

GAINESVILLE PLANNING AND APPEALS BOARD
DRAFT MINUTES OF MEETING
SEPTEMBER 11, 2012

CALL TO ORDER Chairman @ 5:30 p.m.

Members Present: Chairman Dean Dadisman, Vice Chairman Doyle Johnson and Board Members Dexter Stanley, Jane Fleming, Connie Rucker and John Snyder

Members Absent: Board Member George Hokayem

Staff Present: Planning Manager Matt Tate and Recording Secretary Judy Foster

Others Present: Council Member George Wangemann and Public Works Engineer Stan Aiken

MINUTES OF JULY 10, 2012

There was a motion to approve the Minutes as presented.

Motion made by Board Member Snyder
Motion seconded by Board Member Rucker
Vote – 6 favor, 1 absent (Hokayem)

NEW BUSINESS

A. Variance Request

- 1) Request from **Jesus Ruelas** to vary the front yard and left side yard setback requirements on a 0.19± acre tract located on the south side of Hollow Drive, northwest of its intersection with Spring Haven Drive (a/k/a **2529 Hollow Drive SW**), having a zoning classification of Planned Unit Development, with conditions (P-U-D-c).
Ward Number: Five
Tax Parcel Number(s): 08-006A-000-028
Request: Front porch addition and one-bay garage addition with an upper level bedroom

Staff Presentation: Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to vary the front yard setback from 30-feet to 25-feet and the left side yard setback requirement from 9-feet to 1-foot. The applicant intends to construct a 10' wide x 8' deep front porch addition and a 15' wide x 38' deep, one-bay garage addition with an upper level bedroom. The subject property is 0.19± acre in size and is located within the Spring Haven Place Subdivision zoned P-U-D-c and contains a 1,040 square foot single-family ranch home originally constructed in 2000. The owner is in the process of renovating the exterior of the home and recently received a building permit in August of 2012 to improve the exterior facade of the home from vinyl siding to stucco. The applicant is basing the hardship on the size of the lot and the location of the existing home. The applicant states that other homes in the subdivision have built carports or garage additions. The surrounding area is comprised of single-family residential homes of similar scale and multi-family apartments, as well as the Georgia Power Company facility and various commercial uses along Browns Bridge Road located further south.

The Planning Division staff is recommending **conditional approval** of this variance request based on the size and width of the subject property with the following condition:

The property owner shall provide a vegetative buffer consisting of a mixture of evergreen trees between the proposed garage addition and the existing fence located on the neighboring property to the east. The final installation, placement, and maintenance of the buffer shall be subject to the Community Development Director approval.

Applicant Presentation: Maria Ruelas, 2529 Hollow Drive SW, stated that they were not aware of the setback requirements until last year. However, they need additional room in the house as well as a garage, noting they have no other place on the property for a garage. She stated they did not want to move and simply want to expand the house for their needs. Upon inquiry by Chairman Dadisman, the applicant stated they did not have a problem with the proposed condition by staff.

FAVOR: None

OPPOSED: None

Planning and Appeals Board Comments: Board Member Snyder asked about the distance from the garage to the existing fence. Planning Manager Matt Tate stated that the fence is not on the property line, but actually on the adjoining property to the east of the subject property. He stated that the orientation of the adjoining house, noted as Lot 15 on the survey, was unusual in that the rear of that house faces the side of the subject property. Therefore, staff would like to meet with both property owners to determine the proper location for the buffer which could possibly be on the adjoining property. Mr. Tate stated they would be mindful of what type of trees to place in the buffer due to the close proximity to the house.

Board Member Snyder asked if staff received any objections to this request. Mr. Tate stated that staff did not receive any objections, noting the applicant has been in contact with the property owners of Lot 15 and they did not have any objections.

There was a motion to approve the request to vary the front yard setback from 30 feet to 25 feet and vary the left side yard setback from 9 feet to 1 foot for a front porch addition and one-bay garage addition with an upper level bedroom *without* the vegetative buffer as proposed by staff because of its close proximity to the house.

Motion made by Board Member Stanley

Discussion was held regarding the buffer condition which was recommended by staff. Although a buffer is not required between two residential properties, the proposed condition would give the opportunity to lessen the impact of the applicant's addition to the neighboring property. Mr. Tate stated that the buffer would not be required for the entire distance of the fence, but only along the length of the addition. Mr. Tate confirmed that if both property owners agree that a buffer is not needed, staff would have the discretion not to require one and it would be a moot issue.

Motion died for lack of second.

There was a motion to approve the request to vary the front yard setback from 30 feet to 25 feet and vary the left side yard setback from 9 feet to 1 foot for a front porch addition and one-bay garage addition with an upper level bedroom with the following condition:

The property owner shall provide a vegetative buffer consisting of a mixture of evergreen trees between the proposed garage addition and the existing fence located on the neighboring property to the east. The final installation, placement, and maintenance of the buffer shall be subject to the Community Development Director approval.

Motion made by Board Member Snyder
Motion seconded by Board Member Rucker
Vote – 6 favor, 1 absent (Hokayem)

ADJOURNMENT

There was a motion to adjourn the meeting at 5:45 PM.

Motion made by Board Member Fleming
Motion seconded by Board Member Stanley
Vote – 6 favor, 1 absent (Hokayem)

Respectfully submitted,

Dean Dadisman, Chairman

Judy Foster, Recording Secretary