Stockbridge

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.

AGENDA
PLANNING COMMISSION BOARD MEETING

Thursday, March 24, 2022 6:30 PM

Mayor & City Council
Askia Abdullah, Chair
Kathleen Nelson
Rodney Hornes
David Planchon
Harold Thibodeaux

Administration
Brecca Johnson, Director
Linda Logan, Senior Planner
Gordon Linton, Planner I
Quinton G. Washington, City Attorney

I. Call to Order
II. Invocation
III. Pledge of Allegiance
IV. Roll Call
V. Adoption of the Agenda
VI. Approval of Minutes 01/20/22
Approval of Minutes 01/20/22

INTRODUCTION OF NEW STAFF – Ryan Anderson, Chief Planner

PUBLIC HEARING

Item # 1 - ***To be presented by Brecca Johnson and Linda Logan.***

VARIANCE CASE #VR-2022-01 for 727 Bethpage Drive—Nitesh Patel, the applicant and owner of a residential lot at 727 Bethpage Drive (Parcel ID #051F01220000), requests a variance to reduce the property's rear yard setback from the required 75 feet (for a golf course-abutting lot) to 50 feet to allow for the construction of a new single-family detached home. The property is located in Land Lot 17 of District 6 within the Stockbridge City Limits. It comprises Lot 14 of Block W within Unit XI of the Eagle's Land Subdivision.
Presented by:

PROJECT UPDATES

STAFF COMMENTS

BOARD COMMENTS

ADJOURN

City of Stockbridge

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.

SUMMARY MINUTES
PLANNING COMMISSION
THURSDAY, January 20, 2022 at 6:30 p.m., via Zoom

BOARD MEMBERS (6):
Askia Abdullah, Chairman
Harold Thibodeaux, Vice Chairman
Stanley Dumas
Kathleen Nelson
David Planchon
Rodney Hornes

ADMINISTRATION:
Brecca Johnson, Community Dev. Director
Quinton Washington, City Attorney
Vanessa Holiday, City Clerk
Randi Rainey, Deputy City Clerk
Linda Logan, Senior Planner / PC Sect'y
Gordon Linton, Planner I

I. **CALL TO ORDER –** Chairman Abdullah; 6:33 p.m.

II. **INVOCATION –** Led by Kathleen Nelson.

III. **PLEDGE OF ALLEGIANCE –** Done in unison.

IV. **ROLL CALL (6 members)** (Taken by Ms. Logan):

	Present	Absent
~ Askia Abdullah	X	
~ Harold Thibodeaux	X	
~ Stanley Dumas	X	
~ Kathleen Nelson	X	
~ David Planchon	X	
~ Rodney Hornes	X	

A quorum of board members was achieved.

V. ADOPTION OF THE AGENDA

Kathleen Nelson motioned to adopt the Agenda, and David Planchon seconded the motion. A vote was taken, and the motion was unanimously approved.

VI. APPROVAL OF MINUTES – December 16, 2021 Summary Minutes

David Planchon motioned to approve the Minutes, and Stanley Dumas seconded the motion. A vote was taken, and the motion was unanimously approved.

VII. ELECTION OF OFFICERS

To be presented by Brecca Johnson and Askia Abdullah.

David Planchon asked Chairman Abdullah whether he wanted to serve as Chairman for another term. Mr. Abdullah replied that he would. Ms. Nelson motioned to nominate Mr. Abdullah for Chairman, and Rodney Hornes seconded the motion. A vote was taken, and Mr. Abdullah was unanimously elected as Chairman.

Mr. Hornes then motioned to nominate Harold Thibodeaux as Vice-Chairman, but there was no second to the motion; thus the motion did not carry. (Mr. Thibodeaux was not present at the meeting at this time.) Mr. Abdullah then motioned to nominate Ms. Nelson as Vice-Chairman, and Mr. Hornes seconded the motion. Mr. Planchon then motioned to close the nominations. A vote was taken, and Ms. Nelson was unanimously elected as Vice-Chairman.

As a result of these elections, Askia Abdullah was elected as the Chairman and Kathleen Nelson was elected as the Vice-Chairman of the Planning Commission for 2022.

VIII. PROJECT UPDATES

To be presented by Brecca Johnson. No action is required.

Ms. Johnson gave an update on the Bridges at Jodeco project. She said that the City has reviewed the development plans for an apartment pod and a townhome pod, and that a groundbreaking ceremony has been scheduled for the initiation of the apartment construction. The ceremony will be held on Friday, March 11, 2022 at 10:00 a.m., and it will take place at 300 Argento Drive. Ms. Johnson said that the Planning Commission members were invited to attend the ceremony, and that she would be ordering City of Stockbridge shirts for them to wear to the ceremony. Ms. Johnson further said that talks are underway with other developers for the development of other pods within the master plan for the Bridges at Jodeco project.

IX. STAFF COMMENTS

To be presented by Brecca Johnson. No action is required.

Ms. Johnson announced that the City of Stockbridge has hired a new City Manager, Frederick Gardiner, and that this was his first week at work. She said that Mr. Gardiner previously worked for the City of East Point, the City of Griffin, and Henry County.

X. BOARD COMMENTS

Mr. Thibodeaux said that he wanted to provide an additional e-mail address to ensure that he received all Planning Commission-related messages. Ms. Logan said that she would update the Planning Commission's Contact List to include his second e-mail address.

XI. ADJOURNMENT

Ms. Nelson motioned to adjourn the meeting, and Mr. Hornes seconded the motion. A vote was taken, and the meeting was unanimously adjourned at 6:47 p.m.

qPublic.net™ Henry County, GA

Overview

Legend

USA Major Highways

- Limited Access
- Highway
- Major Road
- Local Road
- Minor Road
- Other Road
- Ramp
- Pedestrian Way
- **County Outlines**

Parcel ID	051F01220000	**Class**	R	**Owner**	PATEL NITESH	**Land Value:**	$175,500				
Property Address	727 BETHPAGE DR	**Acreage**	n/a	**Address**	215 EAGLES LANDING WAY MCDONOUGH GA 30253	**Building Value:**	$0	**Last 2 Sales**			
District	City/Stockbridge					**Misc Value:**	$0	**Date**	**Price**	**Reason**	**Qual**
								9/24/2018	$165,000	n/a	Q
								7/19/2016	$145,000	n/a	Q
						Total Value:	$175,500				

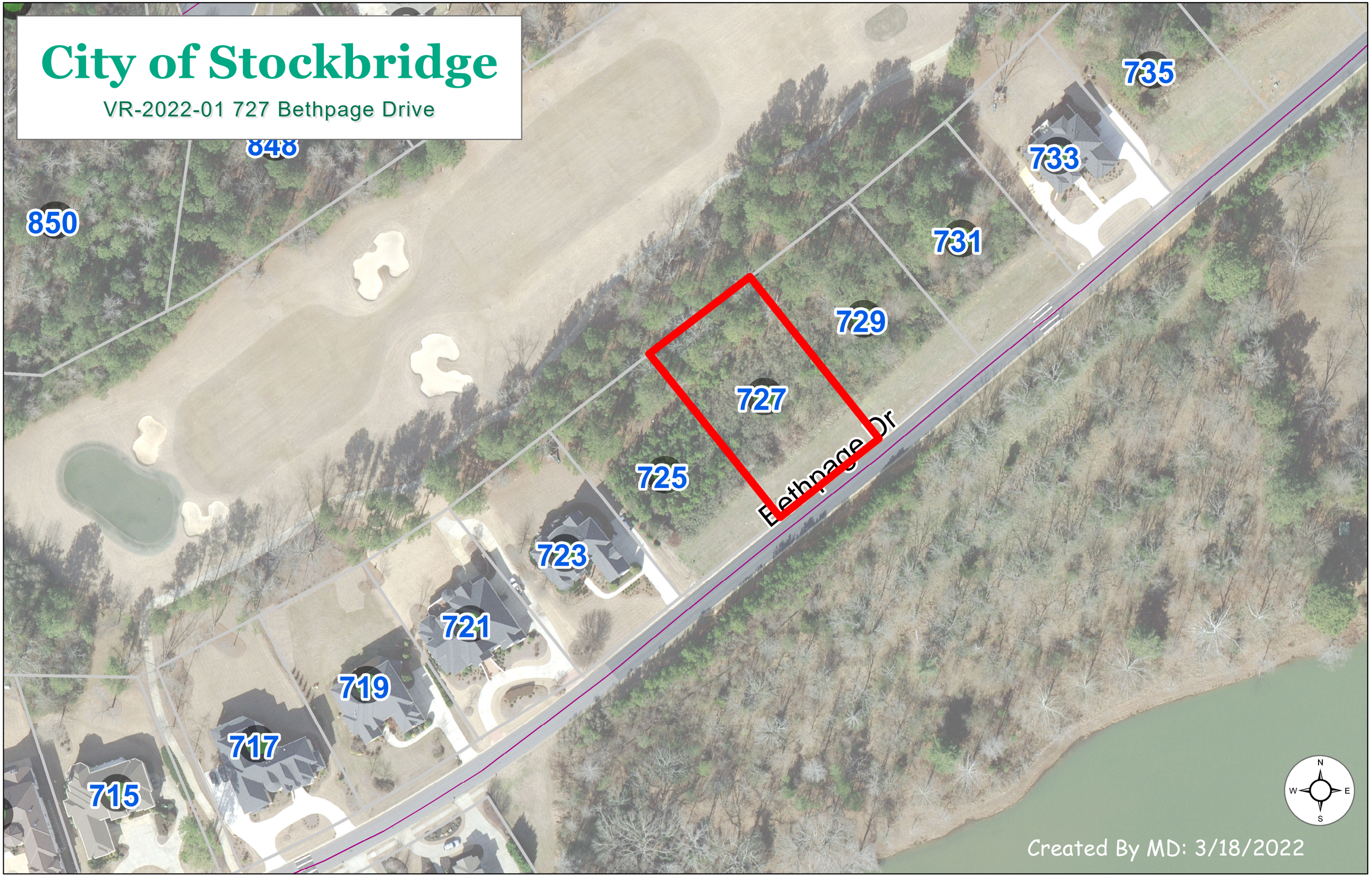
Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

