

**Board of Appeals Meeting
3468 North Fulton Avenue
Hapeville, Georgia 30354**

April 25, 2019 6:00PM

MINUTES

1. Welcome and Introduction

Chairman Mike Simpson called the meeting to order at 6:10 p.m. in the City of Hapeville Conference Room located at 3468 North Fulton Avenue, Hapeville, Georgia 30354. Members in attendance included Vice Chairman Jan Bolien, Rod Mack, Larry Martin and John Stalvey. City Planners Lynn Patterson, Michael Smith and Secretary Adrienne Senter were also present.

Board of Appeals members Billy Slocumb and Gabriel Cojocarescu were unable to attend the meeting.

2. Minutes of March 28, 2019

MOTION ITEM: Jan Bolien made a motion, John Stalvey seconded to approve the minutes of March 28, 2019 as submitted. Motion Carried: 4-0.

3. New Business

a. 325 Sunset Avenue

Variance Request

Joe Collums authorized representative for Phil Ellen of Georgia Communities, Inc. requested a variance to allow an off-site parking arrangement at 325 Sunset Avenue, Parcel Identification Number 14 009600060133. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Section 93-23-12 of the City of Hapeville Zoning Ordinance.

The request is to allow a new development and meet the minimum parking requirements using the parking lot on an adjacent parcel. The second parcel is located at 369 North Central Avenue, directly west of the Applicant's parcel. The long-term plan is to acquire the adjacent parcel and replat it as one parcel to accommodate the proposed use – a senior independent living facility using Low Income Housing Tax Credits (LIHTC).

Combined, the on-site and off-street parking would be sufficient to meet the development's minimum parking requirements. Both lots are owned by the same owner, and the Applicant has been granted permission to use space from both lots.

Public Comment:
None.

MOTION ITEM: John Stalvey made a motion, Larry Martin seconded to allow an off-street parking arrangement at 325 Sunset Avenue as requested. Motion Carried: 4-0.

- Public Comment – None.

b. Willingham Drive at Colville Drive (Village Walk) Variance Request

Miller Lowry of Miller Lowry Developments is requesting variances to decrease the required distance between multifamily buildings from 24' to 10'; and, decrease the required parking spaces for the commercial portion of the development from 36 spaces to 32 spaces, while allowing three of those spaces to be located in the residential parking area (potentially behind the residential gates as shown on the plans) at South Central Avenue and Willingham Drive, east of I-85, on land lots 89 & 127, Parcel Identification Numbers 14 012700020429 and 14 012700020379. The properties are zoned V, Village and are within the Arts District Overlay and are subject to the zoning regulations under Sections 93-11.1-6, 93-23-10 and 93-22.1-1 of the City of Hapeville Zoning Ordinance.

The Applicant also requested two additional variances: waiving the sidewalk requirement along Willingham Drive, and allowing commercial buildings to be lower than 24' in height. However, such exceptions do not fall under the purview of the Board of Appeals and must be reviewed by the Design Review Committee for compliance with the Architectural Design Standards.

The proposed development would consist of 20 2 ½ story townhomes located adjacent to 7,132-sf of commercial space.

There was discussion regarding the request for a variance and the hardship to comply with the ordinance. The applicant stated that the overall goal of the project is to preserve as many trees as possible. The plan, as presented, oriented the structures to preserve specimen trees. The Board inquired regarding the number of trees that would be saved. Ms. Patterson asked if the applicant had a tree save plan for the Board of review. The applicant stated that the number of trees were identified but he did not have a tree save plan available.

Discussion ensued regarding the site plan as proposed and if the residential buildings could be re-oriented to meet the distance between multifamily requirement. The applicant stated re-orienting the buildings would require the removal of additional trees.

- Public Comment – Katrina Bradbury, 921 Margaret Street. Ms. Bradbury spoke on behalf of the Development Authority and in favor of the project.

After further discussion, the following action was taken:

MOTION ITEM: John Stalvey made a motion, Rod Mack seconded to table the variance request to reduce the distance between the multifamily buildings.

Discussion: The Board postponed the vote until the Planning Commission reviews the site plan and requested the applicant provide a tree save plan to determine evidence of a hardship. **Motion Carried: 4-0.**

MOTION ITEM: Rod Mack made a motion, John Stalvey seconded to table the request to reduce the commercial parking spaces from 36 spaces to 32 spaces until the May 23, 2019 meeting.

Discussion: The Board postponed the vote until the Planning Commission reviews the site plan and requested the applicant provide a tree save plan to determine evidence of a hardship. **Motion Carried: 4-0.**

4. **Next Meeting Date – Thursday, May 23, 2019**

5. **Adjourn**

MOTION ITEM: John Stalvey made a motion, Larry Martin seconded to adjourn the meeting at 8:17 p.m. **Motion Carried: 4-0.**

Respectfully submitted by,

Michael Simpson, Chairman

Adrienne Senter, Secretary