

AGENDA
CITY OF BERKELEY LAKE
PLANNING & ZONING COMMISSION
February 14, 2023 at 7:15 PM
4040 South Berkeley Lake Road
Berkeley Lake, GA 30096

- I. CALL TO ORDER**
- II. APPROVAL OF OR CHANGES TO THE AGENDA**
- III. APPROVAL OF MINUTES**
 - 1. October 25, 2022
- IV. OLD BUSINESS**
- V. NEW BUSINESS**
 - 1. PZV 23-01 – 586 Lakeshore Drive Variance to expand a non-conforming structure (Sec. 78-141) and encroach 20 feet into the 65-foot front setback (Sec. 78-197(5)) and 2.5 feet into the 12.5-foot north side setback (Sec. 78-197(7)).
 - 2. PZV 23-02 – 498 Lakeshore Drive Variance to expand a non-conforming structure (Sec. 78-141) and encroach 29.5 feet into the 40-foot rear setback (Sec. 78-197(6)) and increase the building coverage (Sec. 78-197(11)) from 20% to 25.63%.
- CITIZEN COMMENTS**
- VI. DISCUSSION SESSION**
- VII. ADJOURNMENT**

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
PLANNING & ZONING COMMISSION
SPECIAL CALLED MEETING
DRAFT MINUTES
October 25, 2022
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Dan Huntington, Chair
 Pekka Ignatius
 George Kaffeazakis
 Rand Kirkus
 Robin Sansone

City Administrator: Leigh Threadgill

Citizens Present: 0

I. CALL TO ORDER

Huntington called the meeting to order at 7:18 PM. A quorum of the commission along with City Administrator, Leigh Threadgill, were present at the meeting.

II. APPROVAL OF OR CHANGES TO THE AGENDA

Huntington asked if there were any suggested changes to the agenda.

Kirkus moved to approve the agenda as submitted. Sansone seconded and all voted to approve the agenda.

III. MINUTES

1. Minutes of September 13, 2022

Ignatius moved to approve the minutes of the September 13th meeting. Sansone seconded and all voted to approve the minutes.

IV. OLD BUSINESS

There was no old business.

V. NEW BUSINESS

1. PZTA-22-04, O-22-245., Amendment to the following sections of the zoning ordinance:
 - a. Sec. 78-3, *Definitions* to add a definition of Short-Term Rental;
 - b. Sec. 78-89(g), *Boathouses and Docks* regarding side setbacks;
 - c. Sec. 78-111, *Walls and Fences* regarding front yard wall and fence regulations; and
 - d. Sec. 78-203, *RMD Residential Multifamily Duplex District* to add regulations governing short-term rentals.

Huntington began discussion with boathouses and dock side setback requirements. There was consensus that additional time was needed to consider this amendment.

Huntington then asked the commission to consider Section 78-111, walls and fences. Kaffeidakis noted that this is an important topic to consider to preserve viewshed.

There was discussion and consensus to move forward with recommending approval of the proposed regulations addressing front yard fences and walls.

The commission discussed the proposed changes to 78-3 and 78-203. There was consensus to recommend approval of the proposed changes.

Sansone moved to recommend approval of the changes to sections 78-3, 78-111 and 78-203 as submitted. Kirkus seconded the motion. All were in favor and the motion passed.

VI. CITIZEN COMMENTS

There were none.

VII. DISCUSSION

There was no further discussion.

VIII. ADJOURNMENT

There being no further business, Ignatuis moved to adjourn. Kirkus seconded the motion. All voted in favor and Huntington adjourned the meeting at 8:24 PM.

Respectfully submitted,

Leigh Threadgill
City Administrator

**City of Berkeley Lake
Staff Analysis**

CASE NUMBER:	PZV-23-01, 586 LAKESHORE DR.
RELIEF REQUESTED:	EXPAND NON-CONFORMING STRUCTURE AND ADD LIVING SPACE THAT WILL ENCROACH 20 FEET INTO THE REQUIRED 65-FOOT FRONT SETBACK AND 2.5 FEET INTO THE REQUIRED 12.5-FOOT SIDE SETBACK
EXISTING ZONING:	R-100, RESIDENTIAL
PROPOSED USE:	SINGLE FAMILY RESIDENCE
APPLICANT:	CARL AND ELIZABETH LIETZ 586 LAKESHORE DR BERKELEY LAKE, GA 30096
OWNERS:	SAME
MEETING DATE:	FEBURARY 14, 2023 P&Z COMMISSION

PROPOSED PROJECT:

The applicant proposes to expand the existing non-conforming house located at 586 Lakeshore Drive. Plans submitted with the variance application indicate a 1,260-square-foot addition. Of the 1,260 square feet proposed, 304 square feet encroach into the required 65-foot front setback. Of the 304 square feet that encroach, the majority (240 square feet) of this area is located behind an existing detached garage leaving 64 square feet that will be located off the rear corner of the garage and within the 65-foot front setback. The area that is located behind the garage encroaches about 20 feet into the front yard setback. The area off the rear corner of the garage encroaches into the front setback approximately 3 feet with a setback of 62' – 2 1/8". No part of the addition comes closer to Lakeshore Drive than the existing garage. In addition to the front setback encroachment, the proposed addition will also encroach into the north side setback approximately 2.17 feet to accommodate roof overhangs.

FINDINGS OF FACT:

- 1.) The existing non-conforming house is located at 586 Lakeshore Drive on a 0.50-acre lot, which is about 600 square feet shy of the minimum lot size.
- 2.) According to Gwinnett County property records, the house was built in 1950, the dock/boathouse was built in 1980 and the detached garage was built in 1984.
- 3.) The house and detached garage are both non-conforming with regard to front setback.
- 4.) As proposed, the new addition to the north side of the house will require a 20-foot variance to the front setback and a 2.5-foot variance to the north side setback.
- 5.) The expanded house will meet the 20% building coverage and 30% lot coverage standards with actual coverage percentages of 15.38% and 28.94% respectively.
- 6.) Sec. 78-141 requires a variance to be issued for an extension or enlargement of a non-conforming structure.

- 7.) In addition, the expansion will encroach 20 feet into the 65-foot front setback and 2.5 feet into the 12.5-foot side setback, resulting in the need for variances to Sections 78-197 (5) and (7).
- 8.) Properties to the north and south are zoned R-100 and the location of single-family residences. Lake Berkeley is adjacent to the west and the right-of-way of Lakeshore Drive is adjacent to the east.

STANDARDS FOR APPROVAL:

In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

a) *Applications for variances.*

(1) *All applications for variances shall be submitted initially, in writing, to the planning and zoning commission of the city, which shall consider these requests at its next called meeting. The planning and zoning commission may authorize such variance from the terms of this zoning chapter as will not be contrary to the public interest. The spirit of this chapter shall be observed, the public safety, health and welfare secured and substantial justice done. At the hearing, any party may appear in person or have authorized representation. Such variances may be granted in individual cases if the planning and zoning commission finds that:*

- a. *There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and*
- b. *The application of this chapter to this particular piece of property would create an unnecessary hardship; and*
- c. *Such conditions are peculiar to the particular piece of property involved; and*
- d. *Such conditions are not the result of any actions of the property owner; and*
- e. *Relief, if granted, would not cause substantial detriment to the public nor impair the purposes or intent of this chapter; and*
- f. *The variance is granted for a use of land or building or structure that is not prohibited by this chapter.*

SITE PHOTOS



LOCATION MAP



AERIAL PHOTOS





Application for Variance

For Office Use Only	
Application #:	V/AV 23-01
Check #:	3035 Cash: _____
Date Paid:	1/10/23
P&Z hearing date:	2/14/23
Action:	_____
Appeal filed:	_____
Council hearing date:	_____
Account 100.34.1390.2	
Variance App	\$ 450.00

Part 1: Applicant Information

APPLICANT IS: Owner Agent Attorney

NAME Carl and Elizabeth Lietz DATE January 10, 2023

MAILING ADDRESS 586 Lakeshore Dr.

CITY Berkeley Lake STATE GA ZIP 30096

TELEPHONE 404-788-4442 MOBILE _____ FAX _____

E-MAIL Carl@finchmccranie.com

Part 2: Property Owner Information

NAME(S) Carl and Elizabeth Lietz

MAILING ADDRESS 586 Lakeshore Dr.