Date created: 2/4/2022
Last Data Uploaded: 2/4/2022 2:51:56 AM

Developed by Schneider GEOSPATIAL

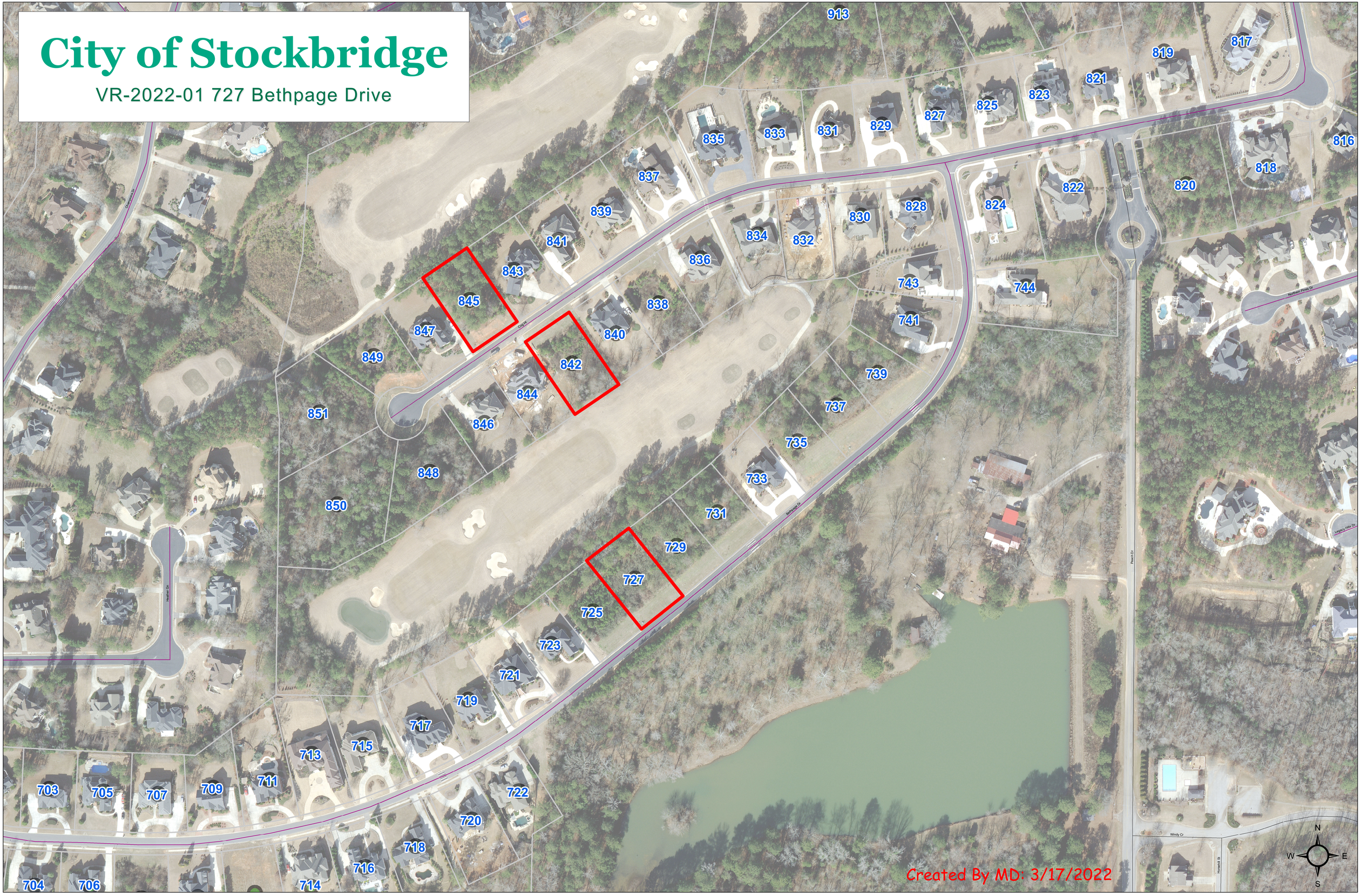
City of Stockbridge

VR-2022-01 727 Bethpage Drive



City of Stockbridge

VR-2022-01 727 Bethpage Drive



MARCH 16TH 2022

TO WHOM IT MAY CONCERN

SUBJECT: 727 BETHPAGE DRIVE SETBACK VARIANCE

My name is Nitesh Patel and I am the owner of 727 Bethpage drive, Mcdonough, GA 30253. I am planning to build our dream home on this lot in Eagles Landing Country Club. Majority of the lots in the subdivision lots have 50ft rear setbacks with the exception of some on golf course that has 75ft. My builder, Faizal Supariwala has build several homes in this neighborhood and was able to get a rear setback variance reduced to 50ft on number of properties in the neighborhood as long as you get Golf Club approval. We have the approvals from the golf course and from HOA of Eagles Landing, We have also provided the addresses where variances were obtained.

According to Eagles Landing HOA Building Guidelines (already submitted) we cannot have a front entry garage in the subdivision and that's why we had to build a side entry courtyard garage to fit on this lot. By doing this the house footprint will not fit within the setbacks in place. That's why we requesting a reduction in rear setbacks to 50ft.

However, if for any reason the Board is not able to reduce to 50ft we will be fine with a reduction to minimum of 65ft, this will allow us to fit the house with the current plans on to this lot.

I have spent thousands of dollars with engineers and architects and over 4 months of time. I have complied with everything the city P/Z department ask for. I hope the Board consider our simple request so that we can be on our way of getting this house build. Please don't hesitate to call me if you have any questions at 478-335-1427.

Sincerely

Nitesh Patel

ARTIST REPRESENTATION ONLY
OF HOME AT COMPLETION:
BUILDING DESIGNER DOES NOT
CHOOSE INTERIOR NOR EXTERIOR COLORS

HARVILL DESIGNS

DATE PLANS ARE RELEASED FOR CONSTRUCTION:

Wanda Harvill Smith August, 2021

A NEW RESIDENCE FOR:
NITESH (NIck) and PRIA PATEL
BUILDING LOT LOCATION:
EAGLES LANDING SUBDIVISION
727 Bethpage Drive
Stockbridge, Georgia 30253

Point of Contact:
Nitesh(Nick) (478) 335-1427

SHEET INDEX

A - 1	COVER SHEET
A - 2	BASEMENT PLAN
A - 3	MAIN FLOOR PLAN
A - 4	SECOND FLOOR PLAN
A - 5	FRONT-LEFT EXTERIOR ELEVATIONS
A - 6	REAR-RIGHT EXTERIOR ELEVATIONS
A - 7	ROOF ELEVATION
A - 8	CROSS SECTION A-A
A - 9	DETAILS AND NOTES
E - 1	BASEMENT ELECTRICAL PLAN
E - 2	MAIN FLOOR ELECTRICAL PLAN
E - 3	SECOND FLOOR ELECTRICAL PLAN

THERE MAY BE HARMFUL CONSTRUCTION BY-PRODUCTS THAT MAY BE APPARENT DURING THE COURSE OF CONSTRUCTION ...the user of this working drawing must wear the appropriate protective clothing, goggles and respirator device at all times. For information on such protective clothing, goggles and respirator devices, please see the most current OSHA Handbook for Construction.

HARVILL DESIGNS

HARVILL DESIGNS
PROFESSIONAL BUILDING DESIGNERS
WANDA HARVILL SMITH
PROFESSIONAL MEMBER, AIBD - GEORGIA SOCIETY AIBD
RESIDENTIAL ARCHITECTURE AND DESIGN
467 CLIETT ROAD
BYRON, GA. 31008 OFFICE: (478) 213-9925

DESIGNED FOR:

NITESH (NICK) and PRIA PATEL
215 Eagles Landing Way
McDonough, Georgia 30253

REVISION	DATE:

THIS WORK IS DEDICATED
TO THE GLORY OF GOD.
OUR FATHER, THROUGH HIS SON,
JESUS CHRIST THE LORD
IS DONE WITH HIS GIFT AND IS .....
"BY HIS DESIGN"
PSALM 127 : 1

****COPYRIGHT NOTE****
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HARVILL DESIGNS
These drawings and specifications shall remain the property of the Designer and shall not be used for any other projects without the written cohn sent of the Designer. These documents are not to be reproduced, changed or copied in any form or manner whatsoever. Nor are they to be assigned to any third party without first obtaining the written permission and consent of the Designer.

DRAWING TITLE:
COVER SHEET

SCALE: AS SHOWN

DATE PRINTED:8/29/2021

A-1

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. ALL GOVERNING CODES AND BUILDING PRACTICES, THESE DRAWINGS CONFORM TO GENERALLY ACCEPTED BUILDING PRACTICES, HOWEVER STATE AND LOCAL CODES VARY WIDELY. THE DESIGNER, WANDA HARVILL SMITH , SHALL NOT BE HELD LIABLE FOR ANY ERRORS. ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES. DO NOT SCALE DRAWINGS, USE ONLY THE PRINTED

DIMENSIONS. VERIFY WITH THE WINDOW MANUFACTURER FOR ALL WINDOW SIZES AND APPLICABLE EGRESS REQUIREMENTS. ALL DIMENSIONS ARE TAKEN FROM/TO ROUGH STUDS OF A DIMENSION OF EITHER 5½" (2x6 STUDS), 3½" (2x4 STUDS) OR TO THE OUTSIDE OF MASONARY. CONTRACTOR SHALL VERIFY ALL MECHANICAL

AND ELECTRICAL REQUIREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY ALL FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEAM AND HEADER SIZES FOR CODE COMPLIANCE.

