

GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II  
CITY MANAGER



SHAYLA REED  
DIRECTOR  
COMMUNITY DEVELOPMENT AND  
REGULATORY AFFAIRS

MEMORANDUM

**TO:** Zoning Board of Appeals

**FROM:** Planning & Zoning Division

**SUBJECT:** **V-19-005 – 013 for:**  
**6428 (lot 158), 6432 (lot 159), 6436 (lot 160), 6440 (lot 161),**  
**6444 (lot 162), 6448 (lot 163), 6452 (lot 164), 6456 (lot 165),**  
**6460 (lot 166) Woodwell Drive (Brentwood Place Subdivision)**

**MEETING DATE:** November 21, 2019

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The applicant seeks a variance to reduce the front yard setback from 20 feet to 15 feet.

**STAFF RECOMMENDATION:      APPROVAL**

cc: Diane White, City Clerk

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**APPLICATION INFORMATION**

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| Applicant Information:            | LeCraw Engineering/Michelle Macauley  |
| Status of Applicant:              | Representative  |
| City Council District(s):         | 5   |
| Parcel ID Number:                 | 09F140000803634, 09F140000803642, 09F140000803659, 09F140000803667, 09F140000803675, 09F140000803683, 09F140000803691, 09F140000803709, 09F140000803717   |
| Area of Property:                 | 6428 (lot 158), 6432 (lot 159), 6436 (lot 160) Woodwell Drive, are 0.11 acres<br><br>6440 (lot 161), 6444 (lot 162), 6448 (lot 163), 6452 (lot 164), 6456 (lot 165) Woodwell Drive are 0.12 acres<br><br>6460 Woodwell Drive (lot 166) is 0.15 acres  |
| Existing Zoning:                  | R-5A  |
| Current/Past Use of the Property: | The subject property Brentwood Place is comprised of 241 single family lots that were platted in 2006 and 2007. These are the last 9 lots to be developed which are contiguous.   |
| Prior Zoning Cases/History:       | <b>Z73-106</b> – Rezoning the property from A (Apartments) conditional to A (Apartments) - <b>APPROVED CONDITIONAL</b><br><br><b>2000ZM-0061</b> - Modification request pursuant to Z73-106 to reduce the number of units, change unit size, reduce parking, modify access to site and to revise the site plan. <b>APPROVED CONDITIONAL</b><br><br><b>Z03-069</b> - Rezoning the property from A (Apartments) to R-5A (Single Family Dwelling District)- <b>APPROVED CONDITIONAL</b><br><br><b>ZM17-001 SFC</b> – A Modification request to modify condition 2.a, amend site plan for Shenfield Drive amenity area received January 31, 2017 and 3.d. The Shenfield Drive amenity area shall include a tot lot, play field and walking trail (instead of a pool and cabana) as shown on the amended site plan received on January 31, 2017. <b>APPROVED CONDITIONAL</b> |

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**SPECIFIC INFORMATION**

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**REQUEST:** The applicant requests a variance to reduce the front yard setback 20 feet to 15 feet.

**BACKGROUND**

The subject property is part of the Brentwood Place Subdivision (Unit 3). The request is for 9 lots located in on Woodwell Drive at the rear of the Brentwood Place subdivision. These parcels are the last of the parcels to be built.

**ADJACENT ZONING AND LAND USES**

The adjacent properties to the north are zoned AG-1 (Agricultural District) and C-2 (Commercial District). Properties to the south are R-5A and Highway 85. Properties to the east are vacant lots located in City of Union City zoned RM (Residential Multi-Family). Properties to the west is Oakley Commons subdivision located in City of Union City zoned RM (Residential Multi-Family).

**APPLICABLE CODE REQUIREMENTS**

According to our Zoning Ordinance the R-5A zoning designation require a front yard setback of 20 feet from the front property line.



## **VARIANCE CONSIDERATIONS**

Staff is including the specific conditions that must be considered for a variance to be granted to assist the Zoning Board of Appeals in considering the application and its merits. These considerations include:

- (i) Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the *Zoning Resolution*; or,
- (ii) The application of the particular provision of the *Zoning Resolution* to a piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or,
- (iii) Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

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## **PUBLIC PARTICIPATION**

The community meeting was held on October 18, 2019 at the Gladys S. Dennard South Fulton Library in Community Meeting Room A. The meeting started at 6pm and concluded at 7:30pm. Three current residents of Brentwood Place attended the meeting. The only concern raised by the attendees was a concern over the reduction in the amount of parking in front of the new homes. According to the meeting attendee, many residents of Brentwood Park are parking up to 4 vehicles in front of their homes. The HOA restricts parking in the street and the concern is that these new homeowners may run into a problem with parking due to the setback reduction. The attendees were receptive to asking the homebuilder to provide notice of the reduced parking to potential homebuyers. Further, the meeting attendees agreed that moving the home forward on the lot would allow future homeowners to have a better backyard which they thought was necessary. On the Meeting Sign-in & Comment sheet, two out of the three property owners marked the form to show that they were in support. The third property owner was unsure.

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## **STAFF COMMENTS**

Engineering: Reviewed with no comments

Arborist: No comments

Environmental: No comments

Public Works: No comments

Transportation: No comments

MARTA: Reviewed with no comments

Fulton County Schools: No comments

Fire: Reviewed with no comments

Legal: No comments

Health: Reviewed, comments attached

**STAFF RECOMMENDATION**

The applicant has petitioned to reduce the front yard setback 20 feet to 15 feet due to the challenge of the topography of the site, as specified in the provided application.

Staff recommends **APPROVAL** based on the shape and topography of the site.

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PREPARED BY:  
Dana Gray, Planner

REVIEWED BY:  
Shayla Reed, Director  
Allison Duncan, Deputy Director