

Zoning Board of Appeals Meeting
Monday, March 20, 2023
7:00 p.m.

PRESENT:

Chairman – Robert Potts	Assistant City Attorney – Patrick Stough
Member – Antonio Andrews	Director – Anthony Alston
Member – Roslyn Crider	Assistant Director – Janna Keller
Member – Sandra Cherokee Hill	Planner I – Chanelle Campbell

I. CALLED TO ORDER:

The meeting was called to order at 7:00 p.m.

II. APPROVAL OF MINUTES:

Monday, February 28, 2023 Zoning Board of Appeals Minutes

On motion of Sandra Cherokee Hill, seconded by Antonio Andrews and carried, the Zoning Board of Appeal approved the agenda. Vote was unanimous.

III. OLD BUSINESS:

None

IV. NEW BUSINESS:

- A. **Item #0001 Case 2023V-002-03 (Public Hearing):** An application by Atlanta Habitat for Humanity c/o Jeremy McNeil on approximately 0.138 +/- acre tract of land (Parcel ID 09F230600850638) generally located south of Heather Ct. and approximately 220 ft. west of Ballye Shannon Pike for relief from the requirement of Section 5-39 of the Zoning Ordinance for a garage for a one-family dwelling. The relief requested would remove entirely the garage requirement.

1. PRESENTATION AND/OR COMMENTS:

- A. Presentation by Community Development Department, Planner I Campbell; an application by Atlanta Habitat for Humanity with Jeremy McNeil is seeking a variance request to Section 5-39 of the Zoning Ordinance for a garage for a one-family dwelling. The relief requested would remove entirely the garage requirement. The property is located south of Heather Ct. and approximately 220 ft. west of Ballye Shannon Pike. The property consists of 0.138 +/- acre tract of land in an R-6, Single Family Residential district. The subject property is undeveloped. Surrounding land uses are single family residence to the north, south, east, & west. The proposed home will be 1,320 square feet with hardiplank siding, a front porch, and driveway parking pad for (2) cars. The Union City zoning ordinance states all one, and two family dwelling over 1,000 square feet shall have a two car garage with additional off street parking for two cars which totals 4 parking spaces. The applicant will provide the two parking spaces with additional off street parking for (2) car. The parking requirement is met with the exception of meeting the garage requirements. With

the adjustments made based on the variance request, the proposed home will be compatible with the surrounding homes on Heather Court.

Jeremy McNeil, address 824 Memorial Dr., Atlanta, GA 30316 presents on behalf of the applicant with Habitat for Humanity.

REMARKS FROM THE PETITIONERS:

- Jeremy McNeil – The ordinance requirements of the development proposed would result in great practical difficulties or unnecessary hardship. Adding a two-car garage to the proposed development may potentially ruin the character of the neighborhood and would not be consistent with the adjacent homes; therefore we are seeking a variance.

2. THE COMMISSIONER’S HAD QUESTIONS ABOUT THE FOLLOWING TOPICS:

- Roslyn Crider (Member) – (Question) Are there similar houses in the area?
- Chanelle Campbell (Planner I) – (Answer) Yes, the applicant has built similar homes on the same street.
- Roberts Pott (Chairman) – (Question) I have not seen a variance application for the previously built home.
- Chanelle Campbell (Planner I) – (Answer) That was before my time here, but we are working to ensure that all developments follow the necessary process.
- Robert Potts (Member) – The home will have sufficient parking correct?
- Chanelle Campbell (Planner I) – (Answer) Yes, the applicant will provide the two parking spaces with additional off street parking for (2) car. The parking requirement is met with the exception of meeting the garage requirements.

3. REMARKS:

4. PUBLIC HEARING OPEN TO THE PUBLIC (2 MIN.):

5. PUBLIC HEARING CLOSED TO THE PUBLIC:

6. REMARKS FROM PETITIONER AND OTHERS:

7. VOTE ON ITEM #0001; Case Number 2023V-002-03

On motion of Antonio Andrew, seconded by Sandra Cherokee Hill and carried, the Zoning Board of Appeal approved the variance request to remove the parking requirements in case 2023V-002-03. Vote was unanimous (3-0).

B. Item #0002 Case 2023V-003-03 (Public Hearing): An application by Atlanta Habitat for Humanity c/o Jeremy McNeil on approximately 0.138 +/- acre tract of land (Parcel ID 09F230600850638) generally located south of Heather Ct. and approximately 220 ft. west of Ballye Shannon Pike for relief the requirement of Section 5-40 of the Zoning Ordinance concerning exterior building materials. The relief requested would remove entirely the requirement that 100% of the exterior siding materials for the façade that faces a public or private street of a residential dwelling be constructed of brick or stone.

1. PRESENTATION AND/OR COMMENTS:

A. Presentation by Community Development Department, Planner I Campbell; an application by Atlanta Habitat for Humanity with Jeremy McNeil is seeking relief the requirement of

Section 5-40 of the Zoning Ordinance concerning exterior building materials. The relief requested would remove entirely the requirement that 100% of the exterior siding materials for the façade that faces a public or private street of a residential dwelling be constructed of brick or stone. The property is located south of Heather Ct. and approximately 220 ft. west of Ballye Shannon Pike. The property consists of 0.138 +/- acre tract of land in an R-6, Single Family Residential district. The subject property is undeveloped. Surrounding land uses are single family residence to the north, south, east, & west. The proposed home will be 1,320 square feet with hardiplank siding, a front porch, and driveway parking pad for (2) cars. Section 5-40 Exterior Residential Building Materials: Residential building design and materials may be of the builders' choosing; however, a minimum of 100% of the exterior siding materials for the façade that faces the public or private street of all residential dwellings shall be constructed of brick or stone. The remaining sides of residential dwellings shall be 100% brick, stone, stucco, cementitious siding or wood; vinyl and metal siding is prohibit. With the adjustments made based on the variance request, the proposed home will be compatible with the surrounding homes on Heather Court.

Jeremy McNeil, address 824 Memorial Dr., Atlanta, GA 30316 presents on behalf of the applicant with Habitat for Humanity.

REMARKS FROM THE PETITIONERS:

- **Jeremy McNeil – The ordinance requirements of the development proposed would result in great practical difficulties or unnecessary hardship. The use of brick to the proposed development may potentially ruin the character of the neighborhood and would not be consistent with the adjacent homes; therefore we are seeking a variance.**

2. THE COMMISSIONER'S HAD QUESTIONS ABOUT THE FOLLOWING TOPICS:

3. REMARKS:

4. PUBLIC HEARING OPEN TO THE PUBLIC (2 MIN.):

5. PUBLIC HEARING CLOSED TO THE PUBLIC:

6. REMARKS FROM PETITIONER AND OTHERS:

7. VOTE ON ITEM #0002; Case Number 2023V-003-03

On motion of Antonio Andrew, seconded by Sandra Cherokee Hill and carried, the Zoning Board of Appeal approved the variance request to remove the parking requirements in case 2023V-002-03. Vote was unanimous (3-0).

V. ADJOURNMENT:

On motion of Roslyn Crider, seconded by Antonio Andrews and carried, the Zoning Board of Appeal adjourned the meeting 7:24 p.m. Vote was unanimous.