CITY Berkeley Lake STATE GA ZIP 30096

TELEPHONE 404-788-4442 MOBILE _____ FAX _____

E-MAIL Carl@finchmccranie.com

Part 3: Property and Use Information

PROPERTY ADDRESS 586 Lakeshore Dr., Berkeley Lake, GA PARCEL ID Lot 71 and part of 72, Plat Book E, Page 250, Land Lot 289, 6th District

PARCEL SIZE 21939 square feet ZONING R-100

EXISTING USE Single Family Residential

I am requesting relief from code section Article VIII, Sec. 78-197, (5)(7) for the purpose of:

Constructing an addition to an existing residential structure. Supplemental documents describe the specific nature of the relief request.

NOTICE: The granting of a Variance does not affect any requirement for a Building Permit for proposed construction.

The following supplemental documentation must be submitted with this application:

- Letter of Intent describing the proposed construction, development or improvements.
- Site Plan showing all existing and proposed improvements on the property.
- Survey of the property

Variance Application: Part 3: Property and Use Information (continued)

Applicant: Please provide written responses to the following items in order to support the request. Attach a separate sheet if necessary:

1) Explain the extraordinary and exceptional conditions pertaining to the size, shape or topography of the subject property; OR if this request is for the expansion of a non-conforming structure, explain whether granting the variance would result in an increase in the non-conforming aspects of the structure.

See attached document for answer

2) Explain how the application of the ordinance to the subject property would create an unnecessary hardship.

See attached document for answer

3) Explain how the conditions are peculiar or unique to the subject property.

See attached document for answer

4) Are the conditions requiring a variance the result of any actions of the property owner? If YES, explain.

See attached document for answer

5) What, if any, detriment to the public or impairment to the purposes of the ordinance would result if the variance were granted.

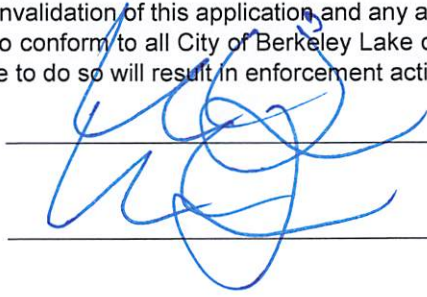
See attached document for answer

6) Is the proposed use of land, building or structure permitted by the zoning ordinance?

See attached document for answer

I hereby make application to the City of Berkeley Lake, Georgia for the above referenced property. I do hereby affirm that the information provided here, above and contained in all material I submit for the purposes of supporting my request for a Variance, to the best of my knowledge 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 as a result of this application. I understand that it is my/our responsibility to conform to all City of Berkeley Lake ordinances in full and obtain any additional permits as may be required and that failure to do so will result in enforcement action taken by the City.

Applicant's Signature _____



Date _____

1/18/23

Owner's Signature _____

Date _____

1/18/23

Answers to Questions 1-6

Question 1

This request is for the modification of a non-conforming structure. With respect to one aspect of this project, we are proposing to remove the gable roof off of the existing, non-conforming garage and replace it with a shed roof to match the pitch and style of the main house roof, substantially improving the contextual appropriateness of the garage and diminishing it's visual impact at the street. Doing so will actually reduce the non-conforming nature of the structure and have an overall positive impact on the view shed of the subject property. In connection with the proposed project, we are also proposing to add additional living space. A large portion of the proposed living space will be built behind the existing garage and only a small portion of the proposed addition will increase the non-conforming nature of the structure. On the whole, however, we believe that all of the work we propose to do will undoubtedly result in a structure that is more visually appealing to the Berkeley Lake community, less non-conforming than the current structure (at least from a visual standpoint) and have far less of an impact than potential alternatives that we believe could be built without obtaining a variance.

Question 2

The application of the ordinance would create an unnecessary hardship because it would prevent us from reducing the non-conforming nature of an existing structure (the garage) and not allow us to add additional living space behind the garage and adjacent to the garage. The current garage sits in front of the house, well within the current set back requirement of 65 feet. Presumably, the garage was built well before any front set back limitations were enacted. If the ordinance were strictly applied, it would prevent us from lowering the pitch of the roof (which makes the structure less non-conforming) and from building an addition behind the existing garage. Not allowing both of these things to occur creates an unnecessary hardship.

Question 3

As noted above, the current garage was built in front of the house, presumably before the City of Berkeley Lake enacted a 65 foot front set back requirement. Moreover, the current gable roof on the garage has a very high pitch and stylistically does not match the character of the main house. Accordingly, the placement of the garage and the pitch of the roof create a peculiar condition that is far from ideal. Reducing the pitch of the roof, while at the same time building an addition (most of which will be behind the existing garage) will reduce the peculiar nature of the current situation.

Question 4

We purchased this property in September 2022 and have not undertaken any exterior improvements on the property. The structures on the property are as they were when we purchased it so we are not responsible for any of the non-conforming conditions on the property.

Question 5

Granting the variance would not result in any detriment to the public or impairment to the purposes of the ordinance. In fact, just the opposite is true. In other words, if the variance is granted, the resulting structure would be more visually appealing to the Berkeley Lake community, less non-conforming than the current structure (at least from a visual standpoint) and have far less of an impact than potential alternatives that we believe could be built without obtaining a variance. (See question enclosed letter of intent and question 1 above).

Question 6

With this variance application, we are primarily seeking relief from the front yard setback in order to reduce the negative visual impact of the non-conforming existing garage, and to build an addition, the overwhelming majority of which will be behind the existing garage and compliant with the front yard setback requirement. Secondly, and if the front yard setback relief is approved, we are seeking side yard setback relief for minor encroachment of roof eaves only. Aside from these relief requests, the proposed structure is permitted by the zoning ordinance.

January 10, 2023

City Administrator
City of Berkeley Lake
4040 S. Berkeley Lake Road
Berkeley Lake, GA 30096

Re: Letter of Intent, Application for Variance, 586 Lakeshore Drive

Dear Ms. Threadgill:

Please consider this as our letter of intent in connection with our application for variance.

My wife, Elizabeth, and I purchased the home at 586 Lakeshore Drive in the fall of 2022. We have two boys and a dog. Before purchasing the home, we rented the home at 510 Lakeshore Drive for approximately 18 months. After living on the lake for a few months, we fell in love with the Berkeley Lake community and we were determined to find a home of our own. We really love our new home and plan on staying there indefinitely. And we appreciate all of the hard work that the previous homeowners made to make our new home so nice. However, we believe there are two problems with the home that we would like to address.

First, the garage was built in front of the home, well within the 65 foot front setback requirement. Presumably, the garage was built before the enactment of the 65 foot front set back ordinance. In addition, the pitch on the garage roof is very high, and somewhat imposing and peculiar given the location of the garage. After purchasing the home, we hired an architect to explore the possibility of moving the garage, perhaps to a location that would make the garage a conforming structure. Moving the garage to another location is just not feasible. However, through the design process we continued to look at ways to reduce the impact of the non-conforming garage and we believe that we have identified a very good alternative. Under the current proposal, we would remove the roof of the garage and build a new roof with a substantially reduced pitch. As you will see from reviewing photos of the current garage and comparing those photos to the proposed design, the new design will result in a structure that is more visually appealing to the Berkeley Lake community, less non-conforming than the current structure (at least from a visual standpoint) and have far less of an impact than potential alternatives that we believe could be built without obtaining a variance.


The second problem that we would like to address with our new home relates to the number of bedrooms and bathrooms in the home. As I mentioned above, we are a family of four. Although the home is listed as a three bedroom two bathroom home, one of the three bedrooms is not what one would consider a traditional bedroom. In fact, that particular room has very little closet space and in order to get to one of the other bedrooms, one must walk through this room. Therefore, we are proposing to add an additional bedroom and an additional bathroom. We previously obtained approval from the Gwinnett County Environmental Health Department to redesignate the current walk through "bedroom" and to build an addition with a new bedroom. Importantly, as you all will see from reviewing the materials we enclosed with our application, the proposed addition is mostly conforming and tucked behind the existing garage. However, under our proposal,

City Administrator
January 10, 2023
Page 2

approximately 304 square feet of the new structure would be built within the front set back. However, of this 304 square feet of new space, 240 square feet of that new space would be built directly behind the existing garage and therefore will be less visible. Aside from the requested relief outlined above our proposed project is compliant with all of the other limitations imposed by the various ordinances, such as lot coverage, building coverage, etc.

Thank you for considering our application for a variance. To the extent you have any questions or need any additional information, please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl Lietz', with a long horizontal line extending to the right from the end of the signature.

