

Memorandum

Date: September 19, 2022.

To: Mayor and Council

From: Community Development

Subject: **PZ 22-026. City Initiated Variance, Special Use, and Change in Zoning Conditions: To address non-conforming privacy fences at 4184 and 4185 Lilycrest Way, within the Vineyards Subdivision, privacy fences that front sections of New Macland Road, within land lot 651 of the 19th District, 2nd Section, and Cobb County, Georgia. PINs: 19065100810 and 19065100800.**

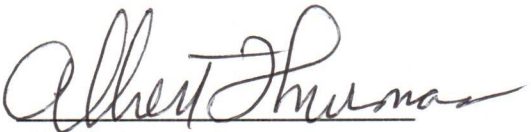
Action:

A motion to APPROVE the variance request, special use, and change in zoning conditions with the following stipulations:

1. Approval of change in conditions of zoning to allow encroachment of a fence within the 20-foot undisturbed buffer for 4184 and 4185 Lilycrest Way. The homeowner is required to install landscaping 7 feet outside the fence, and 13 feet inside the fence, at the New Macland Road frontage.
2. Approval of the variance to increase the maximum allowed height of a front yard fence from 3-feet to 6-feet.
3. Approval of the special use request to allow a fence in the front yard.
4. The fence at 4184 Lilycrest Way was installed between the existing buffer landscaping and is set back at various distances. The minimum distance to the property line is 7-feet. This fence is approved as is.
5. The fence at 4185 Lilycrest Way is outside the property line at the New Macland Road frontage, and shall be relocated to a minimum distance of 7-feet inside the property line. To be in compliance, the homeowner shall:
 - a. Provide a drawing from a fencing contractor showing location of fence at least 7 feet from the property line at the New Macland Road frontage, and visually consistent with the neighboring fence for design review and approval.
 - b. Provide a landscaping plan matching the subdivision landscaping in the 20-foot undisturbed buffer. Landscaping for the purpose of screening the fence shall be required at the side fence line as well as the road frontage. Said landscape plan to include a mix of evergreen trees and shrubs of approved species, as specified in Appendix 12A of the Unified Development Code.
 - c. Remove gravel driveway, and stabilize area with grass seed/straw or sod.

- d. Professionally install fencing and landscaping per the approved design review and landscaping plans.
 - e. The side fence line shall be supplemented with landscaping to provide screening.
 - f. If not completed within 6 months, this approval is null and void and the fence is subject to code enforcement action for removal.
6. If measurements and property lines cannot be confirmed on site, a survey may be required by the community development director. Both homeowners shall be in compliance with the zoning stipulations within 6 months of this approval. If not provided, the fences shall be removed and subject to code enforcement action. The fences shall be maintained and not fall into disrepair. Once the fences are removed or not maintained, this approval is no longer valid, and new application is required.

So motioned, this 19th day of September 2022.



Albert Thurman, Mayor



Patrick Bordelon, Council Member

ABSENT

Doris Dawkins, Council Member



Patricia Wisdom, Council Member



Henry Lust, Council Member



Dwayne Green, Council Member

Attest:



Kelly Axt, City Clerk