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Eagle's Landing Property Owners Association Architecture Review Board

Eagle's Landing Property Owners Association
303 Corporate Center Dr STE 300A
Stockbridge, GA 30281

December 10, 2021

Nitesh Patel
215 Eagles Landing Way
McDonough, GA 30253

RE:727 Bethpage Drive LOT/ACCOUNT # W-14

Dear Nitesh Patel:
Thank you for submitting your plans for:

New construction

Upon further review of the plans and documents provided for the change or alteration to your property the Architecture Review Board has taken the following actions:

New construction is approved with Red lined revisions. Front elevation: Front steps brick. Railing to match wrought iron. All trim to remain if wall material is revised to stone. Architectural shingles. Left elevation: Rear step 8" minimum columns. Masonry cap shown on left elevation. Right elevation: Masonry wall cap. 8" minimum columns. Retaining walls(if required) finish to match house. Rear elevation: Wall accents to match front elevation. Window trim. Architectural shingles. Masonry wall cap. 8" minimum columns(typical). Set back variance approved by ELPOA ARB and the Golf Club.

All improvements(with the exception of new construction and additions required new foundations) must begin within One(1) year of the approval date and should not exceed 60 Days to complete. New construction should be consistent and not left partially finished. Improvements left in partially finished condition will be considered a violation. Please advise when your project will begin.

Construction sites *shall remain clean and orderly.*
Parking, *please make your best effort to not park on the street.*

Tree Removal: *This document is needed for access to the community for any vendors performing tree removal services, or have equipment which could perform the act of removing trees. Please have your tree vendor present this letter to the front gate.*

- *All Eagle's Landing Building Guidelines Rules and Regulations must be followed.*
- *All approvals are subject to County Codes, Covenants and Restrictions and other actions deemed reasonable.*
- *Please submit all outstanding and additional requests two weeks prior to beginning work on each phase of the project.*
- *Neither Association, Inc., the Association Board of Directors, Governing Committees, the Architectural Control Committee, nor their respective members, Secretary, successors, assigns, agents, representatives, or employees shall be liable for damages or otherwise to any requesting approval of any architectural alteration by reason of mistake in judgment, negligence or nonfeasance arising out of any action with respect to any submission.*
- *The Architectural Control Committee/Board is directed toward review and approval of site*

planning, appearance and aesthetics.

- *None of the foregoing assumes any responsibility regarding design or construction, including without limitation, the structural integrity, mechanical or electrical design, methods of construction or technical suitability of material.*
- *Upon receiving this approval form and/or commencing construction, you hereby release and agree not to sue all of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.*
- *The decision above is for architecture control purposes only. The Board, Committee, or Agent is not responsible for the structure or any claim that may result do to improper construction.*
- *The committee is not responsible for reviewing any local, county, state or federal laws, guidelines or standards of construction.*
- *If the covenants for the community are stronger in restriction then what was submitted, the covenant may still be enforced after review of actual construction.*
- *All improvements, additions must comply with the maintenance standards of the community.*
- *If the addition or improvement is different then what was submitted , the item will be considered a violation until further review occurs.*

Sincerely,

Jaye Boggs
Community Association Manager

Architecture Review Board
Eagles Landing Property Owners Association.
Questions please call Mike Reis: 770-389-6528 ext. 52902

Eagle's Landing Property Owners Association Architecture Review Board

Eagle's Landing Property Owners Association
303 Corporate Center Dr STE 300A
Stockbridge, GA 30281

March 11, 2022

Nitesh Patel
215 Eagles Landing Way
McDonough, GA 30253

RE:727 Bethpage Drive LOT/ACCOUNT # W-14

Dear Nitesh Patel:
Thank you for submitting your plans for:

Variance requested for

Upon further review of the plans and documents provided for the change or alteration to your property the Architecture Review Board has taken the following actions:

ELPOA ARB and Country club golf club approves the rear setback to be reduced from 75ft to 50ft. This is a normal request from homeowners and there has been several of such approvals done in the past

All improvements(with the exception of new construction and additions required new foundations) must begin within One(1) year of the approval date and should not exceed 60 Days to complete. New construction should be consistent and not left partially finished. Improvements left in partially finished condition will be considered a violation. Please advise when your project will begin.

Construction sites *shall remain clean and orderly.*
Parking, *please make your best effort to not park on the street.*

Tree Removal: *This document is needed for access to the community for any vendors performing tree removal services, or have equipment which could perform the act of removing trees. Please have your tree vendor present this letter to the front gate.*

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- *Neither Association, Inc., the Association Board of Directors, Governing Committees, the Architectural Control Committee, nor their respective members, Secretary, successors, assigns, agents, representatives, or employees shall be liable for damages or otherwise to any requesting approval of any architectural alteration by reason of mistake in judgment, negligence or nonfeasance arising out of any action with respect to any submission.*
- *The Architectural Control Committee/Board is directed toward review and approval of site*

planning, appearance and aesthetics.

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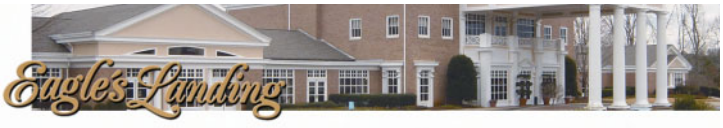
- *Upon receiving this approval form and/or commencing construction, you hereby release and agree not to sue all of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.*
- *The decision above is for architecture control purposes only. The Board, Committee, or Agent is not responsible for the structure or any claim that may result do to improper construction.*
- *The committee is not responsible for reviewing any local, county, state or federal laws, guidelines or standards of construction.*
- I*f the covenants for the community are stronger in restriction then what was submitted, the covenant may still be enforced after review of actual construction.*
- *All improvements, additions must comply with the maintenance standards of the community.*
- *If the addition or improvement is different then what was submitted , the item will be considered a violation until further review occurs.*

Sincerely,

Jaye Boggs
Community Association Manager

Architecture Review Board
Eagles Landing Property Owners Association.
Questions please call Mike Reis: 770-389-6528 ext. 52902



Eagles Landing Property Owners Association

Rules and Regulations

Revised May 2021

plans. It is the responsibility of each builder to determine if the plan they are submitting requires permission to be used.

H. Roof Plan: Roof pitch for the main portion of the roof must be a minimum of 8/12. A rectangular house with an unbroken roof line will not be approved; "Architectural" shingles with at least a twenty (20) year warranty rating are required unless another roofing material is specifically approved in writing by the ARB. Manufacturer and warranty rating must be shown on the architectural plans.

I. Garages: An attached garage for at least two (2) cars is required. All garage entrances must face either a side lot line or the rear lot line. In no case will the entrance be permitted to face the front property line. In addition, garages must be screened so that the view of the interior would be obscured from the front street or the golf course. Electric garage door openers are required. Golf cart garages must be screened as above.

J. Chimney Chase and Chimney Caps: All exterior chimneys must extend to ground level. Metal chimney shrouds are required, and must be painted black. Any other treatment may be specifically approved by the ARB. Roof stacks and plumbing vents shall be placed on the rear slopes of roofs and painted to match the roof.

K. Exterior Walls: Architectural elements, such as windows, louvers, or landscape elements such as screening evergreens must be incorporated into elevations that appear plain in keeping within architectural theme of the design. Materials on all elevations will be consistent, unless there is a structural reason for change. All walls and retaining walls are to be of the same material as the exterior of the house and must be capped.

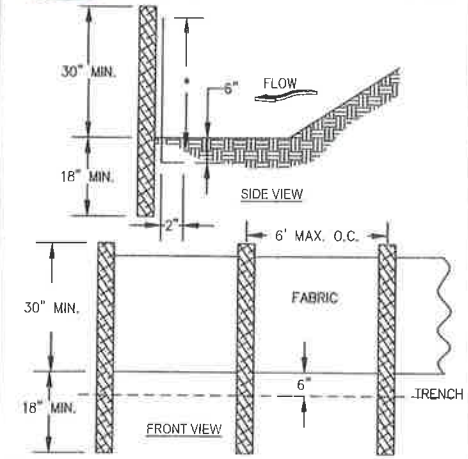
L. First Floor Ceilings: These ceilings must be a minimum height of 9 feet.

M. Mailboxes: The ARB will designate a standard mailbox structure for all homes. Builders are expected to purchase and install the mailbox for every customer and include the cost of the mailbox in the purchase price of the home. Mail boxes will come complete with street numbers. No other style number will be allowed. For more information call Sentry Management at 770.389.6528.

POSTED ZONING SIGN FOR VR-2022-01:
VIEW FROM THE EAST

POSTED ZONING SIGN FOR VR-2022-01:
VIEW FROM THE EAST

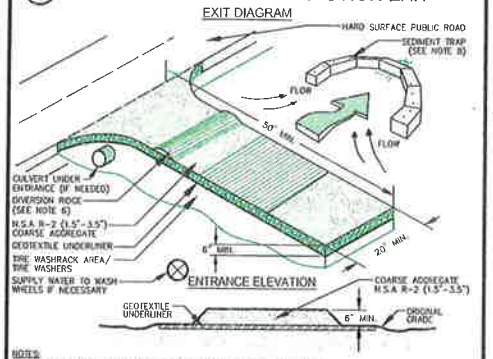
Sd1-NS SILT FENCE - TYPE NON-SENSITIVE



NOTES:
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL (ES & CP) PLAN.
2. HEIGHT (*) TO BE SHOWN ON THE (ES & CP) PLAN.

