

19-BDA-04-04

**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

Name of Applicant Miller Lowry Developments  
Mailing Address 2964 Peachtree Ave. NW Suite 540 Atlanta, GA 30305  
Telephone 770-903-4422 Mobile # [REDACTED] Email rob.roses@millerlowry.com

Property Owner (s) Development Authority of Hapeville  
Mailing Address 3468 North Fulton Ave. Hartsfield Int'l. Airport Hapeville, GA 30354  
Telephone N/A Mobile # N/A

Property Address/Location: Situated between Central, Colville Avenue & Wingham Dr.

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14012700020429  
141,788 SF 14012700020379  
Square Foot of Property \_\_\_\_\_ Building Size 63,762 SF Zoning Village  
Present Land Use Raw land ↳ TH's + Commercial

4 total → Variance Requested Wowing sidewalk along Wingham, decrease required distance from buildings, decrease commercial parking spaces, decrease height of owner buildings  
Applicable Code Section \_\_\_\_\_

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered to. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

[Signature] MLD  
Applicant's signature  
Date: 3/27/19

Sworn to and subscribed before me  
This 27 day of MARCH, 2019.



[Signature]  
Notary Public

**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

**WRITTEN SUMMARY**

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

*See attached narrative.*

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Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

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Explain how these conditions are peculiar to the particular piece of property involved.

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What, if any, detriment to the public good would the proposed project have if a variance was granted?

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**CITY OF HAPEVILLE  
ECONOMIC DEVELOPMENT DEPARTMENT  
VARIANCE APPLICATION**

**AUTHORIZATION OF PROPERTY OWNER**

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

Parcel 14012700020421

Parcel 14012700020319

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.

Name of Applicant Miller Lowry Developments

Address of Applicant 2964 Peachtree Rd. NW, Suite 540 Atlanta, GA 30305

Telephone of Applicant 770-903-4422

Katrina Bradbury Chairman  
Signature of Owner

Katrina T. Bradbury  
Print Name of Owner

Personally Appeared Before Me this 27 day of MARCH, 2019.

Paul M. Newman  
Notary Public



All that parcel of land lying in and being located in Land Lot 98 and 127 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a 1/2 inch capped rebar set at the southwest quadrant of the intersection of Central Ave and Colville Ave, said capped rebar being the true point of beginning (POB).

Thence leaving said POB, S 01° 12' 25.9" W for a distance of 215.6095 feet to a point on a line.

Thence, N 73° 02' 33.1" W for a distance of 153.8800 feet to a point on a line.

Thence, N 08° 10' 44.9" E for a distance of 5.7000 feet to a point on a line.

Thence, N 72° 56' 24.1" W for a distance of 406.1516 feet to a point on a line.

Thence, N 17° 16' 55.5" E for a distance of 10.0437 feet to a point on a line.

Thence, N 73° 14' 01.5" W for a distance of 94.5067 feet to a point on a line.

Thence, N 72° 45' 36.0" W for a distance of 49.9771 feet to a point on a line.

Thence, N 10° 05' 03.5" E for a distance of 104.7466 feet to a point on a line.

Thence, N 65° 51' 37.7" E for a distance of 59.9364 feet to a point on a line.

Thence, N 65° 53' 01.3" E for a distance of 97.4780 feet to a point on a line.

Thence, S 78° 08' 45.4" E for a distance of 36.0818 feet to a point on a line.

Thence, S 69° 13' 19.6" E for a distance of 50.0000 feet to a point on a line.

Thence, N 20° 46' 40.4" E for a distance of 15.0000 feet to a point on a line.

Thence, S 69° 45' 39.2" E for a distance of 77.7820 feet to a point on a line.

Thence, S 68° 50' 14.8" E for a distance of 49.8439 feet to a point on a line.

Thence, S 68° 57' 42.6" E for a distance of 200.3277 feet to a point on a line.

Thence, S 68° 48' 41.0" E for a distance of 49.9678 feet to a point on a line.

Thence S 69° 16' 47.1" E a distance of 77.0059 feet to a 1/2 inch rebar set, said rebar being the true point of beginning.

Said parcel of land contains 3.255 acres (141,786.66 square feet).

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2964 Peachtree Rd. NW  
Suite 540  
Atlanta, GA 30305

March 20, 2019

Economic Development Department  
3468 North Fulton Avenue  
Hapeville, GA 30354

To whom it may concern,

Miller Lowry Developments respectfully requests your positive consideration for the attached Board of Appeals Variance Application. Our intent is to develop “The Village Walk at Hapeville”, a new +/- 3.25 acre mixed-use community, located at the gateway to Hapeville. The specific property is nestled between Central Avenue, Colville Avenue, and Willingham Dr. just east of I-85. Our proposed site plan includes 20 townhomes and approximately 7,132 sf of boutique commercial space, with the townhomes being no taller than 2.5 stories each.

Since our original submittal to staff on 12.11.18 for site plan approval, Miller Lowry Developments has made significant changes to the site plan design and architecture to address staff's comments, and or concerns, along with designing a site that works well with the City's current characteristics. Much thought has been put into the plan in making the project an extension of the commercial developments to the east of the site across from Colville Avenue, while also making the residential portion of the site an extension of the residential neighborhoods south of the site across Willingham Dr.

Each townhome will have a 2 car garage accessed by a rear drive aisle and all front entry facades will face a Village Green that preserves many of the existing trees on site. The intent of the Village Green concept is to conserve the openness of the site, by not overwhelming the site from a density perspective. Additional amenities to the residents will be a pervious walking path around the Green and a common area firepit, not to mention the walkable retail options nearby.

The commercial space will be in two single-level buildings located along the eastern border of the site and will incorporate architecture that compliments the immediate areas buildings.

Miller Lowry Developments will be submitting to the Board of Appeals for approval of 4 total variances including: waving the sidewalk requirement for Willingham in order to conserve trees and the sites topography, decreasing the required distance between buildings from 20' to 10' to conserve trees, which we already have approval from the Fire Marshall on, decreasing the commercial off street parking from 36 to 32 parks, and lastly reducing the building height on the

commercial portion from 24' to 18'. We are requesting this variance in order to maintain the small, historical feel that comes with Hapeville. Since our initial talks with the landowner and the City, it was our intent as the developer to preserve as many trees as possible, and to create an infill park feel to the overall development. In order to create this feel, we have created quite the strain of space by pushing the construction component of the development outward. Due to the topography, and the push to save trees, we require the aforementioned variances. There would be no detriment to the public good if these variances were granted.

Sincerely,

Miller Lowry Developments