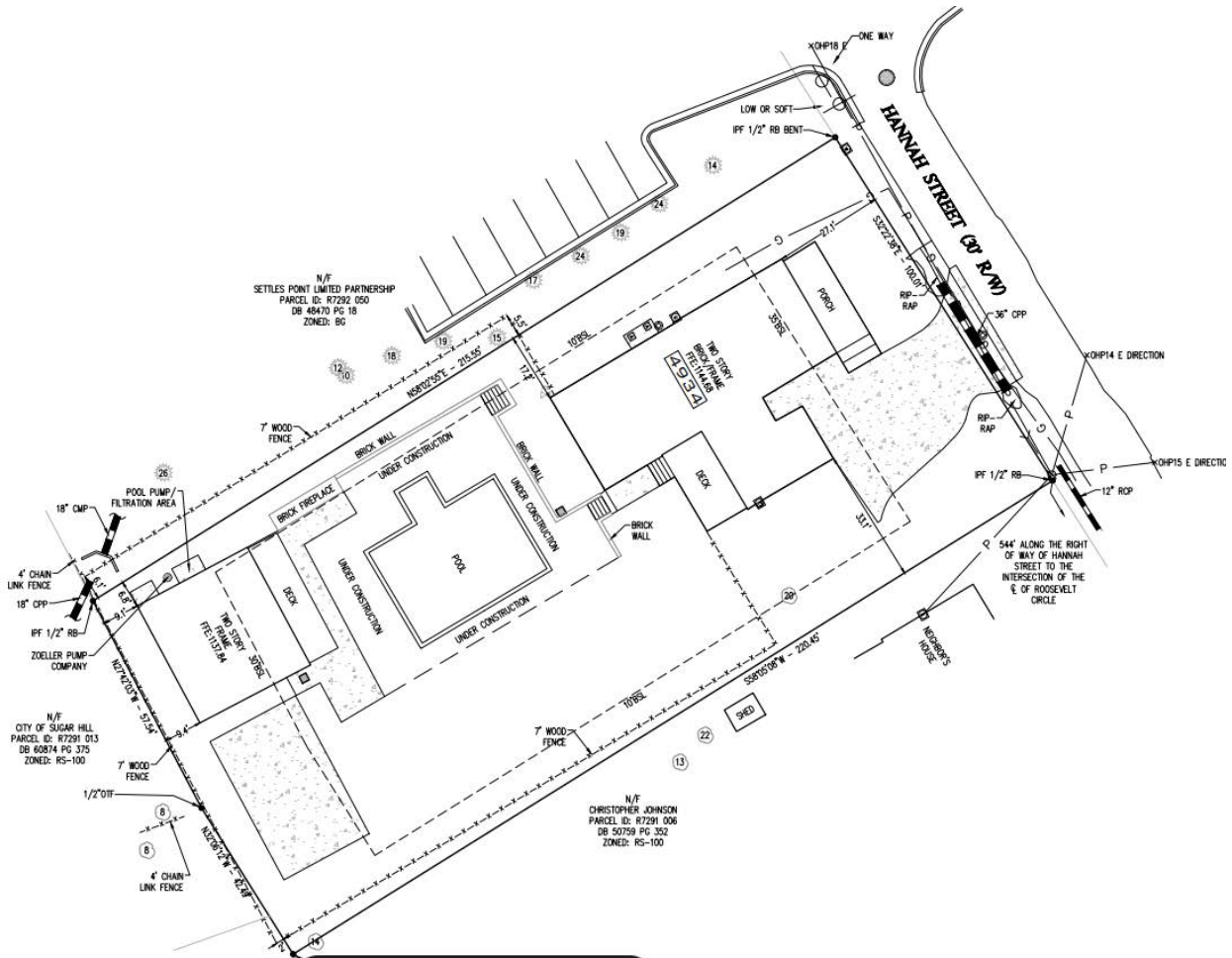
The 2026 survey shows the same five sided, near-rectangular shape for the parcel

Facing the street and moving clockwise each side is shown as 100.01 feet, 220.45 feet, 42.49 feet, 57.54 feet and 215.55 feet. No longer any note of the deeded dimensions differing from the dimensions recorded in the field for the survey.

| Side         | 1981   | 2023   | 2026   |
|--------------|--------|--------|--------|
| Front (East) | 100    | 100    | 100.01 |
| Side (South) | 220.73 | 220.52 | 220.45 |
| Rear (South) | 42.48  | 43.09  | 42.49  |
| Rear (North) | 57.52  | 57.08  | 57.54  |
| Side (North) | 215.97 | 215.72 | 215.55 |