Carl Lietz

**LIETZ RESIDENCE
586 LAKESHORE DR.
BERKELEY LAKE, GA 30096**

**APPLICATION FOR VARIANCE -
SUPPLEMENTAL DOCUMENTATION**

2023.01.10



EXISTING CONDITION

APPLICATION FOR VARIANCE - SUPPLEMENTAL DOCUMENTATION

LIETZ RESIDENCE; 586 LAKESHORE DR.

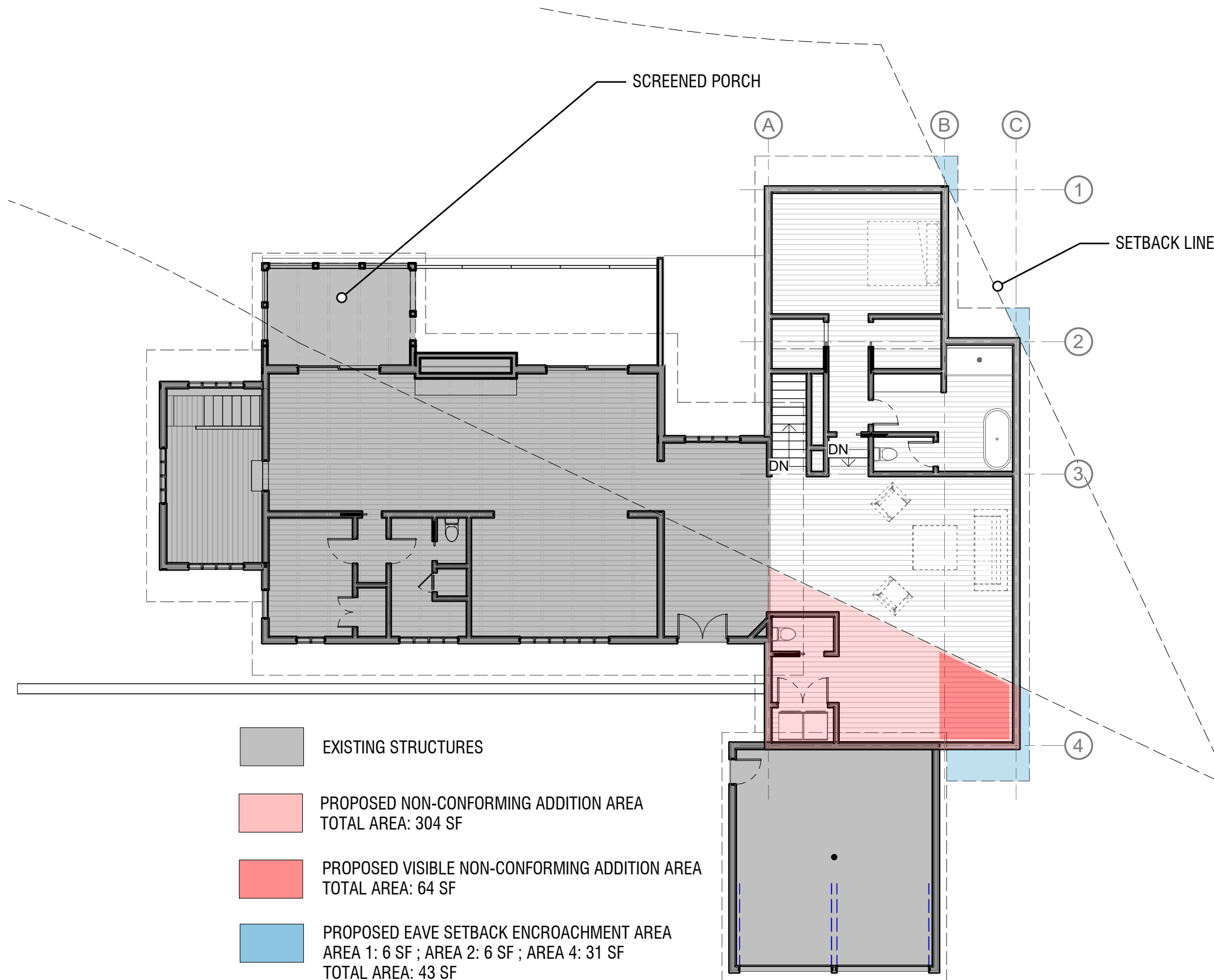
LOT: 21938 SF
 LOT COVERAGE MAX: 30% (6581 SF)
 BUILDING COVERAGE MAX: 20% (4388 SF)*

EXISTING LOT COVERAGE 5003 SF (22.80%)
 EXISTING BUILDING COVERAGE 2115 SF (9.64%)

SCHEME ADD. LOT SF: 1345 SF (6.13%)
 SCHEME ADD. BUILDING COV. SF: 1260 SF (5.74%)

TOTAL PROPOSED LOT COVERAGE: 6348 SF (28.94%)
 TOTAL PROPOSED BLDG. COVERAGE: 3375 SF (15.38%)

*15% Except when no structure on the lot exceeds 25 feet in height on a level lot, 25 feet in height at the front and 35 feet in height at the rear on a downward sloping lot, or 35 feet in height at the front and 25 feet in height at the rear on an upward sloping lot, the maximum lot coverage shall be permitted to be 20 percent (20%)

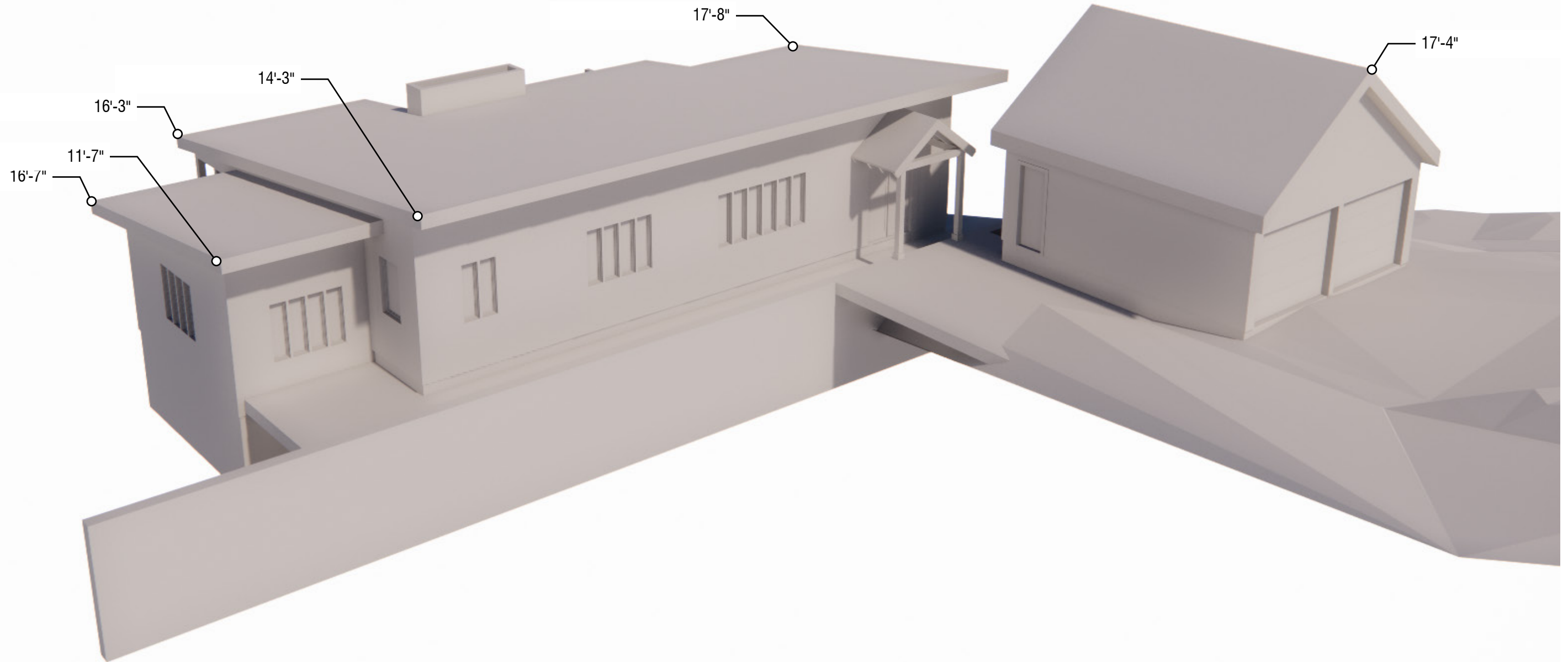


FLOOR PLAN (3/32" = 1'-0")

APPLICATION FOR VARIANCE - SUPPLEMENTAL DOCUMENTATION

LIETZ RESIDENCE; 586 LAKESHORE DR.