Co CRUSHED STONE CONSTRUCTION EXIT

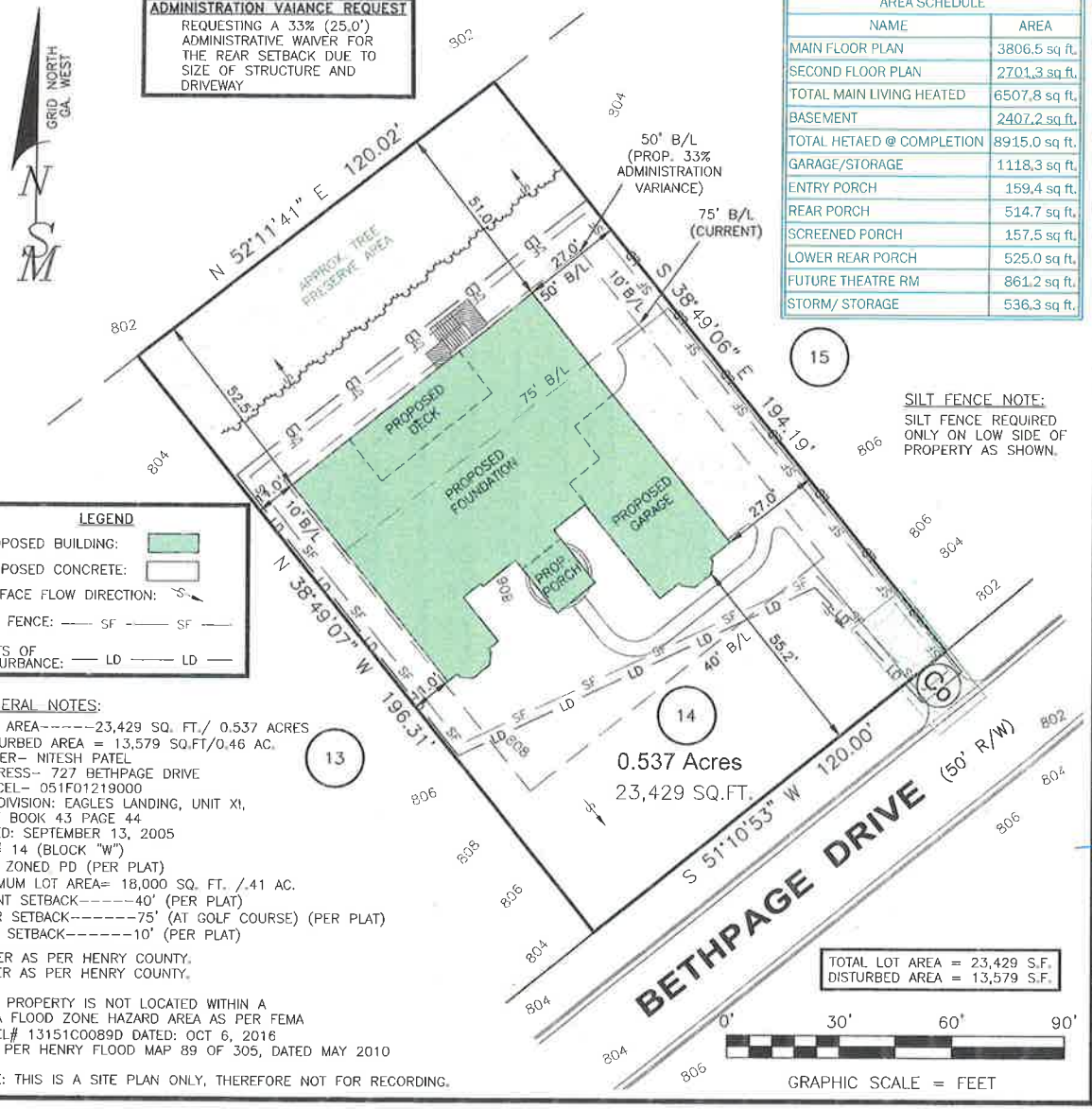
EXIT DIAGRAM



NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 6".
5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20'.
6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (DIVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
9. WASHRACKS AND/OR TIRE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

ADMINISTRATION VAIANCE REQUEST

REQUESTING A 33% (25.0') ADMINISTRATIVE WAIVER FOR THE REAR SETBACK DUE TO SIZE OF STRUCTURE AND DRIVEWAY



AREA SCHEDULE	
NAME	AREA
MAIN FLOOR PLAN	3806.5 sq ft.
SECOND FLOOR PLAN	2701.3 sq ft.
TOTAL MAIN LIVING HEATED	6507.8 sq ft.
BASEMENT	2407.2 sq ft.
TOTAL HETAED @ COMPLETION	8915.0 sq ft.
GARAGE/STORAGE	1118.3 sq ft.
ENTRY PORCH	159.4 sq ft.
REAR PORCH	514.7 sq ft.
SCREENED PORCH	157.5 sq ft.
LOWER REAR PORCH	525.0 sq ft.
FUTURE THEATRE RM	861.2 sq ft.
STORM/ STORAGE	536.3 sq ft.

SILT FENCE NOTE:

SILT FENCE REQUIRED ONLY ON LOW SIDE OF PROPERTY AS SHOWN.

LEGEND

PROPOSED BUILDING:
PROPOSED CONCRETE:
SURFACE FLOW DIRECTION:
SILT FENCE: —— SF —— SF ——
LIMITS OF DISTURBANCE: —— LD —— LD ——

GENERAL NOTES:

SITE AREA-----23,429 SQ. FT./ 0.537 ACRES
DISTURBED AREA = 13,579 SQ.FT/0.46 AC.
OWNER- NITESH PATEL
ADDRESS- 727 BETHPAGE DRIVE
PARCEL- 051F01219000
SUBDIVISION: EAGLES LANDING, UNIT XI,
PLAT BOOK 43 PAGE 44
DATED: SEPTEMBER 13, 2005
LOT# 14 (BLOCK "W")
SITE ZONED PD (PER PLAT)
MINIMUM LOT AREA= 18,000 SQ. FT. /.41 AC.
FRONT SETBACK-----40' (PER PLAT)
REAR SETBACK------75' (AT GOLF COURSE) (PER PLAT)
SIDE SETBACK------10' (PER PLAT)

SEWER AS PER HENRY COUNTY.
WATER AS PER HENRY COUNTY.

THIS PROPERTY IS NOT LOCATED WITHIN A FEMA FLOOD ZONE HAZARD AREA AS PER FEMA PANEL# 13151C0089D DATED: OCT 6, 2016 AND PER HENRY FLOOD MAP 89 OF 305, DATED MAY 2010

NOTE: THIS IS A SITE PLAN ONLY, THEREFORE NOT FOR RECORDING.

TOTAL LOT AREA = 23,429 S.F.
DISTURBED AREA = 13,579 S.F.

0' 30' 60' 90'
GRAPHIC SCALE = FEET

SIBLEY-MILLER
SURVEYING & PLANNING INC.
212 W.COMPGROUND RD. *TOPOGRAPHICAL SURVEYS
McDONOUGH, GA. 30253 *LAND SURVEYING
PHONE:(770) 320-7555 *LAND PLANNING
FAX:(770) 320-7333 *LAND DEVELOPMENT LAYOUT
www.sibleysurveying.com *CIVIL ENGINEERING DESIGN

SITE PLAN FOR ADMINISTRATION WAIVER

NITESH PATEL
LOT 14, BLOCK "W"
EAGLES LANDING S/D, UNIT XI
LAND LOT 17, 6th DISTRICT
CITY OF STOCKBRIDGE
HENRY COUNTY, GEORGIA

GEORGIA REGISTERED PROFESSIONAL NO. 3150 10-29-2021 LAND SURVEYOR T.M.L. MILLER

PROJECT NO.: L2021147
SITE PLAN/ADM. WAIVER
LOT 14 (BLOCK "W")
DRAWN BY: PWF
CHECKED BY: KB
SCALE: 1" = 30'
DATE: 10-29--2021

MR

Final Subdivision Plat for Eagle's Landing Unit XI

Eagle's Landing

Stockbridge, Georgia

DEVELOPMENT DATA

Eagle's Landing XI
Land Lot 17 ~ 6th District
Land Lot 32 ~ 7th District

1. Subdivider: KILLEARN PROPERTIES, INC.
   A. Address: 135 NORTHPARK PLACE, STOCKBRIDGE, GA 30281
   B. Telephone Number: (770) 389-2020
2. Property Owner: KILLEARN PROPERTIES, INC.
   A. Address: 135 NORTHPARK PLACE, STOCKBRIDGE, GA 30281
   B. Telephone Number: (770) 389-2020
3. Surveyor: MOORE BASS CONSULTING, INC
   A. Address: 324 INDUSTRIAL BLVD., McDONOUGH, GA 30253
   B. Telephone Number: (770) 914-9394
4. Subdivision Configuration:
   A. Source of Data: BOUNDARY SURVEY PERFORMED BY W.K. DICKSON
   B. Location: EAGLE'S LANDING, STOCKBRIDGE, GA
   C. Total Project Area: GROSS: 72.14 AC LESS R/W 8.45 AC. = NET: 64.69 AC
   D. Zoning: PD
   E. Type of Subdivision: SINGLE-FAMILY RESIDENTIAL
   F. Number of Lots: 73 lots
   G. Density: 73 LOTS/72.14 AC = 1.01 UNIT/ACRE (GROSS)
      73 LOTS/64.69 AC = 1.13 UNIT/ACRE (NET)
   H. MINIMUM LOT SIZE .41 AC., 18,000 S.F.; 100 x 180
   I. Datum: NAVD(83)
   J. Street Length: 8,419.7 LF ~ 8.45 ACRES (TOTAL)
      Street Length: BETHPAGE DRIVE ~ 1,712.8 LF
      Street Length: COG HILL ~ 3,428.3 LF
      Street Length: BARDMORE COURT ~ 1,036.6 LF
      Street Length: PEACH DRIVE ~ 244 LF
   K. Type of Streets: Private
   L. R/W Width: 50'
   M. Pavement Width: 26' B.O.C. TO B.O.C.
   N. Street Maintenance: HOMEOWNERS ASSOC.
   O. Building Setbacks: FRONT: 40'
      REAR: 40'
      SIDE: 10'
      SIDE-CORNER: 30'
      GOLF COURSE: 25'
5. Utilities:
   A. Water: HENRY COUNTY WATER AND SEWERAGE AUTHORITY
   B. Sanitary Sewer: HENRY COUNTY WATER AND SEWERAGE AUTHORITY
   C. Electric: GEORGIA POWER COMPANY
6. All work and materials shall be in accordance with Henry County Standards.
7. Sidewalks shall be installed on one side of the proposed street in compliance and coordination with the existing Eagle's Landing Subdivision.

