



P&Z STAFF REPORT
Board of Appeals Hearing; February 9, 2017

Case: **V17-0006 – 314 Colewood Way**

Staff Contact: Paul Leonhardt (pleonhardt@sandyspringsga.gov)
Report Date: January 26, 2017

REQUEST

Variance from Section 109-225 of the Development Regulations to construct a 189 square-foot addition to an existing residence within the 25-foot City impervious surface setback (25-foot additional impervious surface setback associated with a stream buffer).

APPLICANT

Property Owners: Todd Sachtjen	Petitioner: Todd Sachtjen	Representative: William C. Collins
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PROPERTY INFORMATION

Location:	314 Colewood Way
Council District:	3 – Burnett
Road frontage:	Approximately 100 feet
Acreage:	Approximately 0.6 acres
Existing Zoning:	R-3 (Residential District)
Existing Land Use:	Single-family dwelling
Overlay District:	N/A
Special Planning Area:	-
Future Land Use Designation:	R1-2 (1-2 units per acre)

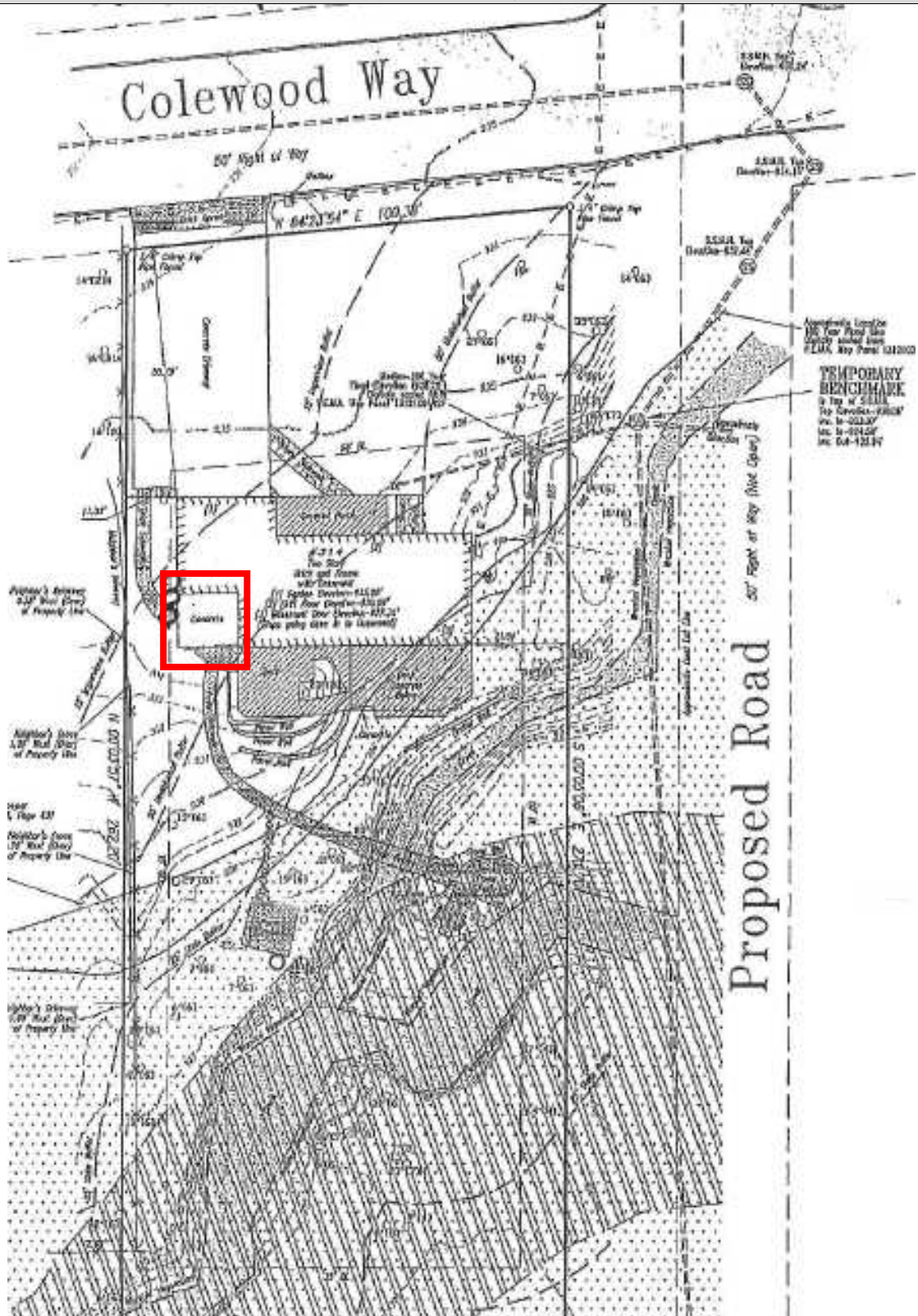
PROPOSED DEVELOPMENT

The applicant proposes a 189 square-foot addition to the existing residence. As proposed, the addition will encroach into the 25-foot City impervious surface setback in its entirety. Prior to this application, the applicant has poured a concrete pad without obtaining the required permits or the required Variance. The proposed addition would be placed on said concrete pad. With this request, the applicant asks to maintain the concrete pad as an integral part of the addition.

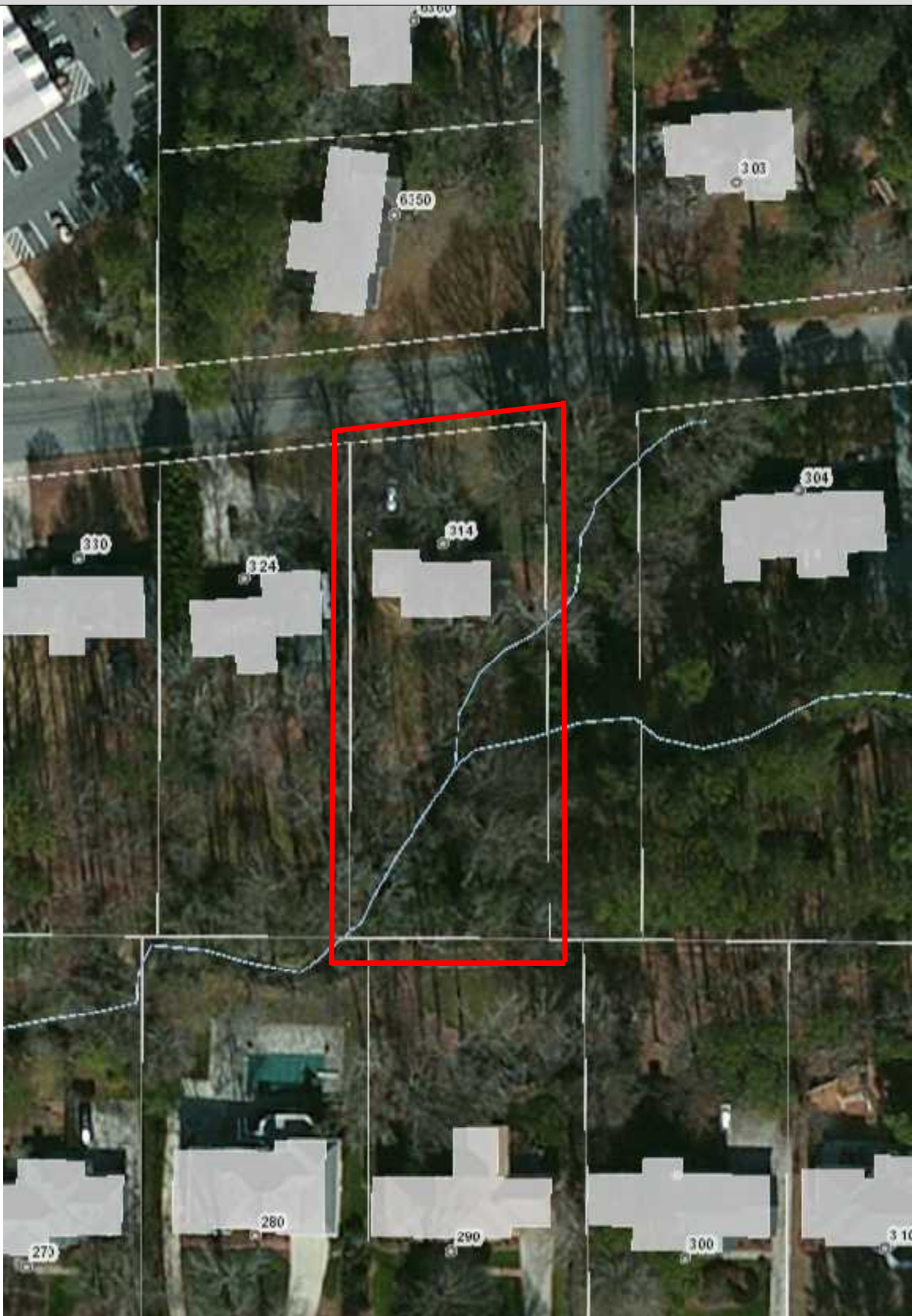
Buffer	Existing conditions – excluding recently constructed concrete pad (sf)	Proposed Plan (sf)	Difference Proposed- Existing (sf)
25-foot State	853	853	0
50-foot City	1,464	1,464	0
25-foot City Setback	1,076	1,265	+189 (+17.6%)
Total	3,392	3,581	+189 (+5.6%)