ALL BUILDING HEIGHTS ARE MEASURED TO FINISHED OR UNFINISHED GRADE DIRECTLY BELOW MEASURED POINT

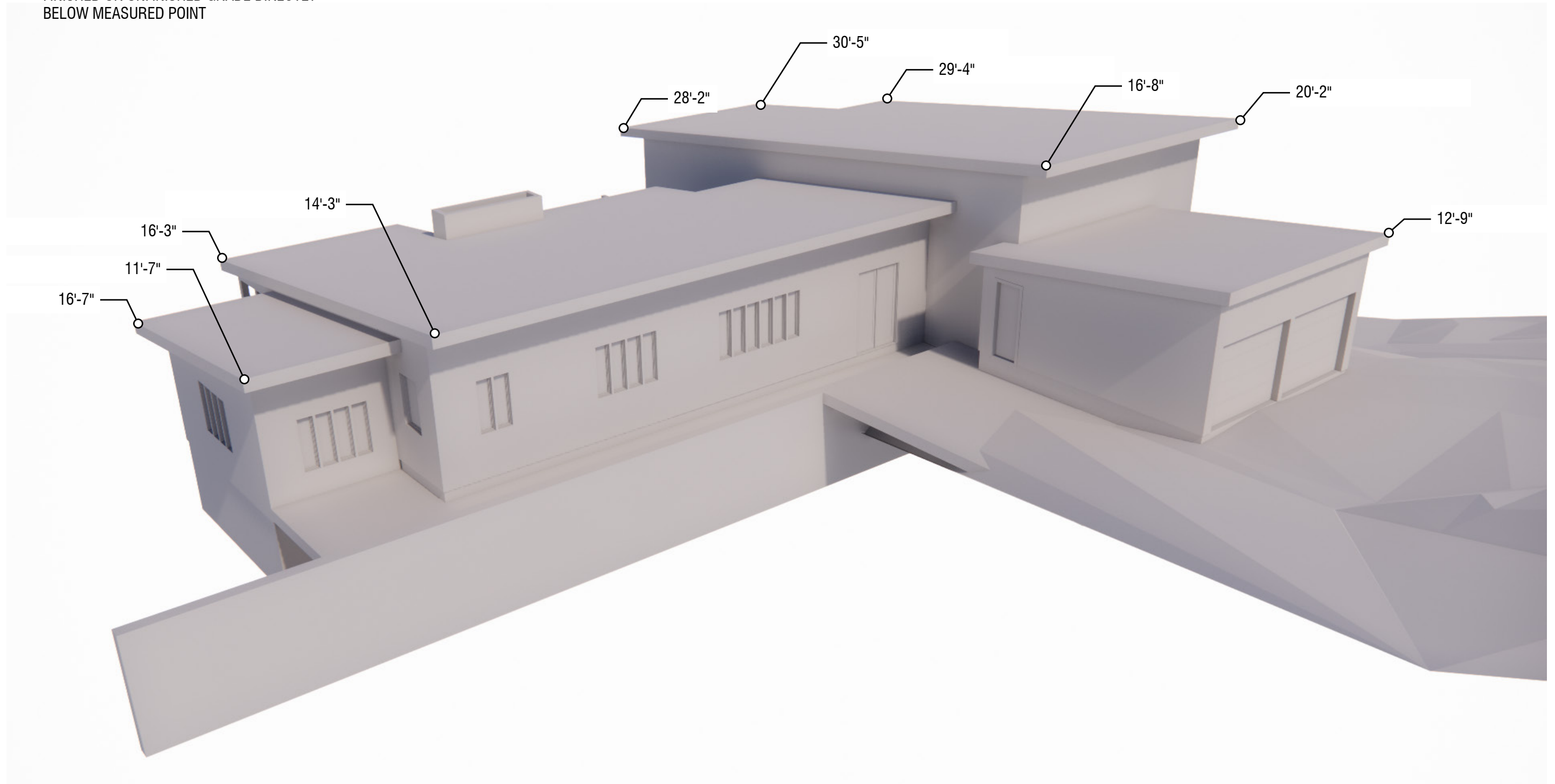


EXISTING CONDITION

APPLICATION FOR VARIANCE - SUPPLEMENTAL DOCUMENTATION

LIETZ RESIDENCE; 586 LAKESHORE DR.

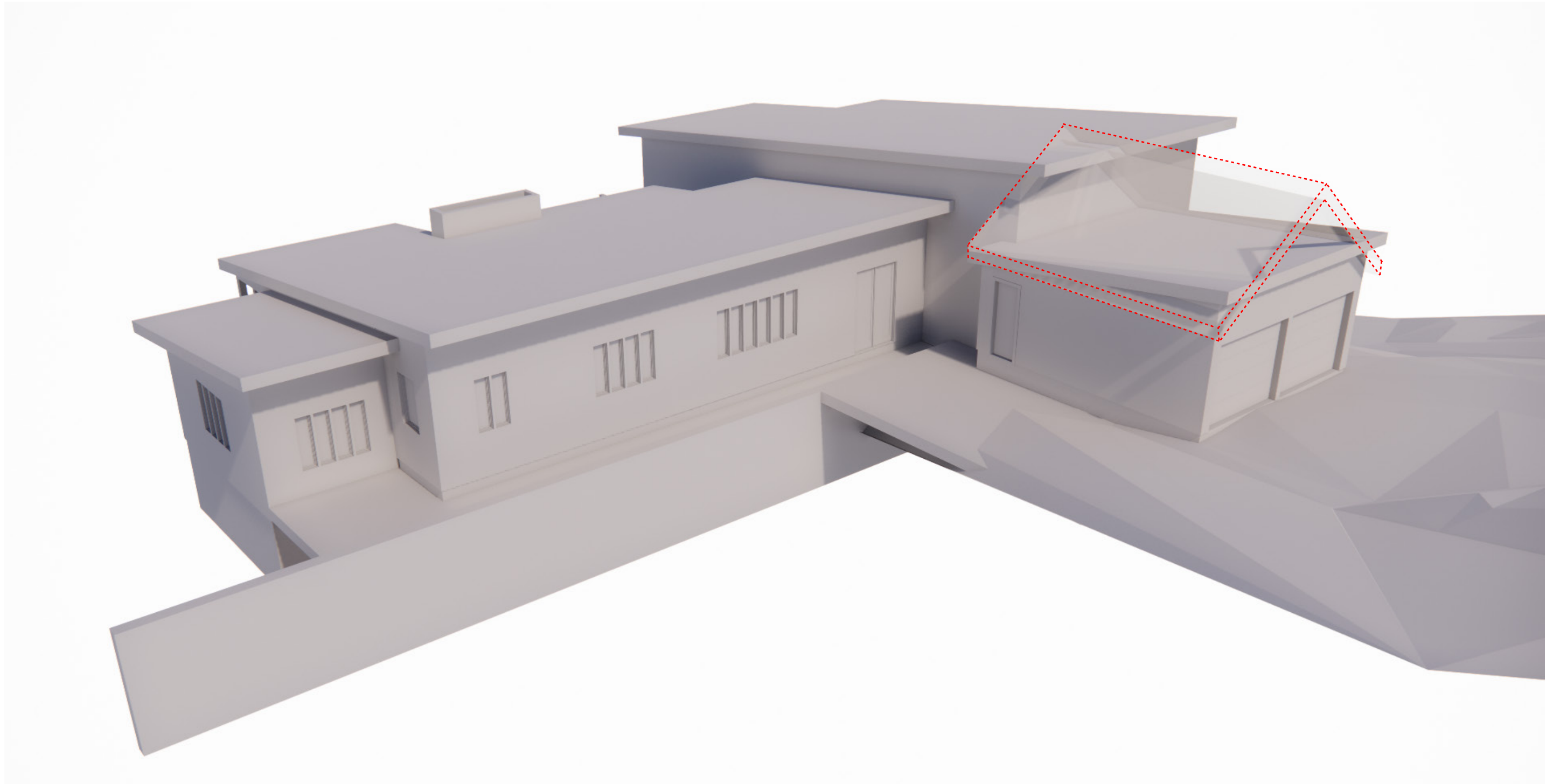
ALL BUILDING HEIGHTS ARE MEASURED TO FINISHED OR UNFINISHED GRADE DIRECTLY BELOW MEASURED POINT



PROPOSED CONDITION

APPLICATION FOR VARIANCE - SUPPLEMENTAL DOCUMENTATION

LIETZ RESIDENCE; 586 LAKESHORE DR.