ZONING CONDITIONS

ZONING CASE #RZ-00-003
A. MINIMUM HOUSE SIZE OF 1,500 S.F.
B. HOUSES MUST HAVE COVERED GARAGES (NO CARPORTS)
C. ALL OPEN SPACE AND CONSERVATION WETLAND AREAS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

WETLANDS NOTE

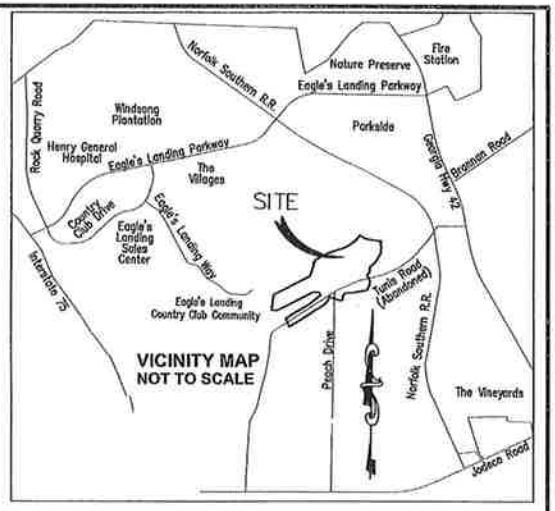
1. WETLANDS SHOWN ON THIS FINAL SUBDIVISION PLAT HAVE BEEN FIELD DELINEATED.
2. WETLANDS SHOWN UPON THIS FINAL SUBDIVISION PLAT ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. LOT OWNERS MAY BE SUBJECT BY LAW FOR DISTURBANCE TO THESE WETLANDS AREAS WITHOUT PROPER AUTHORIZATION.

STATE WATERS BUFFER NOTE

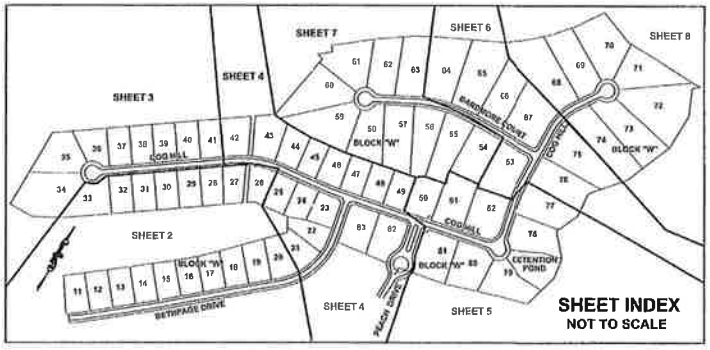
THERE IS ESTABLISHED A 25 FOOT BUFFER ALONG THE BANKS OF ALL STATE WATERS, AS MEASURED HORIZONTALLY FROM THE POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION. NO LAND DISTURBING ACTIVITIES SHALL BE CONDUCTED WITHIN A BUFFER AND A BUFFER SHALL REMAIN IN ITS NATURAL, UNDISTURBED STATE OF VEGETATION UNTIL ALL LAND DISTURBING ACTIVITIES ON THE CONSTRUCTION SITE ARE COMPLETED. ONCE THE FINAL STABILIZATION OF THE SITE IS ACHIEVED, A BUFFER MAY BE THINNED OR TRIMMED OF VEGETATION AS LONG AS A PROTECTIVE VEGETATIVE COVER REMAINS TO PROTECT WATER QUALITY AND AQUATIC HABITAT AND A NATURAL CANOPY IS LEFT IN SUFFICIENT QUANTITY TO KEEP SHADE ON THE STREAM BED; PROVIDED, HOWEVER, THAT ANY PERSON CONSTRUCTING A SINGLE FAMILY RESIDENCE, WHEN SUCH RESIDENCE IS CONSTRUCTED BY OR UNDER CONTRACT WITH THE OWNER FOR HIS OR HER OWN OCCUPANCY, MAY THIN OR TRIM VEGETATION IN A BUFFER AT ANY TIME AS LONG AS PROTECTIVE VEGETATIVE COVER REMAINS TO PROTECT WATER QUALITY AND AQUATIC HABITAT AND A NATURAL CANOPY IS LEFT IN SUFFICIENT QUANTITY TO KEEP SHADE ON THE STREAM.

COUNTY NOTES

1. 20 FOOT STORM SEWER AND SANITARY SEWER EASEMENT EXISTS ALONG EACH PROPERTY LINE AND ALONG EACH LOT LINE, CENTERED ON LOT LINES, FOR FUTURE DRAINAGE AND SANITARY SEWER LINES.
2. ALL STORM DRAINS SHALL BE EXTENDED A MINIMUM OF 30 FEET BEHIND ANY FUTURE RESIDENCE OR BUILDING.
3. NO STRUCTURES INCLUDING FENCES SHALL BE BUILT ACROSS OR WITHIN EXISTING 20' SANITARY SEWER EASEMENT.



VICINITY MAP
NOT TO SCALE



SHEET INDEX
NOT TO SCALE

SURVEY NOTES

AS SHOWN ON FLOOD INSURANCE RATE MAP OF HENRY COUNTY, GEORGIA (COMMUNITY PANEL NUMBER; 130468-00708 EFFECTIVE DATE NOV. 2, 1983) THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE.

UTILITIES SHOWN ARE LOCATIONS OF GROUND IDENTIFIABLE ITEMS. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE COMPLETENESS OF THIS DATA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 20,187 FEET, AND AN ANGULAR ERROR OF 03" PER ANGLE. IT WAS A CLOSED LOOP TRAVERSE AND WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 498,300 FEET.

LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED USING A GEODIMETER 610 ROBOTIC TOTAL STATION. THE FIELDWORK WAS COMPLETED 6-27-05 ON THIS PROJECT.

THIS SURVEY IS BASED ON THE NAD83 (1994) HORIZONTAL DATUM AND NAVD88 VERTICAL DATUM. TRIMBLE 5700 GPS RECEIVERS WERE USED AND COORDINATES TAKEN FROM HENRY COUNTY GIS GEODETIC CONTROL NETWORK. MONUMENTS USED WERE A0088, A0089, A0072 AND A9072.

THIS PROPERTY IS SUBJECT TO ALL RIGHT OF WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.

ALL PROPERTY CORNERS WILL BE PLACED AFTER CONSTRUCTION WITH A 1/2" IRON PIN.

CITY OF STOCKBRIDGE AND HENRY COUNTY PERSONNEL AND/OR AGENTS SHALL HAVE FREE AND TOTAL ACCESS TO AND ACROSS ALL EASEMENTS.

LIVE STREAMS AND WETLANDS DO LIE WITHIN THIS SUBDIVISION.

BEARINGS SHOWN HEREON WERE CALCULATED FROM ANGLES TURNED.

LINEAR DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.

HENRY COUNTY MAP 51F
ALL BLOCK 1
PARCEL #'S ARE T-___
ADDRESS FOR CORNER LOTS DEPEND ON DRIVEWAY LOCATION

OWNER/DEVELOPER

KILLEARN PROPERTIES, INC.
135 NORTHPARK PLACE, STE. 100
STOCKBRIDGE, GEORGIA 30281
(770) 389-2020

SURVEYOR

MOORE BASS CONSULTING, INC.
324 INDUSTRIAL BLVD.
McDONOUGH, GA 30253
(770) 914-9394

24 HOUR CONTACT

MR. JOHN PALMER
(770) 389-2020

OWNERS ACKNOWLEDGEMENT

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY.

OWNER 8/24/05 DATE

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE MONUMENTS REFERENCED HEREON, EXIST AND THEIR SIZES, LOCATIONS AND MATERIALS ARE CORRECTLY SHOWN.

BY: 8-25-05
WAYNE A. POWERS DATE
REGISTERED GEORGIA LAND SURVEYOR No. 2891

** As used in the Certification, certify means to state or declare a professional opinion of conditions regarding those facts or findings which are the subject of the certification and does not constitute a warranty or guarantee, either expressed or implied.

CITY AND COUNTY APPROVAL

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY STOCKBRIDGE CITY COUNCIL OF CITY OF STOCKBRIDGE, GEORGIA, AND IS APPROVED FOR RECORDING BY:

MAYOR, CITY OF STOCKBRIDGE DATE: 9/13/2005

CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THIS PLAT AND AS REQUIRED BY THE HENRY COUNTY SUBDIVISION ORDINANCES.

APPROVED BY:

DIRECTOR DEVELOPMENT PLAN REVIEW DATE: 9/12/05
HENRY COUNTY BOARD OF COMMISSIONERS

DATE	05/25/05
FILE #	03 031
CONTRACT #	439 285
DRAWN BY	PHC
CHECKED BY	WAPowers

REVISIONS
1. 8-16-05 Address county comments
REV2
REV3
REV4
REV5
REV6

© Moore Bass Consulting

C:\Projects\439 285\Workfiles\Survey\439285EL11PLAT.dwg COVER, pocorran, Aug 23, 2005 - 2:30pm

The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MB) for this Project are instruments of MB for use solely with respect to this Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights.