RECOMMENDATION
Department of Community Development
<u>Conditional Approval</u> of Variance request V17-0006.

SITE PLAN (FULL SITE PLAN AS ATTACHMENT)



AERIAL IMAGE



ZONING MAP



VARIANCE CONSIDERATION
Per Section 109-225 of the Development Regulations, Variances will be considered only in the following cases: <i>A. When a property's shape, topography or other physical conditions existing at the time of the adoption of the ordinance from which the article is derived prevents land development unless a buffer variance is granted.</i> <i>B. Unusual circumstances when strict adherence to the minimal buffer requirements would create an extreme hardship.</i> <i>Variances will not be considered when, following adoption from this article is derived, actions of any property owner of a given property have created conditions of a hardship on that property.</i> Finding: This property was developed in the 1960s, prior to the establishment of the City's stream buffer regulations. A stream runs diagonally through the rear yard with the 50-foot City stream buffer and 25-foot additional City impervious surface setback covering almost the entirety of the existing house and associated improvements. The applicant is proposing a 189-square foot addition to the existing residence, to be used as a sun room. The entirety of the addition will be placed on a concrete pad the applicant poured last year without permits or the necessary variance. The proposed addition's size is modest. It will increase the amount of impervious surface in the regulated area by 6%. To mitigate for the impacts on stream water quality, the applicant proposes to install three cisterns with a total capacity of 165 gallons. These cisterns are sized to retain approximately 117% of the first 1.2 inches of precipitation. The City Engineer instead proposed the use of gravel pits or flowells, as they do not require constant monitoring and emptying. When not emptied on a regular basis, cisterns do not provide any mitigation. The applicant considered the proposal, but rejected it and responded that the home owner will consistently monitor the cisterns. Staff finds that with proper maintenance as pledged by the applicant, there will likely be no negative water quality impacts and that granting the variance request will be at least as protective of natural resources and the environment as the existing conditions. Due to the regulated area surrounding the stream and the required minimum building setbacks, the property has only approximately 300 square feet of buildable area, clustered in the northeastern part of the property. There is no alternative location the applicant could use to construct a similarly sized addition by-right. Therefore, Staff finds that there are exceptional conditions due to the property's topography that prevent land development should a variance not be granted.
COMMENTS FROM OTHER PARTIES
No comments received.

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff has reviewed the request relative to the variance standards contained in Section 109-225 of the Sandy Springs Development Regulations. Based upon this review, staff recommends **APPROVAL** of variance request V17-0006 to construct an addition to an existing house within the 25-foot additional impervious surface setback associated with a stream buffer

Should the Board of Appeals instead choose to approve the request, staff recommends the following conditions:

1. To construct a 189-square foot addition to an existing house on the previously constructed concrete pad within the 25-foot City setback, as shown on the site plan prepared by Georgia Land Surveying, dated December 13, 2016, and received by the Department of Community Development January 17, 2017.
2. Any revisions of the submitted site plan must be reviewed and approved by Staff.
3. The applicant shall at a minimum install three cisterns with sufficient capacity to retain 165 gallons of runoff, or equivalent water quality installations, or mitigation measures as approved by the Department of Community Development. The applicant shall not place any cisterns within the required minimum setbacks. When applying for a building permit, the applicant shall meet the City stormwater requirements, which may require improvements, upgrades, or changes to the proposed mitigation measures.
4. A zoning inspection must be satisfactorily conducted and site conditions must adhere to all aforementioned conditions prior to issuance of a certificate of occupancy.
5. Prior to issuance of a certificate of occupancy, the applicant must provide an as-built survey.