PROPOSED CONDITION - WITH EXISTING GARAGE ROOF OVERLAY
APPLICATION FOR VARIANCE - SUPPLEMENTAL DOCUMENTATION
LIETZ RESIDENCE; 586 LAKESHORE DR.

**City of Berkeley Lake
Staff Analysis**

CASE NUMBER:	PZV-23-02, 498 LAKESHORE DR.
RELIEF REQUESTED:	EXPAND NON-CONFORMING STRUCTURE INCREASING BUILDING COVERAGE TO 25.63% AND ADD SCREENED PORCH THAT WILL ENCROACH 29.5' INTO THE REQUIRED 40-FOOT REAR SETBACK
EXISTING ZONING:	R-100, RESIDENTIAL
PROPOSED USE:	SINGLE FAMILY RESIDENCE
APPLICANT:	MARTIN BRINTON 498 LAKESHORE DR BERKELEY LAKE, GA 30096
OWNERS:	MARTIN AND JANINE BRINTON SAME AS ABOVE
MEETING DATE:	FEBURARY 14, 2023 P&Z COMMISSION

PROPOSED PROJECT:

The applicant proposes to expand the existing non-conforming house located at 498 Lakeshore Drive. Plans submitted with the variance application indicate a 486-square-foot screened porch addition, though a portion (283.5 sf) of this sits where a deck (to be removed) is currently located. The existing deck which runs the length of the back of the house encroaches 21.5 feet into the required 40-foot setback. The proposed screened porch will encroach an additional 8 feet for a total of 29.5 feet and be setback 10.5 feet from the Lake Berkeley shoreline. There are additional proposed modifications to the structure including expansion of the garage and main house and reduction in roof height. Besides the screened porch, the other modifications comply with the zoning standards. However, with the addition of the screened porch area, the overall building coverage of the house will be increased.

FINDINGS OF FACT:

- 1.) The existing house is located at 498 Lakeshore Drive on a 0.31-acre lot and was built in 1987 according to Gwinnett County property records.
- 2.) At 13,503 square feet, this lot does not meet the minimum lot size requirement of 28,050 square feet, and the existing house does not meet the rear setback standard nor the building coverage standard. Finally, the impervious areas on the lot do not comply with the lot coverage standard.
- 3.) Sec. 78-141 require a variance to be issued for an extension or enlargement of a non-conforming structure.
- 4.) The applicant has proposed several modifications per the following table:

	<u>Existing Conditions</u>	<u>Proposed Conditions</u>	<u>Change</u>
Garage	526.6 square feet	925.8 square feet	+ 399.2 sf
Main Floor	1722.4 square feet	1981 square feet	+ 258.6 sf
Deck	616.8square feet	To be removed	- 616.8 sf
Screened Porch	None	486 square feet	+ 486 sf
Bldg. Ht.	29 feet/39 feet	25 feet/35feet	- 4'

- 5.) The rear deck is proposed for removal and will be replaced by a screened porch. While the deck doesn't count towards building coverage, the porch does. This change effectively increases the amount of building by 503.7 square feet but reduces the amount of impervious surface by 113.1 square feet.
- 6.) In addition to the screened porch, the proposed expansion of the garage and main floor result in the building footprint changing from 2,632 square feet to 3,861.9 square feet, resulting in an additional 1,230 square feet of building (inclusive of roof overhangs).
- 7.) However, because of the reduction in building height from 29 feet to 25 feet (as measured at the front), the lot coverage requirement changes from 15% to 20%.
- 8.) The table below represents the existing and proposed conditions relative to the structure's non-conforming aspects.

	<u>Existing Conditions</u>	<u>Proposed Conditions</u>
Rear Setback	18.5 feet (21.5' variance)	10.5 feet (29.5' variance)
Lot Coverage	40.2% (10.2% variance)	39.5% (9.5% variance)
Building Coverage	17.12% (2.12% variance)	25.63% (5.63% variance)

- 9.) Based on the above, variances are needed to the 40-foot rear setback requirement of Sec. 78-197(6) and to the 20% building coverage limit of Sec. 78-197(11).
- 10.) Properties to the north and south are zoned R-100 and the location of single-family residences. Lake Berkeley is adjacent to the west and the right-of-way of Lakeshore Drive is adjacent to the east.

STANDARDS FOR APPROVAL:

In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

a) *Applications for variances.*

(1) *All applications for variances shall be submitted initially, in writing, to the planning and zoning commission of the city, which shall consider these requests at its next called meeting. The planning and zoning commission may authorize such variance from the terms of this zoning chapter as will not be contrary to the public interest. The spirit of this chapter shall be observed, the public safety, health and welfare secured and substantial justice done. At the hearing, any party may appear in person or have authorized representation. Such variances may be granted in individual cases if the planning and zoning commission finds that:*

- a. *There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and*
- b. *The application of this chapter to this particular piece of property would create an unnecessary hardship; and*
- c. *Such conditions are peculiar to the particular piece of property involved; and*

AERIAL PHOTOS





Application for Variance

For Office Use Only	
Application #:	V/AV-23-02
Check #:	1104 Cash: _____
Date Paid:	01/10/2023
P&Z hearing date:	Feb. 14, 2023
Action:	_____
Appeal filed:	_____
Council hearing date:	_____
Account 100.34.1390.2	
Variance App	\$ 450.00

Part 1: Applicant Information

APPLICANT IS: Owner Agent Attorney

NAME MARTIN BRINTON DATE 1/10/23
 MAILING ADDRESS 498 LAKE SHORE DRIVE
 CITY BERKELEY LAKE STATE GA ZIP 30096
 TELEPHONE see mobile MOBILE 678 591 6741 FAX _____
 E-MAIL MARTY BRINTON @ YAHOO.COM

Part 2: Property Owner Information

NAME(S) SAME AS APPLICANT / + JANINE BRINTON
 MAILING ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 TELEPHONE _____ MOBILE _____ FAX _____
 E-MAIL _____

Part 3: Property and Use Information

PROPERTY ADDRESS 498 LAKE SHORE DRIVE PARCEL ID R6289-132
 PARCEL SIZE 0.313 ACRES / 13,504 SF ZONING R-100
 EXISTING USE RESIDENTIAL

I am requesting relief from code section 78-141 for the purpose of:

Adding Screen Porch / REPLACE EXISTING deck / relief from Western SWN / SUNSET / ~~HIGHWIND~~ High-WIND BARRIER (screen) ON ETW WALLS. INCREASE STRUCTURE FOOTPRINT. Decrease IMPERVIOUS NON-conformity from 10.2% to 3.2%.
 NOTICE: The granting of a Variance does not affect any requirement for a Building Permit for proposed construction.

The following supplemental documentation must be submitted with this application:

- Letter of Intent describing the proposed construction, development or improvements. (1)
 - Site Plan showing all existing and proposed improvements on the property.
 - Survey of the property
- (1) NOTES ON PAGES 1-5

Variance Application: Part 3: Property and Use Information (continued)

Applicant: Please provide written responses to the following items in order to support the request. Attach a separate sheet if necessary:

1) Explain the extraordinary and exceptional conditions pertaining to the size, shape or topography of the subject property; OR if this request is for the expansion of a non-conforming structure, explain whether granting the variance would result in an increase in the non-conforming aspects of the structure.

The LAND LOT IS 13,504 SF AND THE SHAPE MAKES THE LOT UNBOUNDABLE WITHOUT A VARIANCE TO BEING GRANTED TO THE 40' FROM LAKE PROPERTY LINE. THIS VARIANCE WAS GRANTED WHEN THE STRUCTURE WAS BUILT IN 1986. CURRENTLY THE CLOSEST ELEMENT OF THE STRUCTURE IS LOCATED \approx 18.5' FROM THE LAKE SHORE

2) Explain how the application of the ordinance to the subject property would create an unnecessary hardship.

THE REQUEST ALSO INCLUDES RELIEF FROM THE TOTAL ALLOWABLE STRUCTURE SIZE. CURRENTLY THE PLAN VIEW PLANE (HOLE, PORCH, DECK, STAIRS OVERHANGS) COVERS 3,248 SF AND IS NON CONFORMING TO THE 15% RULE. ~~THE~~ THE PROPOSED PLAN WILL LOWER THE BUILDING ELEVATION TO FALL WITHIN THE GUIDELINES FOR 20% RULE. NONCONFORMANCE IS REDUCED BY 0.4%

3) Explain how the conditions are peculiar or unique to the subject property.

