


Memo

To: Mayor and City Council

From: Bradford D. Townsend, AICP
Planning and Zoning Director 

Date: April 25, 2012

Subject: Request for a Parkway Village variance for 1140 Grace Hill Drive to the perimeter buffer.

Background

The applicant is requesting a Parkway Village Hardship Variance to the required perimeter buffer. Article 12, Section 12.2.3(I) of the Roswell Zoning Ordinance, "Development Regulations for the Corridor - Buffers and Setbacks" and Table 12.2.1 "Development Standards – Parkway Village," requires a sixty (60) foot buffer along the perimeter of the Parkway Village Overlay District for single family residential developments with a minimum lot size of 9,000 square feet to 17,000 square feet. The applicant is requesting a variance of eight (8) feet from the required sixty (60) foot buffer to build a sunroom, deck and stone patio on the rear of their house.

Variance requests to the Parkway Village requirements must be heard by the Mayor and City Council. According to the Roswell Zoning Ordinance Section 12.2.6 Variances for Hardships "The mayor and city council may waive one (1) or more of the specific requirements applicable to sites located in the overlay district in accordance with this section. The mayor and city council may approve any variance to the minimum extent necessary to allow the project to be constructed. Specifically, any notification of a variance shall follow the required notice of public hearing procedures specified in Section 31.1.21. The applicant for any such waiver shall have the burden of showing that the proposed project, with such waiver granted, will be as good or better than a project developed in compliance with the overlay district regulations in terms of environmental compatibility and traffic considerations. In order to qualify for a variance under this chapter, the applicant must demonstrate an undue hardship imposed on a tract by the Parkway Village overlay district regulations or the cumulative effect of such regulations, due to the peculiar configuration, topography, size or location of the tract."

There is currently an existing wood deck on the rear of the house that extends three (3) feet in to the buffer at the northeast corner of the deck. The proposed sunroom and deck would be built in place of this existing deck and extend eight (8) feet into the buffer which would be covered by this variance. However, on the proposed site plan received April 6, 2012, the stone patio extends an additional two (2)

feet into the buffer beyond the requested variance. Because of the orientation of the house, only the triangular northeast corner of the proposed sunroom, deck and patio would be in the buffer. The house is also built at a thirty-eight (38) feet front setback with only a twenty (20) foot setback required. This reduces the usable rear and side yard space available to expand.

The applicant has been in contact with the Architectural Committee of the Grace Hill Homeowners Association regarding the design of the new construction and has included a letter of correspondence. The letter provided shows agreement on proposed architectural elements for the construction, but also gives further guidance on the architectural design review and processes necessary for HOA approval. The letter states the applicant must resubmit their plans for approval after having received all necessary permits from the City.

Department Comments:

Andy Pittner, City Arborist: No specimen trees impacted. If any specimen tree is impacted or removed as a result of this project a tree removal project will be required.

There are no other comments from City staff.

Recommendation:

The Community Development Department recommends that this application for a Parkway Village variance be denied.