SHEET TITLE
Final Subdivision Plat
Land Lots 17-6th Dist & 32-7th Dist.
City of Stockbridge
Henry County, Georgia

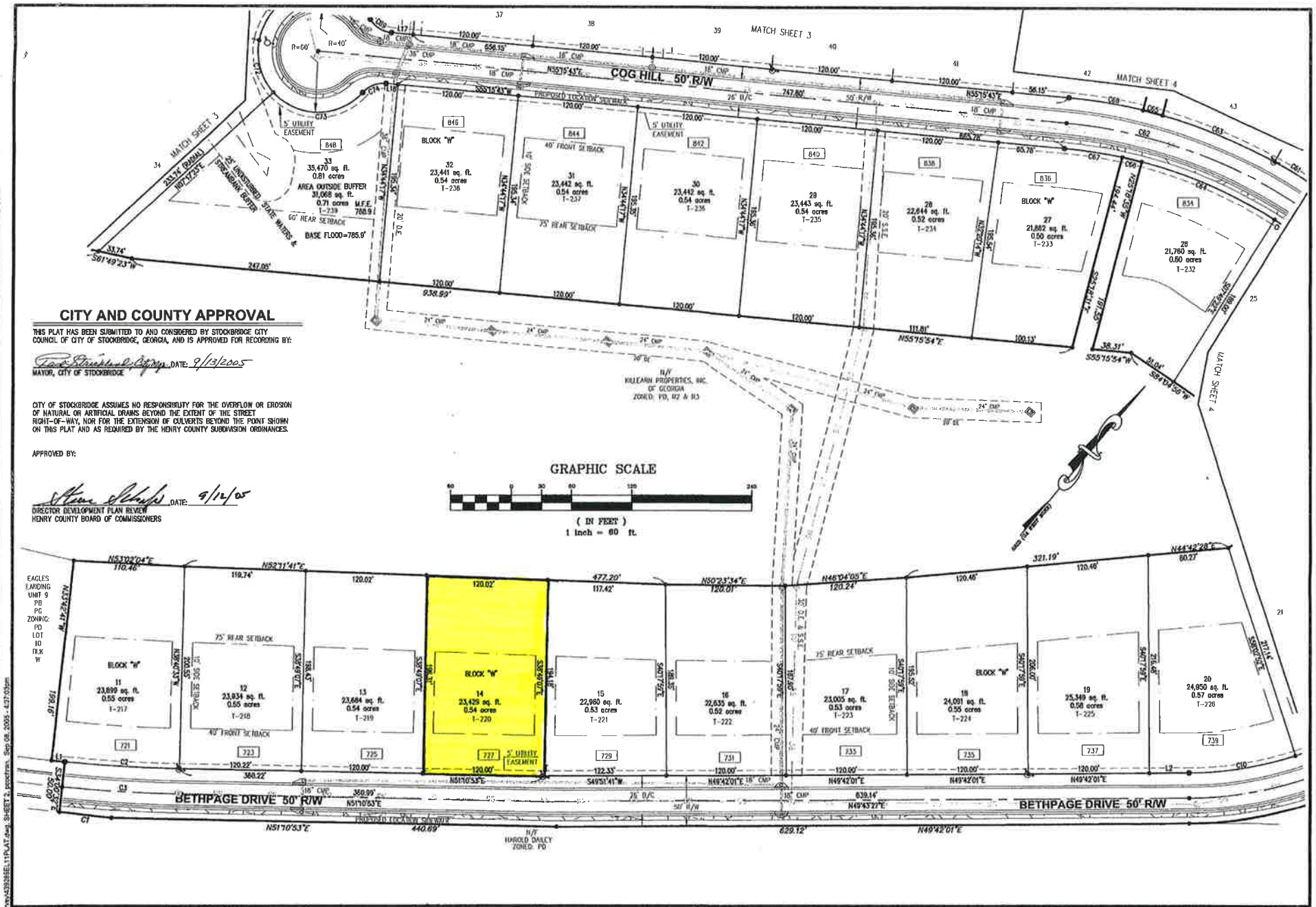
SEAL
GEORGIA REGISTERED L.S. 2891 LAND SURVEYOR WAYNE A. POWERS 8-25-05

PROJECT
Eagle's Landing
Unit XI

CLIENT NAME
Killearn Properties, Inc.
135 Northpark Place, Ste. 100
Stockbridge, GA 30281

Moore Bass
CONSULTING
TALLAHASSEE DESTIN ATLANTA
www.moorebass.com
324 INDUSTRIAL BLVD. McDONOUGH, GA 30253 PH:(770)914-9394

SHEET 1 OF 8



CITY AND COUNTY APPROVAL

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MAYOR, CITY OF STOCKBRIDGE DATE: 9/13/2005

CITY OF STOCKBRIDGE ASSUMES NO RESPONSIBILITY FOR THE OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, NOR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THIS PLAT AND AS REQUIRED BY THE HENRY COUNTY SUBDIVISION ORDINANCES.

APPROVED BY:

DIRECTOR DEVELOPMENT PLAN REVIEW
HENRY COUNTY BOARD OF COMMISSIONERS DATE: 9/12/05

DATE	05/25/05
FILE #	03-031
CONTRACT #	439 285
DRAWN BY	PHC
CHECKED BY	WAPowers

© Moore Bass Consulting

C:\Projects\439 285\WorkFiles\Survey\439285EL11PLAT.dwg, SHEET 2, jpcochran, Sep 08, 2005 - 4:37:00am

REVISIONS
1. 8-16-05 Address county comments
REV2
REV3
REV4
REV5
REV6

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SHEET TITLE
Final Subdivision Plat
Land Lots 17-6th Dist & 32-7th Dist.
City of Stockbridge
Henry County, Georgia

SEAL
9/9/05

PROJECT
Eagle's Landing Unit XI

CLIENT NAME
Killearn Properties, Inc.
135 Northpark Place, Ste. 100
Stockbridge, GA 30281

Moore Bass CONSULTING
TALLAHASSEE DESTIN ATLANTA
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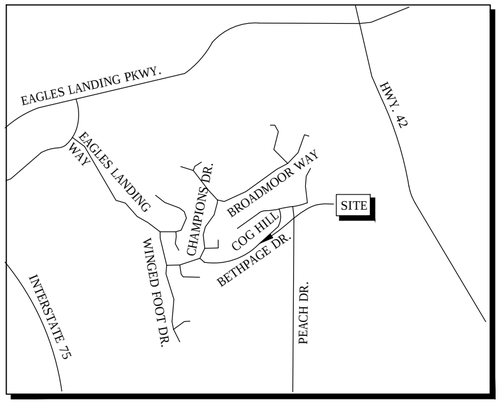
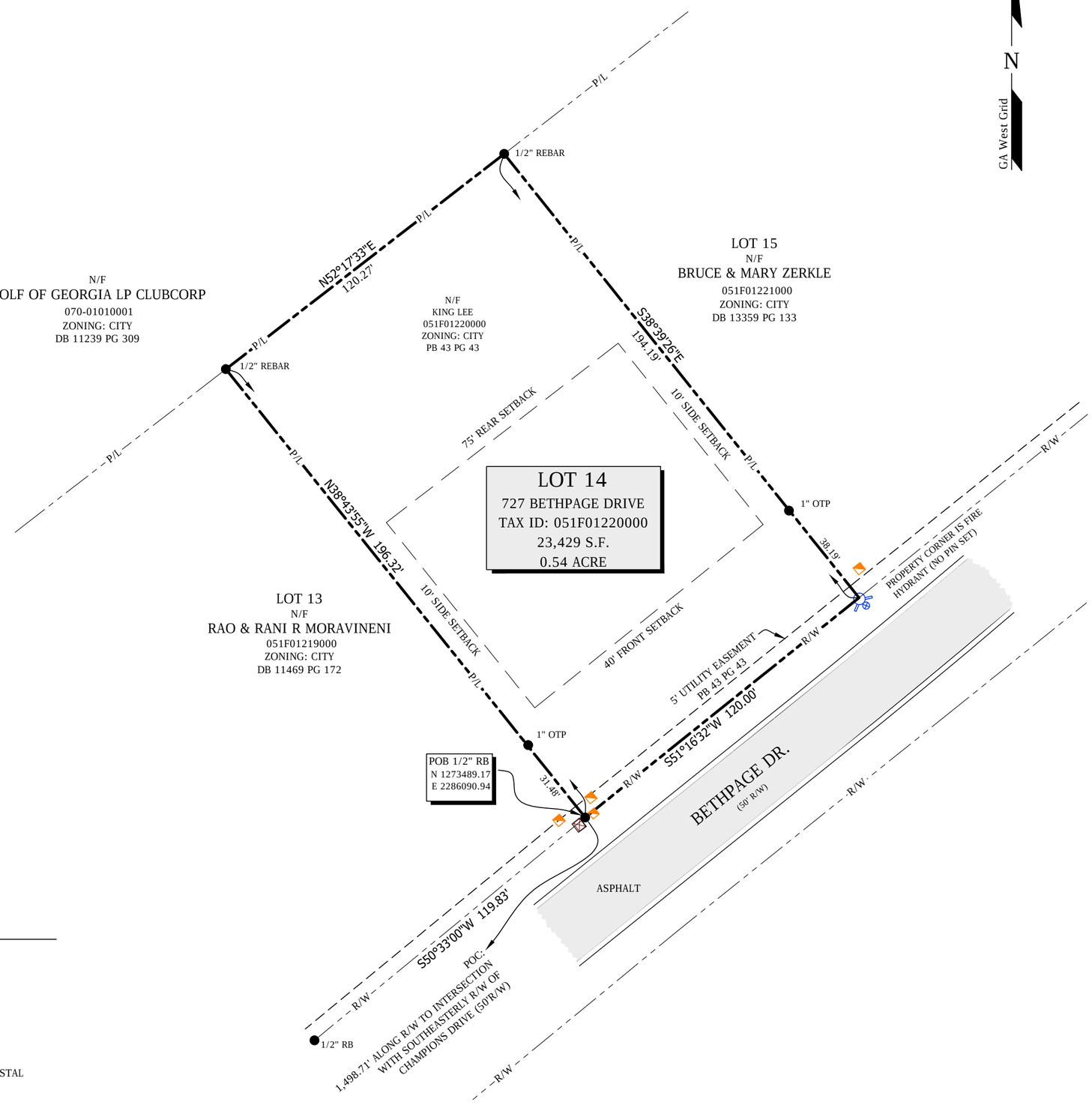
324 INDUSTRIAL BLVD. McDONOUGH, GA 30253 PH:(770)914-9394



VICINITY MAP (N.T.S.)