THE PLANNED ADDITIONS ~~AND~~ + REDUCTION IS USE OF IMPERVIOUS LAND COVERING WILL REDUCE IMPERVIOUS FOR THE LOT BY A NET 7%. CURRENTLY THE LAND IS COVERED BY 40.2% IMPERVIOUS AREA. THE PROPOSED ADDITIONS + DRIVEWAY WORK WILL REDUCE THIS TO 33.2% BUT IS STILL NON-CONFORMING.

4) Are the conditions requiring a variance the result of any actions of the property owner? If YES, explain.

WITH A WESTERN SUN EXPOSURE AND NO VEGETATION TO BLOCK THE SUN, THE REAR DECK IS USELESS WITHOUT SUN SCREEN. ALSO THE LOCATION BEING CLOSE TO THE SHORELINE - MESQUITOS ARE RAMPANT. THIS SCREENED AREA WOULD ALLOW US ~~TO HAVE~~ A USABLE

5) What, if any, detriment to the public or impairment to the purposes of the ordinance would result if the variance were granted.

AMENITY OUTDOORS FACING THE LAKE.
THE HOUSE NEXT DOOR 504 LAKESHORE WOULD BE ABLE TO SEE THE SCREEN PORCH STRUCTURE. HOWEVER SINCE IT IS 15' OFF THE GROUND / GRADE BY OVER 12', THE VIEW DOWN THE LAKE WOULD NOT BE OBSTRUCTED. NO OTHER PROPERTY WOULD BE IMPACTED BY

6) Is the proposed use of land, building or structure permitted by the zoning ordinance?

THE PROPOSED STRUCTURE ~~IS~~ ^{VIEW} WILL OBTAIN WRITTEN PERMISSION FROM MY ~~NEIGHBOR~~ NEIGHBOR @ 504 SHOWING NO OBJECTION TO THE SCREEN PORCH.
THE STRUCTURE IS PERMITTED BY THE LAND USE ORDINANCE.

I hereby make application to the City of Berkeley Lake, Georgia for the above referenced property. I do hereby affirm that the information provided here, above and contained in all material I submit for the purposes of supporting my request for a Variance, to the best of my knowledge 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 as a result of this application. I understand that it is my/our responsibility to conform to all City of Berkeley Lake ordinances in full and obtain any additional permits as may be required and that failure to do so will result in enforcement action taken by the City.

Applicant's Signature

[Handwritten Signature]

Date

1-10-23

Owner's Signature

[Handwritten Signature]

Date

1-10-23

498 Lakeshore
Existing structure

scale 1" = 21.04'
lot area 13,504 sf

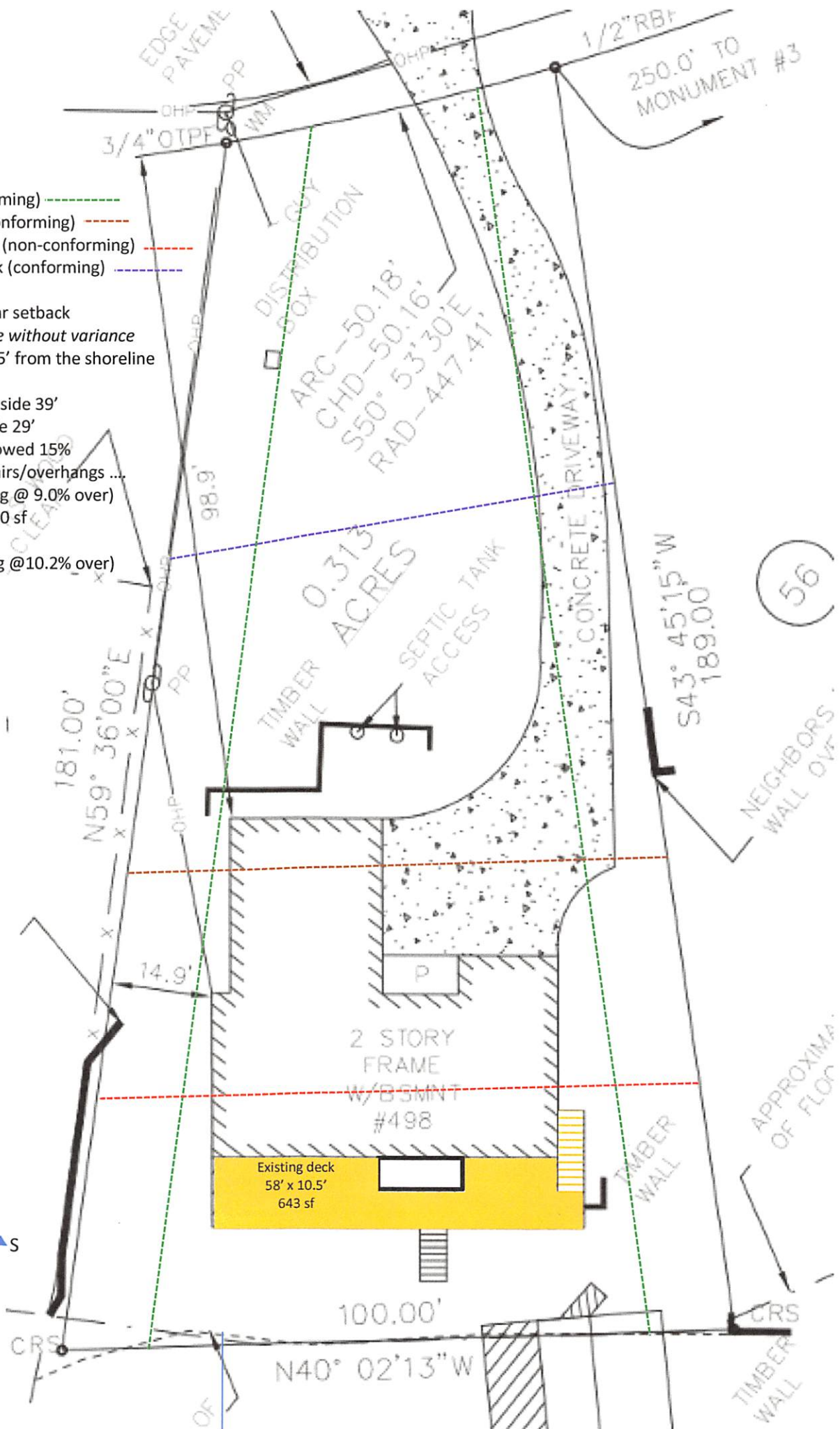
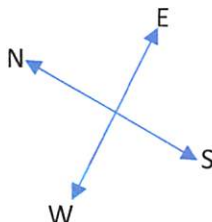
- 12.5' side setback (conforming) ---
- 75' lake septic setback (conforming) ---
- 40' lake structure setback (non-conforming) ---
- 65' front prop line setback (conforming) ---

Note: Non conforming rear setback
Lot would not be buildable without variance
West edge of deck is ~18.5' from the shoreline

Structure height downhill side 39'
Structure height uphill side 29'
Maximum % coverage allowed 15%
Footprint: Home/deck/stairs/overhangs
= 3,248 sf (non-conforming @ 9.0% over)
Driveway Impervious 2,180 sf
Land Impervious.....
=5,428 sf (non-conforming @10.2% over)

Footprint breakdown
Garage 526.6 sf
Main floor 1722.4 sf
Front porch 68 sf
Roof overhangs 315 sf
Deck/stairs 616.8 sf

page 1/5



498 Lakeshore

Proposed Screened porch addition

Scale 1" = 21.04'

Lot area 13,504 sf

12.5' side setback (conforming) ---

75' lake septic setback (conforming) ---

40' lake structure setback (non-conforming) ---

65' front prop line setback (conforming) ---

Note: Non conforming rear setback

Lot would not be buildable without variance

West edge of screen porch ~10.5' from the shoreline

Structure height downhill side 39'

Structure height uphill side 29'

Maximum % conforming footprint 15%

Footprint: Home/deck/stairs/overhangs

= 3,151.9 sf (non-conforming @ 8.3% over)

Driveway Impervious: 2,180 sf

Land Impervious

= 5,331.9 sf (less non-conforming @9.5% over)

Area Legend:

