

**MINUTES  
CITY OF SUWNEE, GEORGIA  
ZONING APPEALS BOARD MEETING  
JUNE 18, 2007**

**PLANNING AND ZONING APPEALS BOARD MEMBERS:** Present: Herb Godfrey, Paula Hill, Winship Rees, and Tucker Balch. Staff members present: Josh Campbell, Wes Rogers and MaryAnn Jackson. Absent: Bill Thee.

**CALL TO ORDER**

Herb Godfrey called the meeting to order at 6:31 pm.

**ADOPTION OF THE AGENDA**

*Paula Hill moved to adopt the agenda as presented, second by Winship Rees. Motion carried 4-0.*

**APPROVAL OF MINUTES: March 20, 2007 and April 17, 2007**

*Tucker Balch moved to approve the March 20, 2007 minutes as amended, second by Paul Hill. Motion carried 4-0. Tucker Balch moved to approved the April 17, 2007 minutes as presented, second by Paula Hill. Motion carried 4-0.*

**PROCEDURES FOR PUBLIC MEETING**

Herb Godfrey read the procedures for public meetings.

**OLD BUSINESS - None**

**NEW BUSINESS**

**V-2007-015** – Applicant and Owner: Jeffery Spence. Requests a variance from Section 4.1 of the Stream Buffer Protection Ordinance to allow for an addition to a single family residence. Site is located in Land Lot 251 of the 7<sup>th</sup> District at 925 Landover Crossing and contains approximately 0.580 acres.

Wes Rogers presented the staff analysis as follows: The applicant seeks a variance from Section 4.1.1 and 4.1.2 of the City of Suwanee Stream Buffer Protection Ordinance to allow for a 62 square foot (6.5 feet by 9.5 feet) addition to an existing house. The subject property is a 0.58-acre single-family residential lot developed with a 2-story home within the Lansdowne subdivision. The site includes a drainage ditch to the side of the house and a creek to the rear - both require buffers. The proposal would allow for the addition approximately 35 feet from the stream and 26 feet from the ditch.

In 1995, when the house was constructed, the Soil Sedimentation and Erosion Control Ordinance only required a 25-foot wide stream buffer. The site appears to comply with this previous stream buffer requirement. Most of the existing house - including the proposed addition - is located with the 75-foot buffer required by the Stream Buffer Protection Ordinance. As such, a variance is needed to add onto the house as proposed.

In 2005, a state created water-planning district, the Metropolitan North Georgia Water Planning District, mandated that all municipalities within its jurisdiction adopt a Stream Buffer Protection Ordinance with a 75-foot wide stream buffer. The City of Suwanee adopted a Stream Buffer Protection Ordinance meeting the District's requirements on March 15, 2005. Section 4.2 of the city's Ordinance assigns the Zoning Board of Appeals as the body to hear requests to deviate from its requirements.

Section 4.1 of the Stream Buffer Protection Ordinance states, "All land development activity subject to this ordinance shall meet the following requirements:

- 4.1.1 An undisturbed buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank
- 4.1.2 An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

As such, the Ordinance therefore requires a 50-foot wide undisturbed buffer (Section 4.1.1) supplemented by an additional 25-foot wide buffer (Section 4.1.2) that may be graded but cannot include any impervious cover (a.k.a – "no impervious" buffer). Examples of impervious cover include buildings, parking lots, driveways, etc. The two areas constitute the previously mentioned 75-foot width.

The applicant's house is located within the recently adopted 75-foot wide "no-impervious buffer," with the proposed house addition located within the undisturbed 50-foot wide buffer.

The subject property is located within a single-family residential subdivision.

The area in question is a very small area of impact (about 65 square feet). The stream buffer ordinance allows for variances if mitigation is provided. The applicant has indicated that they are planning to plant shrubs around the proposed addition.

In conclusion, the impact to the stream would be negligible. The applicant proposes to plant shrubs around the impacted area which should mitigate the benign impact of the 62 square foot addition. If this were a more significant addition then greater mitigation would be needed to offset the impact. Therefore, staff recommends approval with conditions of V-2007-015.

Herb Godfrey called upon the applicant.

Jeffery Spence, 925 Landover Crossing, Suwanee, GA. Jeffery Spence stated he is adding a small addition to the kitchen and dining room area of his home. This will allow for a pantry and an extension of the dining room. It is about 65 square feet. The area under the addition contains flowers planted by Mr. Spence. They will be replanted once the addition is completed.

Tucker Balch asked Jeffery Spence about the mitigation he is providing. Mr. Spence stated there will be shrubbery planted under the addition and along the sidewalk. Josh Campbell stated this is a fairly benign application and the shrubs being provided should be sufficient.

Herb Godfrey called for opposition. There was no opposition.

***Winship Rees moved to approve V-2007-015 with conditions, second by Tucker Balch. Motion carried 4-0.***

- 1) The area of impact shall be limited to the area shown on the submitted exhibits.***
- 2) The builder of the addition shall make efforts to minimize the impact to the buffer. At the direction of the Public Works and Inspections Department, erosion control fencing shall be provided to prevent erosion and sediment until the area is stabilized.***
- 3) A minimum of one row of shrubs shall be provided around the addition planted on a minimum of three-foot centers.***

### **OTHER BUSINESS**

### **ANNOUNCEMENT**

The Atlanta Symphony Orchestra will be at Town Center Park on June 30, 2007.

### **ADJOURNMENT**

Tucker Balch moved to adjourn at 6:51 pm.