GENERAL NOTES:

1. THIS DRAWING WAS CREATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED AND ORIGINALLY SIGNED BY A REGISTERED LAND SURVEYOR OF LAND ENGINEERING, INC. AUTHORITY OF O.C.G.A. 43-15-22.
2. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. EASEMENTS OF RECORD OR OTHER TITLE MATTERS AFFECTING THE SUBJECT PROPERTY MAY EXIST.
3. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 124,267 FEET. A GEOMAX ZOOM 80 ROBOTIC TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A POSITIONAL TOLERANCE OF 0.02' BASED ON REDUNDANT MEASUREMENTS AND HAS NOT BEEN ADJUSTED. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.
4. NOT ALL UNDERGROUND UTILITIES ARE SHOWN. UNDERGROUND UTILITIES THAT ARE SHOWN WERE LOCATED BY ABOVE GROUND APPURTENANCES AND OBSERVED EVIDENCE. UTILITIES SHOWN ON THIS SURVEY MAY NOT BE SHOWN IN THEIR EXACT FIELD LOCATION. NO ATTEMPT WAS MADE TO TRACE OR MARK THE LOCATION OF UNDERGROUND UTILITIES WHICH WAS OUTSIDE THE SCOPE OF THIS SURVEY.
5. ANY DIMENSIONAL OR OTHER ZONING REQUIREMENTS SHOWN HEREON WERE OBTAINED FROM WWW.MUNICODE.COM AND MAY NOT REFLECT ANY ALTERNATE OR CONDITIONAL REQUIREMENTS APPLICABLE TO THE SUBJECT PROPERTY. THE SURVEYOR DOES NOT CERTIFY TO ANY MATTERS OF ZONING.
6. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA PER F.I.R.M. MAP NUMBER 13151 C0089C, EFFECTIVE DATE 05/06/16.
7. THIS SURVEY WAS PREPARED BY LAND ENGINEERING, INC.

REF #: 8009-013
1601 S ZACK HINTON PARKWAY, MCDONOUGH, GEORGIA 30253
OFFICE: (678) 814-4346 FAX: (678) 814-4348
WWW.LAND.ENGINEERING

ABBREVIATIONS

CONC.	CONCRETE
DB	DEED BOOK
L.I.	LAND LOT
N/F	NOW OR FORMERLY
N.T.S.	NOT TO SCALE
OTP	OPEN TOP PIPE
PB	PLAT BOOK
PG	PAGE
P.O.B.	POINT OF BEGINNING
P.O.N.	PARCEL IDENTIFICATION NUMBER
P/L	PROPERTY LINE
RB	REBAR
R/W	RIGHT OF WAY
SBL	SETBACK LINE
S.F.	SQUARE FEET

LEGEND

- IRON PIN FOUND
- WATER VALVE
- FIRE HYDRANT
- ELECTRIC BOX
- TRANSFORMER
- ELECTRIC METER
- TELEPHONE PEDESTAL

LAND ENGINEERING
1601 S Zack Hinton Parkway
McDonough, Georgia 30253
T 678.814.4346, F 678.814.4348
www.land.engineering
GA LSF #0946

SEAL:
GEORGIA REGISTERED No. 2775 LAND SURVEYOR MITCHELL J. PAULK

SURVEYOR'S CERTIFICATION

THE SURVEYOR WHOSE SEAL IS AFFIXED HEREON CERTIFIES THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SUREVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

REVISION / ISSUE

NO.	DATE	DESCRIPTION
1	6-27-16	DATE OF FIELD SURVEY

CLIENT: FAIZAL SUPARIWALA

PROJECT NAME: EAGLES LANDING PHASE 9 BLOCK W

SITE LOCATION:
LAND LOT(S): 17
LAND DISTRICT: 6
SECTION:
CITY: STOCKBRIDGE
COUNTY: HENRY
STATE: GEORGIA

SCALE: 1"= 30'	ONE INCH AT FULL SCALE
DRAWN BY: GB	CKD BY: MP
PROJ. NO.: 8009-013	DATE: 7-14-16

SHEET TITLE: BOUNDARY SURVEY

SHEET: 1
TOTAL SHEETS: 1

P:\8009\013\DWG\Boundary.dwg, 17x22, User, Jul 14, 2016 - 3:53pm

Henry County Water Authority
Engineering Division

February 18, 2022

Re:	Variance Permit:	**Rear Setback Variance**
	Property Information:	**727 Bethpage Drive Parcel No. 051F01220000**
		Henry County, GA
	Applicant:	**Nitesh Patel**

TO WHOM IT MAY CONCERN:

Please be advised that the above-mentioned property has access to public water and sewer services provided by Henry County Water Authority (HCWA). Water pressure and sewer service in this area are such that HCWA has no objection to the proposed Setback Variance Permit.

If you have questions regarding this matter, please contact me.

Sincerely,

Fritz Jacques
Engineering Coordinator
Henry County Water Authority

VARIANCE EVALUATION REPORT
VARIANCE FOR PROPERTY AT 727 BETHPAGE DRIVE

City of Stockbridge Planning and Zoning Division
Community Development Department

Linda M. Logan, Senior Planner
March 24, 2022

CASE FACTS

Applicant:	Nitesh Patel.
Agent:	Faizal Supariwala.
Location:	727 Bethpage Drive. Comprises Lot 14 of Block W within Unit XI of the Eagle's Landing Subdivision.
Parcel ID:	051F01220000.
Lot Size/Acres:	23,429 square feet / 0.54 acres, according to the applicant's submitted survey of the property.
Request:	Variance to reduce the rear yard setback from the required 75 feet to 50 feet. The approved plat for Eagle's Landing Subdivision, Unit XI, requires golf course-abutting lots, including the subject property, to have rear yard setbacks of 75 feet.
Proposed Use:	Construction of a new single-family detached home, including an attached three-car garage and an attached golf cart garage.
Existing Land Uses:	Vacant land**.**
Zoning:	Zoned 'PD' (Planned Development) as part of the Eagle's Landing Subdivision, Unit XI.
Road Access:	Bethpage Drive.
Application Received:	February 7, 2022.
Sign Posted:	March 1, 2022.

Planning Commission Meeting: March 24, 2022.

Council Meeting: April 11, 2022.

Development Regulations Relevant to Request:

- City of Stockbridge Unified Development Code (including the Zoning Code and the Subdivision Ordinance).
- All other City Code sections regarding site development standards and requirements.

APPLICANT'S REQUEST

The applicant proposes to construct a new single-family detached home on the subject property. The submitted site plan indicates that the total heated area of the residence would be 8,915 square feet, with a front yard setback of 55.2 feet from Bethpage Drive. To the rear, the setbacks would vary from 51.0 to 52.5 feet. More than half of this distance would be for a "tree preserve area."

To deviate from the required 75-foot rear yard setback for a golf course-abutting lot, the applicant has filed a variance application to request that the rear yard setback be reduced to 50 feet, which would be a reduction of 25 feet. Per Section 12.11.022(5) of the Stockbridge Zoning Code (the October 26, 2021 version), such a request is a legitimate reason for an applicant to apply for a variance.

Although the agent for the applicant stated that the applicant is requesting a variance for a reduction in the rear yard setback to allow him to build a large home on the property and to improve the aesthetics of the front yard, the applicant submitted a revised letter on March 16, 2022, which stated that the variance was needed in order to comply with the garage policy of the Eagles Landing Property Owner's Association (ELPOA). Page 32 of ELPOA's Rules and Regulations (dated May 2021) state that homes must have attached garages for at least two cars, and that they may not face the street. Rather, all garages must face either the side lot line or the rear lot line. Golf cart garages are also allowed. The applicant's letter states that by providing side-entry garages to meet the ELPOA's requirements, the footprint of the house will not fit on the lot without encroaching into the required setbacks. The agent further said that having a rear entry would cause difficulties in the turning radii of the driveway.

Accordingly, the applicant's site plan shows a side-entry garage attached to the front of the proposed home. This would be a three-car garage with a depth of 30 feet. A golf cart garage would also be attached, with a depth of 12'8". Together, the two garages would account for 42'8" of the total depth of 88.5 feet on the eastern side of the house, excluding a bay window. The agent stated that no consideration was given to placing the garages at the rear of the

home because a) the turning radii of the driveway at the rear of the property would be difficult, and b) little room would be left for a usable back yard.

The applicant would prefer to be granted the requested variance for a rear-yard setback reduction of 25 feet (from 75 feet to 50 feet). However, in his revised letter, he stated that he would also agree to having a rear-yard setback reduction of only 10 feet (with a reduction from 75 feet to 65 feet), in order to move the house forward to the front yard setback line (which is 40 feet).

As part of his variance application, the applicant submitted a letter of approval from the ELPOA's Architecture Review Board, dated December 10, 2021. More recently, the applicant obtained a revised approval letter from the ELPOA Architecture Review Board, dated March 11, 2022, which specifically stated its approval of the applicant's variance request to reduce the rear yard setback at 727 Bethpage Drive from 75 feet to 50 feet.

EXISTING CONDITIONS

A. Property Location. Per the attached "Aerial Photo of Site Vicinity", the subject property is located on the north side of Bethpage Drive, about midway between Champions Drive to the west and Cog Hill to the northeast. Bethpage Drive forms a boundary between the Stockbridge City Limits and Henry County, thus the lots across the street are outside of the City.

B. Property Characteristics. The subject property is vacant, fairly level, and wooded. It is zoned 'PD' (Planned Development) and it is part of the Eagles Landing Subdivision, Unit. The recorded plat for Unit XI was dated 05/25/05. It allows for the construction of one single-family detached home on the property, with a rear yard setback of 75 feet since this is a golf course-abutting lot. The property is part of the Eagle's Landing Country Club, and one of the fairways and greens for the golf course lie to the rear of the property. No physical hindrance was observed in the front yard which might necessitate moving the home further back on the property.