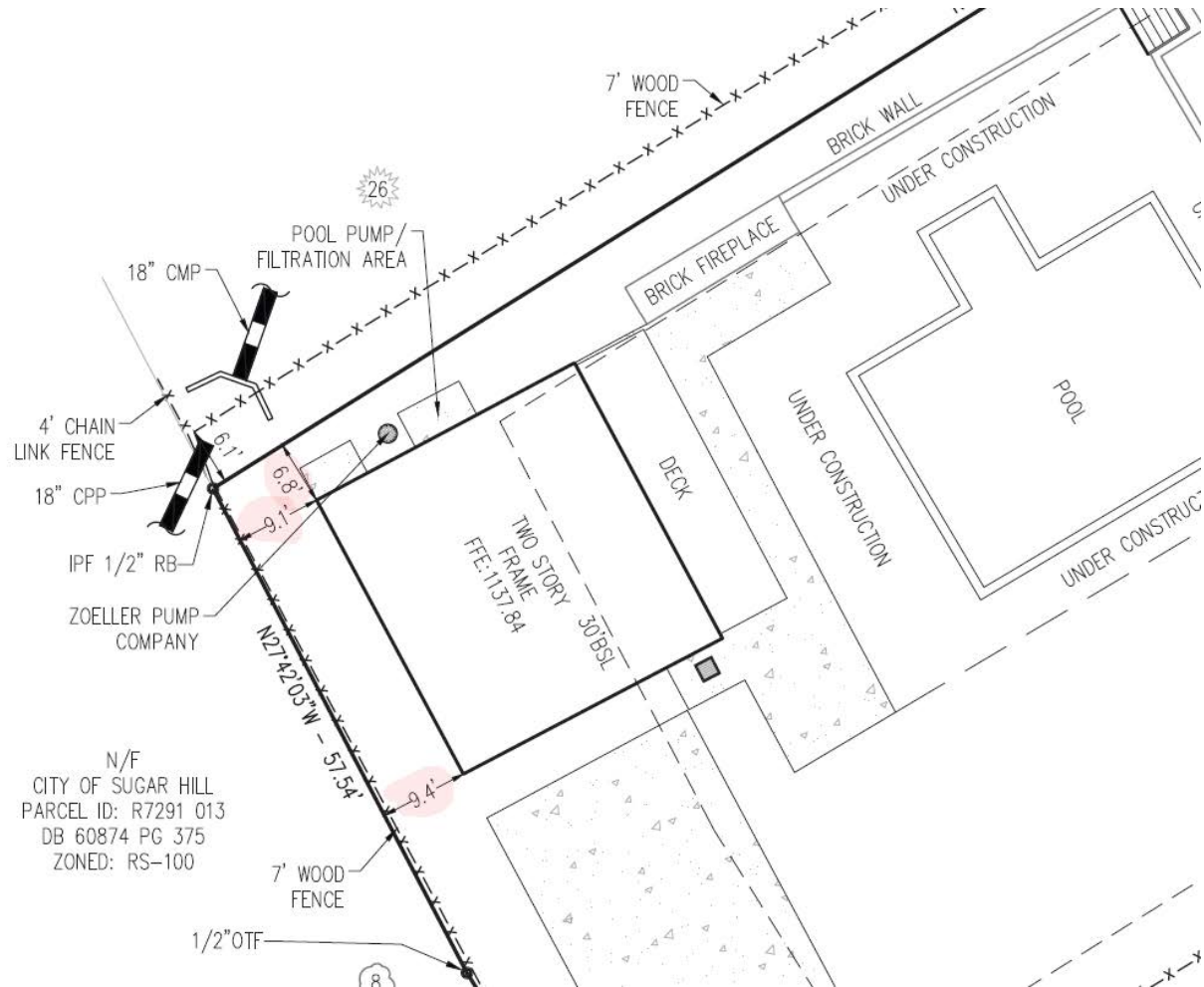
At the time of this survey the structure in the backyard was noted as a Two-Story Frame and its dimensions are not marked. This structure was labeled as being 9.4 feet from its southwest corner to the rear property line and 6.8 feet from its northwest corner to the north property line. At the time of this survey, the surveyor also recorded a distance of 9.1 feet between the northwest corner of the structure and the rear property line.

In this survey, the fence erected by the property owned is recorded as extending beyond the property line by 6.1 feet





## Survey zoomed in





## OFFICIAL ZONING MAP