Footprint breakdown

Garage 526.6 sf

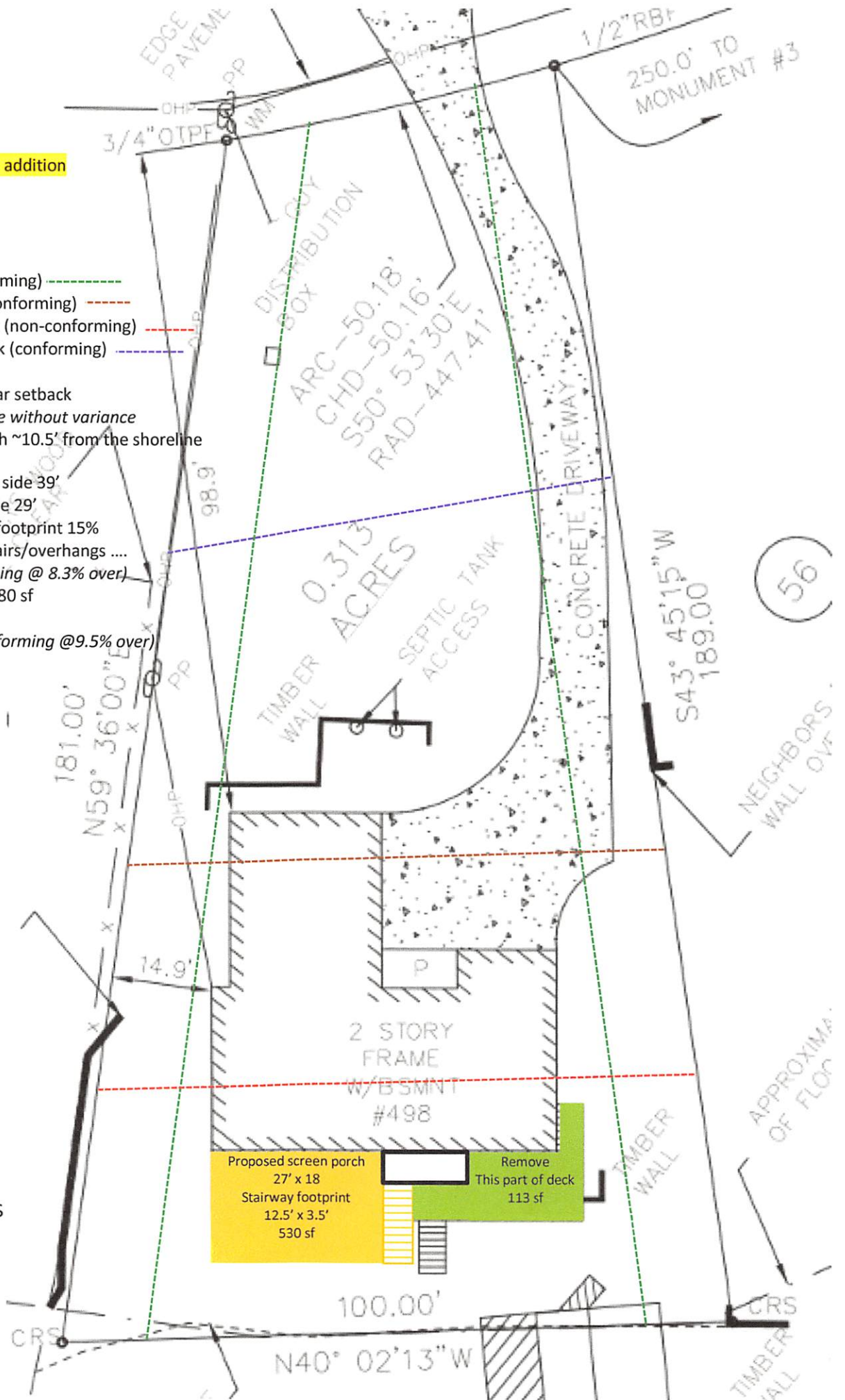
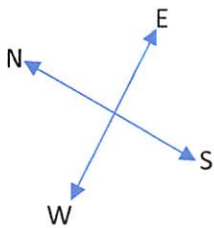
Main floor 1722.4 sf

Front porch 68 sf

Roof overhangs 331.2 sf

Screen porch/stairs 503.7 sf

page 2/5



498 Lakeshore

Lake is west of house
Proposed Garage extension

Scale 1" = 21.2'
Lot area 13,504 sf

- 12.5' side setback (conforming) - green dashed line
- 62' lake septic setback (non-conforming) - red dashed line
- 40' lake structure setback (non-conforming) - red dashed line
- 65' front prop line setback (conforming) - blue dashed line

Non conforming rear setback
Screen porch is 10.5' from the shoreline

Structure height downhill side 35'
 Structure height uphill side 25'
 Maximum % coverage allowed 20%
 Footprint: Home/deck/stairs/overhangs
 = 3,861.9 sf (**less non-conforming @ 8.6% over**)
 Total Driveway: 2,404 sf
 Impervious matl: 498 sf
 Pervious matl: 1,906.1 sf
 Land Impervious....
 = 4,359.9 sf (**non-conforming @ 3.2% over**)

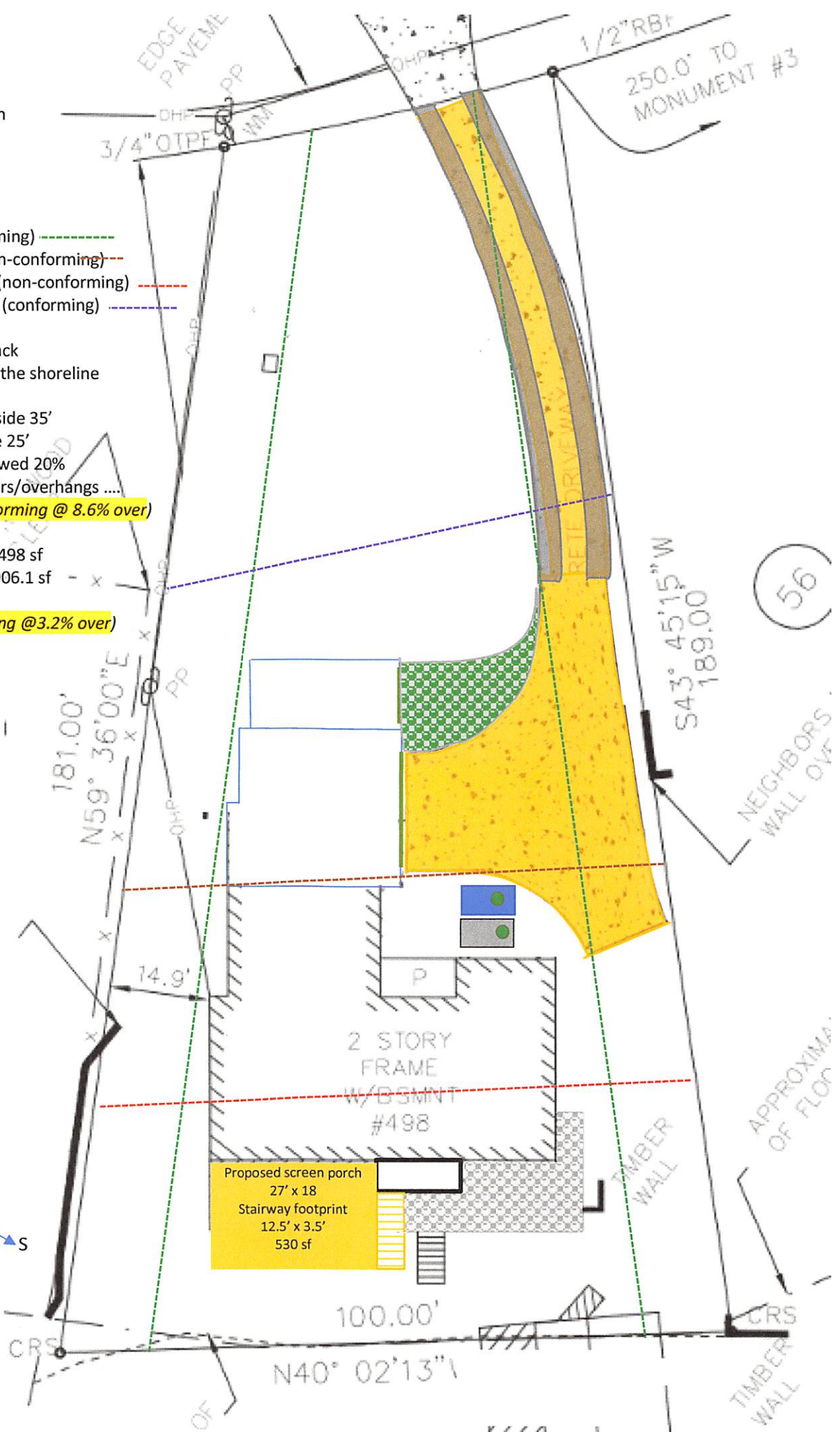
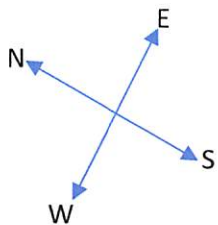
Area Legend:

Footprint breakdown
 Garage 925.8 sf
 Main floor 1981.0 sf
 Front porch 68 sf
 Roof overhangs 379.0 sf
 Screen porch/stairs 503.7 sf

Material Legend

- Impervious [Solid Grey Box]
- Pervious (grass) [Green Checkered Box]
- Pervious (paver) [Yellow Checkered Box]
- Medium slate chip [Blue Checkered Box]

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Proposed screen porch
27' x 18'
 Stairway footprint
12.5' x 3.5'
 530 sf

2 STORY
FRAME
W/B SMNT
#498

56

APPROXIMATE
OF FLOOR
TIMBER WALL

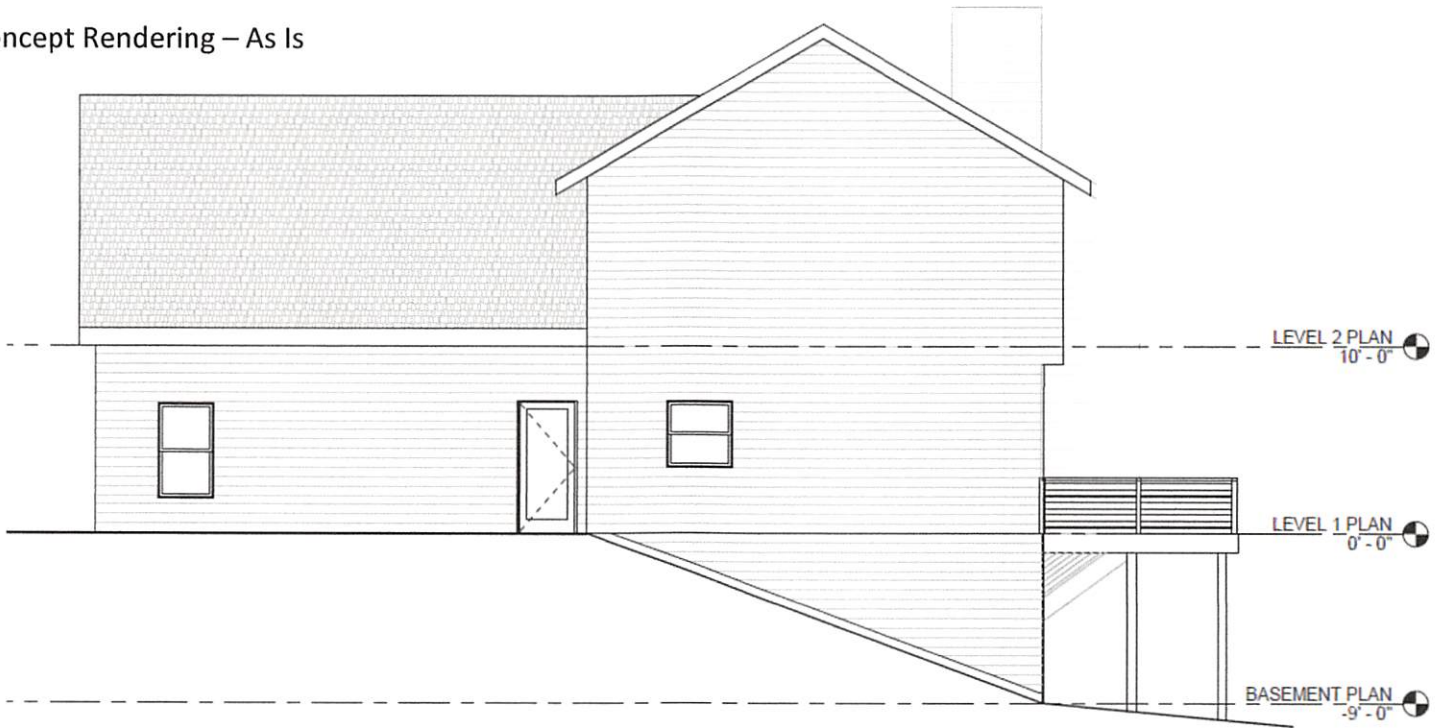
Proposed Screen Porch View analysis
498 LSD

Screen porch 27' x 18'
See renderings below
Screen Porch Roof Height in rendering is ~20'

This Google Earth image appears to be summer at 9AM



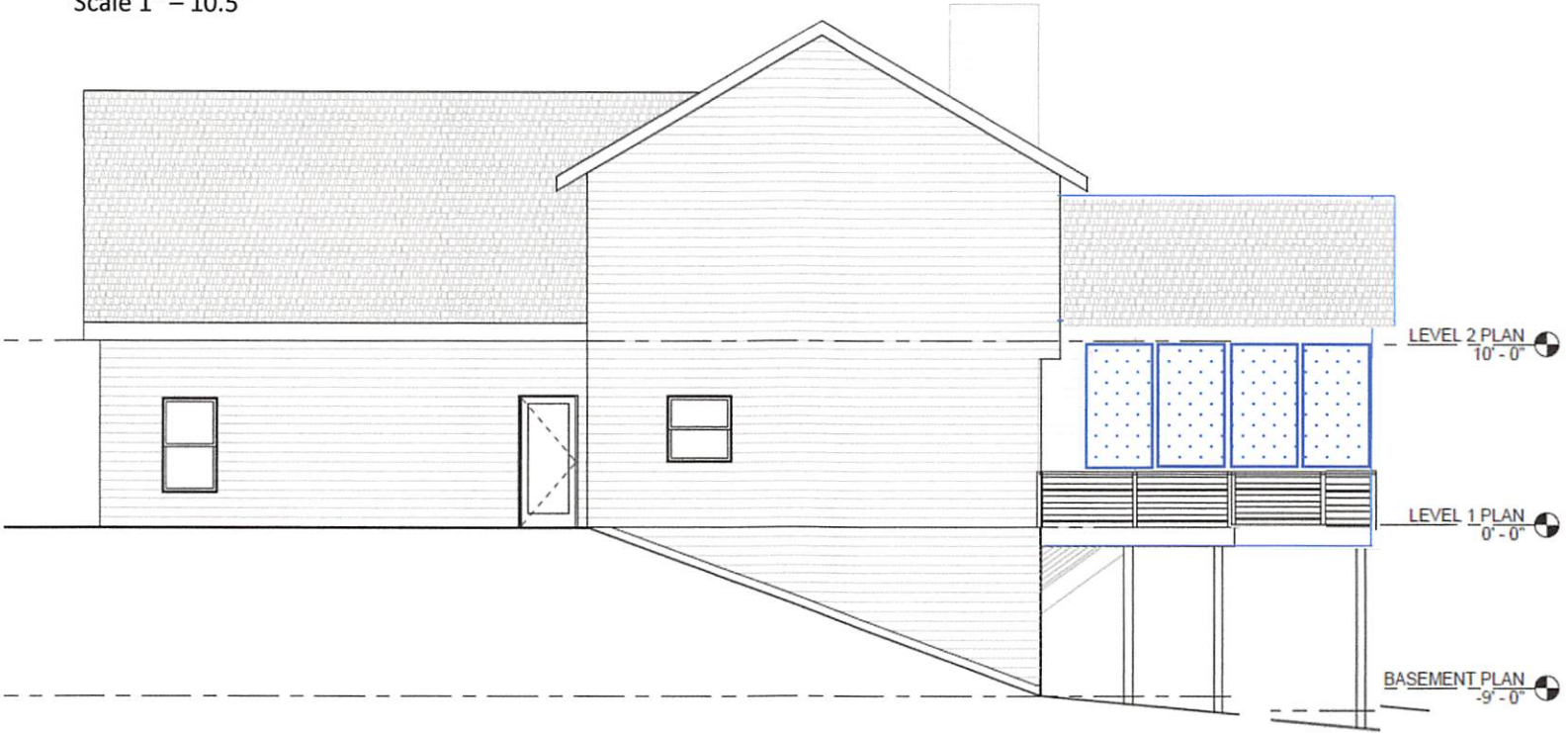
Concept Rendering – As Is



498 LSD

Proposed Screen Porch Concept Rendering (View from 504 LSD)

Scale 1" = 10.5'



498 LSD

Proposed Screen Porch Concept Rendering (View from Lake)

Scale 1" = 10.5'