C. Surrounding Land Use and Zoning. Table 1 below provides the land uses and zoning districts which surround the subject property.

TABLE 1:– SURROUNDING LAND USE AND ZONING

Location	Existing Land Use	Existing Zoning
Property to the North	Eagles Landing Golf Course, abutting the rears of properties on Cog Hill	PD (Eagle's Landing Subdivision)
Property to the South	Vacant lot, outside of the City	PD (Eagle's Landing Subdivision)
Property to the East	Vacant lot	PD (Eagle's Landing Subdivision)

Property to the West	Vacant lot	PD (Eagle's Landing Subdivision)

No other houses on Bethpage Drive appear to have rear yard setbacks of 50 feet or less. On the aerial photograph of Bethpage Drive from the Henry County Tax Assessors' Office, the rear yard setbacks of five nearby lots on Bethpage Drive measure from approximately 62 feet to 94 feet, including two lots with swimming pools in their rear yards.

ZONING HISTORY

The agent for this variance application has stated that he previously applied for rear yard setback reductions for three other lots within the Eagle's Landing Subdivision. The addresses for those lots are 842 Cog Hill, 845 Cog Hill, and 306 Broadmoor Way. Cog Hill is the next street to the north, and Broadmoor Way lies to the north of Cog Hill.

Of these three properties, 306 Broadmoor Way, which is located outside of the City, was developed first, in 2016, according to the Henry County Tax Assessors' property records. An extra-large house was constructed on the property, which actually contains two lots. The house has a heated area of 14,292 square feet and an effective area of 15,542 square feet. On the aerial photograph, the house appears to have a rear yard setback of 52 feet, and it is more than double the size of any other house on Bethpage Drive, Cog Hill, or Broadmoor Way.

For 842 Cog Hill, an administrative waiver, rather than a variance, was granted by the City on July 13, 2021 for a reduction in the rear yard setback due to the presence of difficult topography on the property. A new home is currently under construction.

A variance application for 845 Cog Hill (VR-18-14-S) was filed with Henry County Planning and Zoning, whose Variance Evaluation Report recommended the denial of the requested variance since the application did not meet the required variance criteria. However, the City of Stockbridge prepared its own report, with a recommendation of Approval With Conditions after an approval letter was received from the Eagle's Landing Property Owners' Association (ELPOA). Subsequently, City Council approved the case on March 11, 2019, per Resolution #R19-1043. The property remains undeveloped, though.

At 244 Eagles Landing Way, City Council approved a variance via Case #VR-11-01-S (and Resolution #11-37) on February 4, 2011 to allow an accessory structure (a swimming pool) to encroach into the 50-foot golf course buffer by 20 feet (thereby leaving a rear yard setback of only 30 feet). However, this variance was granted eleven years ago, and it was for an accessory structure rather than for the principal structure (the home).

ANALYSIS OF REQUEST—CRITERIA FOR GRANTING A VARIANCE PER CHAPTER 12.11. OF THE STOCKBRIDGE ZONING CODE (from the October 26, 2021 Version)

12.11.023 ***Criteria to Be Considered for Deciding Variances.*** A variance may be granted only upon a finding by the mayor and council that all of the seven conditions that are listed below are met.

A. <u>CRITERION #1--Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due its size, shape, or topography that are not found on other properties in the same zoning district.</u>

There are no extraordinary or exceptional conditions pertaining to the subject property due to its size, shape, or topography that are not applicable to other lands or structures in the Eagles Landing Subdivision. Although the property owner at 842 Cog Hill was allowed to reduce the rear yard setback, this was due to the presence of challenging topography, for which an administrative waiver, rather than a variance, was granted.

Although the subject property is of similar size to that of other lots on Bethpage Drive, all lots must meet the requirements of the ELPOA, and specifically its garage policy. Due to the widths of the lots, designing their site plans to allow for side-yard or rear-yard garage entries, while still meeting the rear yard setback requirements, may be challenging. The subject property has 120 feet of frontage on Bethpage Drive, according to the applicant's submitted land survey.

B. <u>CRITERION #2--A literal interpretation of the provisions of this Zoning Code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.</u>

The provisions of this Chapter would not deprive the applicant of rights that are commonly enjoyed by owners of other properties within the Eagles Landing Subdivision. The applicant would be able to construct a single-family detached home on the subject property without the requested variance. However, the applicant may not be able to build a three-car garage or a golf cart garage, which other properties in the neighborhood may have, and which are allowed by the ELPOA.

C. <u>CRITERION #3--Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.</u>

Granting the originally-requested rear-yard setback variance of 50 feet rather than the required 75 feet would confer upon the property owner a special privilege compared to other property owners along Bethpage Drive. However, granting the revised request of a rear-yard setback variance of 65 feet would be more reasonable since another home on Bethpage Drive appears to have a rear yard setback of only 62 feet.

D. <u>CRITERION #4--The variance will be consistent with the purposes and intent of this Zoning Code, will be compatible with uses on neighboring properties, and will serve the public welfare.</u> The reduction of a property's rear yard setback is a legitimate reason for requesting a variance.

However, since all of the existing golf course-abutting houses on Bethpage Drive appear to have rear yard setbacks of much more than 50 feet, the originally-requested reduction of the rear yard setback to only 50 feet would not be compatible with the neighboring

properties, and it may cause the rear yard view from neighboring properties to be obstructed. Further, no benefit to the public welfare is foreseeable if the originally-requested variance were to be granted. But the revised variance request for a rear yard reduction to 65 feet would be more reasonable.

E. CRITERION #5--The extraordinary circumstances are not the result of actions of the applicant. The circumstances which have caused the applicant to seek the requested variance are partially the result of the applicant's proposed construction of a large home (with a three-car garage and a golf cart garage) on the property, as well as a need to comply with the ELPOA's restriction on the positioning of garages on the property, as was previously explained.

F. CRITERION #6--The variance is the minimum relief that will allow the legal use of the land, building or structure. The requested variance is not the minimum relief which the applicant needs in order to build a house of the proposed size, dimensions, and location on the subject property. The applicant could build a home according to his revised variance request, whereby the proposed home would be moved up to the front yard setback line, causing the rear yard setback to only need to be reduced to 65 feet rather than 50 feet. The requested rear yard setback reduction would therefore be only 10 feet rather than 25 feet.

G. CRITERION #7--The variance is not a request to permit a use of land, buildings or structures that is prohibited in the same zoning district. The requested variance would not permit a type of use of land, buildings, or structures that is prohibited in the Eagle's Landing Subdivision. A variance is not required to allow for the construction of a single-family detached home on the property. However, since the subject property is located within a country club community having a golf course, it is reasonable to expect large homes to be built there, including three-car garages. Further, since this lot abuts a golf course, it is reasonable to expect that homes might include golf cart garages, which are expressly allowed by the ELPOA's Building Guidelines.

CONCLUSIONS

1. The applicant has demonstrated that a variance is needed in order to meet the requirements of the ELPOA's Rules and Regulations, which prohibit attached garages from facing the street. This necessitates that garages have their entrances from the side or rear of a home. Although a rear-entry garage might be possible, this would require a longer driveway, which a) may cause a turning radius difficulty; b) would result in a greater impervious coverage on the property due to the longer driveway's extra pavement; and c) would leave little usable land area in the back yard of the property.

2. The applicant has agreed to a revised variance request, with a rear yard setback reduction from 75 feet to 65 feet rather than 50 feet. In view of the other rear yard setbacks along Bethpage Drive, this seems reasonable and would be more compatible with the neighboring properties.

RECOMMENDATIONS

1. The Planning and Zoning Staff recommends the **DENIAL** of the applicant's originally-requested variance for a reduction of the rear yard setback from 75 feet to 50 feet.

2. The Planning and Zoning Staff recommends **APPROVAL WITH CONDITIONS** for the applicant's revised variance request for a reduction in the rear yard setback from 75 feet to 65 feet, provided that the following **Zoning Conditions** are met:

   a. The property shall be developed only in accordance with a **revised site plan,** which is similar to the submitted one (which was prepared by Sibley-Miller Surveying & Planning, Inc. on 10/29/21 as Job No. L2021147, and which was received on February 7, 2022), which shows that the rear yard setback will be no greater than 65 feet. Said site plan may be conceptual only and it must meet or exceed the requirements of the current Zoning Code and these conditions prior to the approval of a Land Disturbance Permit. If these recommended Zoning Conditions cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to applying for a land disturbance permit. Unless it is otherwise noted herein, compliance with all conditions shall in in place prior to the issuance of the first Certificate of Occupancy.

   b. The rear yard setback shall be no less than 65 feet, which shall be measured from the rear yard property line to the nearest point of the proposed home (the principal structure).

   c. The property shall be developed in accordance with all other specifications of the Eagles Landing Property Owners Association (ELPOA).

   d. The property shall be developed in accordance with all other specifications of the approved plat for the Eagle's Landing Subdivision, Unit XI.

City of Stockbridge Planning and Zoning Staff
RECOMMENDATIONS:

1. DENIAL of the original variance request.
2. APPROVAL WITH CONDITIONS for the revised variance request.

City of Stockbridge Planning Commission
RECOMMENDATION:

City of Stockbridge Mayor and Council:
ACTION:

ATTACHMENTS:

1. Aerial Photo of Subject Property
2. Aerial Photo of Neighbors' Homes
3. Aerial Photo of Site Vicinity
4. Applicant's Revised Letter 3-16-22
5. Artist's Rendering of Proposed Home
6. ELPOA Approval Letter from 12-10-21
7. ELPOA Approval Letter from 3-11-22
8. ELPOA Garage Policy
9. Posted Zoning Sign—View from the West
10. Posted Zoning Sign—View from the East
11. Preliminary Site Plan (in green)
12. Subdivision Plat—Eagle's Landing, Unit XI
13. Survey of the Property
14. Water Authority Letter

/LML